

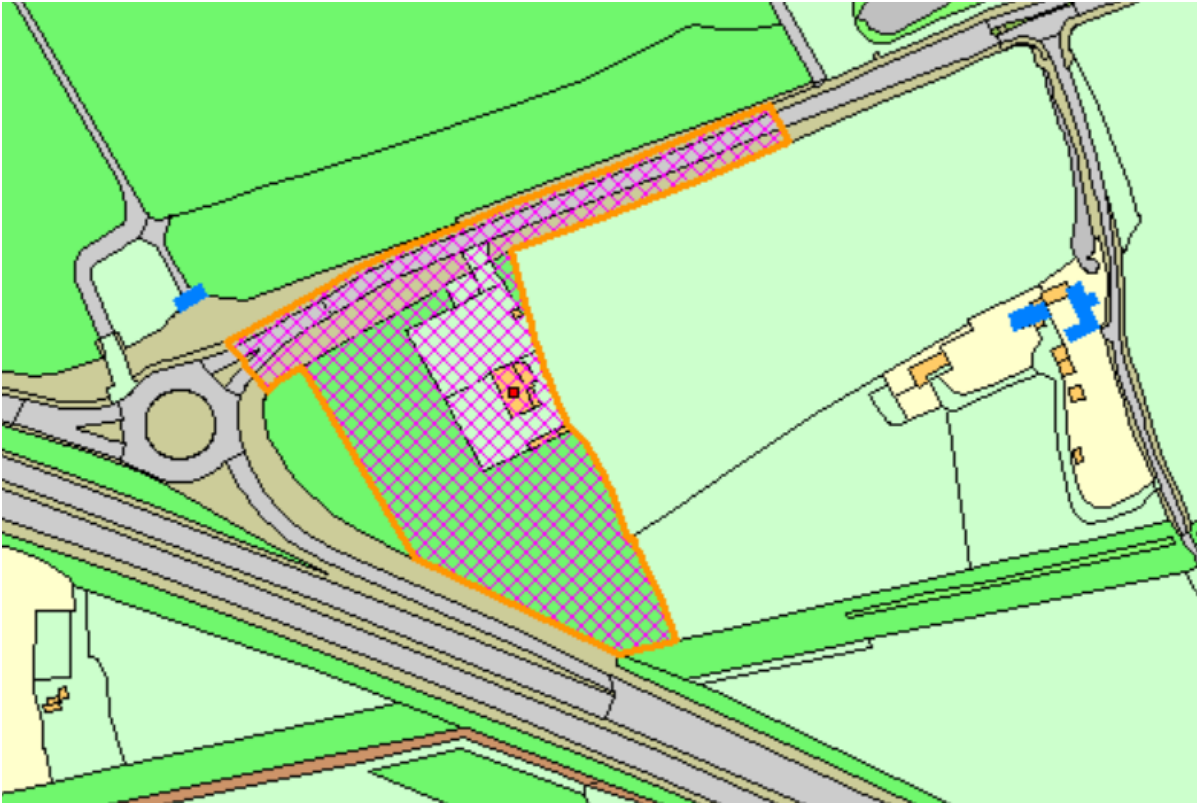


ITEM NUMBER: 7

PLANNING COMMITTEE DATE: 21 August 2024

REFERENCE NUMBER: UTT/23/2006/FUL
LOCATION: FOXTONS YARD, STORTFORD ROAD, GREAT DUNMOW, ESSEX, CM6 1WY

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 05 August 2024

PROPOSAL: Erection of a new Lidl foodstore (Use Class E) with associated car parking and landscaping.

APPLICANT: Lidl Great Britain Limited

AGENT: Rapleys LLP

EXPIRY DATE: 7th November 2023

EOT Expiry Date 23 August 2024

CASE OFFICER: Timothy Cakebread

NOTATION: Outside Development Limits. Poor air quality – within 35m of A120. Within 6km of Stansted Airport. Within 100m of SSSI. Within 20m of Local Wildlife site. Within 250m of Ancient woodland. Local county wildlife site to south of site . Grade II listed building to north and to the south east of the site.

REASON THIS APPLICATION IS ON THE AGENDA: Major application

1. EXECUTIVE SUMMARY

- 1.1** This application seeks planning permission for a Lidl food store (use class E) comprising 2,169 sq m gross internal area (GIA), car parking spaces, landscaping and for the demolition of the existing buildings on site.
- 1.2** The site is 1.52 hectares and is located to the southern side of Stortford Road, east of the Dunmow West Interchange Roundabout and north of the A120. The current use at the site is for a fencing supplies business (which is relocating). The proposal would make use of the existing access onto the Stortford Road.
- 1.3** It is concluded that the proposals comply with the relevant policies contained within the Uttlesford District Local Plan 2005 (as Adopted), the Great Dunmow Neighbourhood Plan and the National Planning Policy Framework.

2. **RECOMMENDATION**

That the Strategic Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -

- A) Completion of a s106 Obligation Agreement in accordance with the Heads of Terms as set out
- B) Conditions

And

If the freehold owner shall fail to enter into such an agreement, the Strategic Director of Planning shall be authorised to **REFUSE** permission following the expiration of a 6 month period from the date of Planning Committee.

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The triangular shaped site is 1.52 ha and is located to the southern side of Stortford Road (B1258) and east of the Great Dunmow west interchange roundabout and north of the A120.
- 3.2 To the north of the B1256 opposite the site is High Wood, a Site of Special Scientific Interest (SSSI). To the east is agricultural fields which have outline planning consent granted on appeal (UTT/19/2354/OP) in January 2022 for up to 60 dwellings. No Reserved Matters application has been submitted and the deadline for this is 18 January 2025.
- 3.3 The site is partially developed, and its current use is for a fencing supplies business (who are looking to relocate to another site in the area regardless of the outcome of this application). The site consists of an enclosed barn which has a footprint of 171m² and hardstanding to its side and frontage. A detached office building is located to the side of the barn.
- 3.4 There is a gated vehicular access onto the B1256 on the northern boundary and there is an existing pavement on the northern side of Stortford Road.
- 3.5 Opposite the site is a Grade II listed building (Gatehouse to Eaton Lodge). Adjacent to this planning permission was granted on appeal and the SoS under UTT/21/1708/OP for "*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.” At Land East Of Highwood Quarry, Little Easton. There is further residential development along Stortford Road which is also currently being implemented.

3.6 Great Dunmow Town Centre is approximately 2.1km to the north east of the site.

3.7 The nearest supermarket is a Tesco Superstore and is located appropriately 0.7 miles away along the B1256 to the east of the site. This gained planning consent in 1994 (Ref UTT/0277/94/FUL) and has subsequently been extended several times.

4. PROPOSAL

4.1 The proposal is for the erection of a new Lidl foodstore (use class E) with associated car parking and landscaping.

4.2 The existing buildings would be demolished and a single storey building erected.

4.3 There would be 119 (total) car parking spaces provided with 9 for parent and child, 6 disabled spaces and 2 EV charging points.

4.4 The perimeter of the site will incorporate new landscaping in addition to enhancing the existing vegetation. There will be the delivery of 18 new trees, of which 6 are located to the front of the site (along Stortford Road), 7 are located along the western boundary, close to the boundary with the A120, and 5 are located within the drainage basin.

4.5 Vehicular access would be via Stortford Road to the northeastern corner of the site.

4.6 The delivery bay will be located at the end of the car park to the south eastern corner.

4.7 The Lidl store would measure 2,169 sq m GIA with a net sales of 1,512 sq m of which an area of 1,210 sqm would be for convenience good sales and 302 sq.m for comparison good sales.

4.8 The opening times would be:
Monday to Saturday 08.00 – 22.00
Sunday 10.00 – 18.00
Bank holiday 08.00 – 22.00

4.9 The proposal would create 40 full time equivalent jobs.

4.10 The proposed store would be single storey in height and have a glazed entrance and a glazed elevation along the western boundary facing onto South Street.

5. **ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

6. **RELEVANT SITE HISTORY**

6.1

Reference	Proposal	Decision
DUN/0686/68	Site for dwelling	Refused
P/A/2/14/5	Erection of barn	
UTT/0677/08/FUL	Retrospective planning application for change of use to recycling wooden palletts	Refused
UTT/1370/07/FUL	Change of use of Agricultural Building to B8 (storage) use and cladding of building	Refused
UTT/15/1285/FUL	Proposed change of use and alterations to barn to supply materials for fencing supplies business. Including the erection of a new modular office building and landscaping works.	Approved with conditions
UTT/16/2907/FUL	Proposed external racking and security lighting	Refused
UTT/17/0827/FUL	Proposed erection of external racking, external landscaping and lighting	Approved with conditions
UTT/17/0831/FUL	Retention of existing portable buildings for a three year period. Alterations to landscaping and parking area	Approved with conditions
UTT/17/1326/FUL	Removal of condition 2 of UTT/15/1285/FUL - no outdoor storage	Approved with conditions
UTT/2158/89	Outline application for erection of service station. Construction of new access and alteration to existing access	Refused

UTT/22/3353/SCO	Request for a screening opinion for the demolition of existing building and erection of new development, comprising a discount foodstore (Use Class E), with car parking and landscaping	EIA not required
UTT/19/2354/OP	For erection of 60 dwellings with a new vehicular access and all other matters to be reserved. (Adjacent site)	Appeal allowed Jan 2022
UTT/22/0391/OP	The development proposed is residential development comprising 14 no. self-build dwellings together with access from and improvements to Buttleys Lane.(adjacent site)	Appeal dismissed Sept 2023
UTT/21/1708/OP	Land east of Highwood quarry, Park Road, Little Easton, Dunmow CM6 2JL. The development proposed is for 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.	Appeal allowed. Sept 2023

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 A Statement of Community Involvement has been submitted. Pre-application discussions have also taken place with Essex County Council (ECC) highways and drainage departments.

7.2 Lidl has also undertaken consultation with the local community. The community consultation comprised the delivery of 4,992 leaflets to surrounding addresses inviting people to register their comments and thoughts online; and 6-paged A5 leaflets (printed in full colour) and which provided the details of the proposed development, including a computer-generated visualisation of the finished store and the proposed site plan. A webpage (lidlgreatdunmow.rapleys.com) giving further details of the proposal and inviting feedback was also created for the consultation prior to the submission of the application.

7.3 The leaflets invited local residents to register their comments either online or through the free post return slip provided. In total, 373 responses were received via the Microsoft Forms with a further five responses received via email. Additionally, 661 responses were received via post. The majority of residents (90% / 904 individuals) support the proposed development in principle. Only 70 individuals (7%) expressed a lack of support for the proposed development, while the remaining 3% (26 individuals) indicated that they were undecided.

7.4 In addition, residents were also provided the opportunity to provide general comments. These comments are summarised under the following themes:

- Theme 1 – Happy to see the proposed development, especially to increase choice and affordable prices in Great Dunmow
- Theme 2 – Concerns about the impact on the highway network
- Theme 3 – Concerns about visual amenity

7.5 Lidl has also engaged with Great Dunmow Town Council by submitting draft plans of the proposal. Subsequently, a virtual meeting took place on 21 April 2023 with the representatives of the Town Council. The Town Council provided their comments on 5 May 2023 and stated that although the Town Council welcomes the prospect of a Lidl in Great Dunmow, they object to the current proposed location.

7.6 In conclusion the results of the community engagement as stated within the Statement of Community Involvement considered that the principle of the proposal is acceptable and supported by the majority of the local community.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 **National Highways – No objection (Appendix 1)**

8.1.1 There has been extensive dialog with National Highways and the revised Transport Assessment (Rev 4) and Road Safety Audit Information is deemed acceptable subject to a condition in respect of a cut off drain being provided at the boundary of the site and the A120 slip road.

8.2 ECC Highways – No objection (Appendix 2)

8.2.1 The Highway Authority has reviewed the information which has been submitted with the planning application, including the original transport assessment (dated July 2023), subsequent technical notes (dated 15th September 2023, 23rd October 2023, 7th November 2023, 1st December 2023, 18th January 2024), the updated transport assessment (dated 25th March 2024), and further documentation submitted in response to our last recommendation (dated 10th April 2024) including drawing no. 16-2118-SK102 Rev A (Proposed Access Arrangement), Automatic Traffic Count data (report ID 477/22), Stage 1 Road Safety Audit report (reference 18418 dated 17th April 2024) and the designer's response to that report.

8.2.2 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

8.3 Local Flood Authority – No objection (Appendix 3)

8.3.1 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object subject to conditions.

8.4 Natural England – No objection (Appendix 4)

8.4.1 No objections subject to conditions.

9. Town Council & Parish Council

9.1 Great Dunmow Town Council reviewed the proposal at the 31st August 2023 Planning and Transport Committee. They object to the proposal for the following reasons:

- Members considered the transport report submitted by Lidl representatives to be inaccurate relating to number of vehicles, trips and access.
- Members consider the access plan is unsuitable.
- Members request a spur to be added to the roundabout on the B1256. Stortford Road had a reported 170% loading before the supermarket is considered. The average speed on the B1256 is anticipated to be between 5 and 7mph by 2030.
- The existing establishment on site closes at 5pm, Lidl would remain open until 10pm and the lights from vehicles exiting the site would

directly impact the refuge for wildlife on the site of Specific Scientific Interest, High Wood, directly opposite the site.

- Access from the roundabout would significantly mitigate this issue although clarification how they propose to mitigate light pollution on High Wood as this is a valuable wildlife asset

9.2 Little Canfield Parish Council response from 5th September 2023 states that they are neither objecting nor supporting the proposal. They recommend that a left turn only access and egress from the site to help reduce the pressure on traffic flow in and out of Great Dunmow.

10. CONSULTEE RESPONSES

10.1 Minerals and Waste – No objection

10.1.1 No comment

10.2 UDC Environmental Health – No objection

10.2.1 Having reviewed the application suit of documents specifically including the Air Quality Assessment (RSK) and External Lighting Plans (DWG 00 and DWG 01) I have no objections to the proposal subject to conditions.

10.3 Affinity Water – No objection

10.3.1 No comment

10.4 UDC (Conservation and Heritage) – Commenting

10.4.1 Having reviewed revised comments from the applicant in response to the Advice Note submitted on Built Heritage and Conservation (dated 15 September 2023) I am in agreement with the assessment by Border Archaeology, that the level of less than substantial harm to the significance of heritage assets in proximity of the site is at the lower end of the scale.

10.4.2 I am not opposed to the use of modern and innovative materials that are fit for purpose. If the application is approved then conditions associated with the materials, detailing and construction methods are required.

10.5 Place Services (Ecology) – No objection

10.5.1 Recommends approval subject to conditions.

10.6 Place Services (Archaeology) – No objection

10.6.1 Recommend approval subject to conditions.

10.7 Landscape Officer – No objection

10.7.1 Having reviewed the LVA (BEA Landscape Design) and soft landscaping proposal (Dwg.No.22-098-P-02 Rev.C dated Oct 2022) I consider the proposal is appropriate subject to condition.

10.8 Cadent Gas – No objection

10.8.1 No objection in principle.

10.9 Aerodrome Safeguarding – No objection

10.9.1 No objection subject to condition.

10.10 National Gas Transmission – No objection

10.10.1 No assets affected by the proposal

10.11 UK Power Networks – No objection

10.11.1 There are no assets within the site but an electrical line and or plant runs along the southern boundary of the site. Should any excavation effect these assets then please contact us.

11. REPRESENTATIONS

11.1 Site notice/s were displayed on site and 291 notifications letters were sent to nearby properties. The application was published in local newspaper on the 17th August 2023 and 9 responses have been received, including a response from Martin Robeson Planning Practice (MRRP) on behalf of Tesco (see paragraph 11.4)

11.2 Support

- 11.2.1**
- Need for another supermarket due to the increase in number of new homes being built in Dunmow
 - Need for a range of supermarkets will give people a choice and also stop people doing their food shopping in Braintree or Bishop's Stortford
 - Determination is taking too long when the town needs additional facilities and services such as this proposal. The Lidl will help with the cost of living and provide an alternative range of convenience and comparison goods.

11.3 Object

- 11.3.1**
- Agree that Dunmow needs another supermarket, but this is not the right location due to the amount of congestion it would cause coming in and out of Dunmow (in addition to the new housing developments being built nearby).
 - Dunmow would benefit more from a new supermarket with a petrol filling station to give Tesco competition which Lidl will not be able to provide.

- Negative impact onto the retailers in Dunmow town centre
- If Tesco is struggling to cope with additional demand, they should expand their store and/or build a smaller supermarket within the new development within Woodside Way
- Appearance of a Lidl sign at this entrance to the town will be an eyesore
- Is there sufficient parking with all the new housing being built in Dunmow
- Consider that the impact onto the listed buildings has far higher negative impact than what the application submitted states.
- Great Dunmow is transforming away from a small town with its community feel due to all the new developments being built
- This will create more infill development

11.4 MRRP on behalf of Tesco provided response objecting to the proposal on 29 January 2024. This is summarised below including stating where in this report their response is considered.

Topic	Assessment
Failure to comply with the policies within the Great Dunmow Neighbourhood Plan which is part of the Development Plan. For example the proposal is outside of the settlement boundary of the town as per Policy DS1, which states only development outside of the boundary should be for sporting facilities	See paragraphs 14.3.5 to 14.3.8
Proposal floorspace is double the local threshold for an out of centre location and will have a negative impact onto the trading of Great Dunmow town centre which is contrary to paragraph 95 in the NPPF.	See paragraphs 14.3.20 to 14.3.23
Harm to heritage assets would not outweigh public benefits of the proposal.	See sub section 14.5

11.5 In addition to the above the applicant has prepared a rebuttal to this objection and this is included within Appendix 5.

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework. The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The

determination must be made in accordance with the Plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act 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,:

(a) 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.

12.3 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

12.4 The Development Plan

12.4.1 Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made Feb 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)
Stebbing Neighbourhood Plan (made 19 July 2022)
Saffron Walden Neighbourhood Plan (made 11 October 2022)
Ashdon Neighbourhood Plan (made 6 December 2022)
Great & Little Chesterford Neighbourhood Plan (made 2 February 2023)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2023)

13.2 Uttlesford District Plan 2005

S7 – The countryside
GEN1- Access

GEN2 – Design
GEN3 -Flood Protection
GEN4 - Good Neighbourliness
GEN5 – Light Pollution
GEN6 - Infrastructure Provision
GEN7 - Nature Conservation
GEN8 - Vehicle Parking Standards
ENV2 - Development affecting Listed Buildings
ENV3 - Open Space and Trees
ENV7 – The Protection of the Natural Environment
ENV10 -Noise Sensitive Development
ENV13 - Exposure to Poor Air Quality
ENV14 - Contaminated Land
E3 – Access to workplaces
RS1- Access to Retailing and Services
RS2- Town and Local Centres

13.3 Great Dunmow Neighbourhood Plan (2016)

Policies

- DS1:TDA – Town development area
- LSC1 – Landscape, Setting and Character
- NE1 – Identified Woodland Sites
- NE4 – Screening
- GA2 – Integrating Developments (Paths and Ways)
- GA3 – Public Transport
- E1 – Employment Land

Guidance

- Position LSC-A – Historic Character
- Position E-A – Economic Growth

13.4 Supplementary Planning Document or Guidance

Essex County Council Parking Standards (2009)

Essex Design Guide

Uttlesford Interim Climate Change Policy (2021)

Developers Contributions (2023)

District Wide Design Code (2024)

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2**
- A) Principle of development**
 - B) Design, Scale, Layout and Landscaping**
 - C) Heritage Impacts and Archaeology**
 - D) Impact on natural environment designated sites and biodiversity**
 - E) Highways and parking (including access considerations)**

F) Flooding
G) Contamination
H) Interim Climate Change Policy
I) Planning Obligations

14.3 A) Principle of development

14.3.1 The NPPF has a presumption in favour of sustainable development. Paragraph 8 of the NPPF 2023 states that achieving sustainable development means that the planning system has three overarching objectives, namely economic, social and environmental, which are interdependent, and which need to be pursued in mutually supported ways so that opportunities can be taken to secure net gains across each of the different objectives.

14.3.2 Paragraph 11 of the NPPF states that for decision taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting planning permission unless
i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

14.3.3 The site lies outside settlement development limit of Great Dunmow and is therefore within the countryside as per Policy S7 of the Local Plan and Policy DS1:TDA of the Great Dunmow Neighbourhood Plan (GDNP).

14.3.4 Policy S7 seeks to restrict development in the open countryside directing it to the main urban areas. The policy has three strands: firstly, to identify land outside of the settlement limits, secondly, to protect the countryside for 'its own sake', and thirdly, to only allow development where its appearance protects or enhances the particular character of the countryside within which it is set, or if there are special reasons why such development needs to be in that location.

14.3.5 The Inspector to the outline residential planning application (UTT/19/2354/OP), which is a material consideration in determining this application, at land to the west of Buttleys Lane, Great Dunmow, to the east of the application site, stated under paragraph 9 '*Policy DS1 of the GDNP in establishing the Town Development Area (TDA) seeks to direct development to the areas already permitted for housing (which are significant in the Great Dunmow area), protect the rural setting and contain the spread of the town. Protecting the rural setting is stated as a priority for the GDNP and its community but the most important elements*

of the setting are clearly expressed as the east, north and south sides of the established town. The west side, although forming part of the setting and containing the important Fritch Way corridor, is not given the same prominence. This would appear to explain in part why the most significant housing sites north and south of Stortford Road (already permitted) are on the west side of the town'

- 14.3.6** The Inspector while acknowledging this site is outside of the town development area, this sub-area is changing as development is deemed to be acceptable as the rural character of the locality does not have as much prominence to other areas outside of Great Dunmow.
- 14.3.7** The site is currently occupied by Dunmow Fencing Supplies Limited who are planning to relocate their business irrespective of this planning application. The site is not designated as an employment or retail zone however, due to its current employment use it is a partial brownfield site. GDNP Policy E1 supports the development of land for employment opportunities (subject to adherence to other policies in this plan, such as being easily accessible and well connected; and subject to environmental/amenity impacts) and this is supported by further guidance within Position E-A within the GDNP.
- 14.3.8** Despite being located outside the Town Development Area specified within Policy DS1 of GDNP, the proposed development in this location is considered acceptable as it re-uses an existing employment site for development (with an increase in job creation) ensuring the town is not spread further, does not offend future housing growth in the town and does not conflict with the rural setting (given that it is already an employment site).
- 14.3.9** Sequential Test
- 14.3.10** The site is located c.2km to the west of Great Dunmow Town Centre and for the purposes of sequential testing it is an out-of-town centre location.
- 14.3.11** The NPPF provides guidance in paragraphs 91-95 that local authorities should apply sequential testing to retail planning applications that are not in an existing centre and are not in accordance with an up-to-date Local Plan. The sequential test should demonstrate there are no suitable sites firstly in the town centre and secondly on the edge of centre.
- 14.3.12** The applicant has included a sequential test as part of their planning statement and suitable sites for a discount foodstore (Lidl) range from 0.32 ha to 1.62ha with this site being at the top end of this range at 1.52 ha. The applicant considered sites within a 0-10minute off peak drive time as Lidl catchment area is as a neighbourhood facility. The only centre within this catchment area is Great Dunmow Town Centre.
- 14.3.13** When undertaking the sequential test, it is important that only suitable sites are considered, and this is supported by a range of case law such

as Aldergate Properties v Mansfield District Council (2016) (EWHC 1670 (Admin) 8 July 2016).

14.3.14 The applicant's assessment found 5 potentially suitable sites within the catchment area, these are assessed as follows:

Location	Size	Assessment
Car Park to rear of Great Dunmow Club	0.17ha	Site is too small and is an active car park. Not suitable
White Street Car Park	0.64ha	Active car park not suitable
UDC Depot	0.23ha	Site is too small and, not suitable
Land at Smith Farm, Chelmsford Road	1.4ha	The part of the site where the proposed foodstore is located the RM application has lapsed. There is no evidence that the site is available and if another operator looked at this it is an out of centre site so it not sequentially preferable
Land East of Highwood Quarry	Retail unit to be completed before 40% of houses are completed	Retail unit is a max size of 900 sqm thus is too small

14.3.15 The sequential test assessment found no potentially sequentially preferable sites and premises to accommodate the proposed development.

14.3.16 The Council appointed Nexus Planning to undertake an independent review of the sequential and retail impact assessments.

14.3.17 The Nexus review of the sequential test added the site at Land East of Highwood Quarry, and they also considered that the applicant should assess Takeley as while this is not classified within the Local Plan as a centre it is classified within the Regulation 19 draft Local Plan as a local rural centre. The applicant undertook a review of the centre in Takeley and found that there are no vacant retail units which could accommodate a Lidl foodstore and no land available that conform to the sequential parameters. Nexus consider that the sequential test is appropriate and complies with local and national guidance.

14.3.18 Retail Impact Assessment

14.3.19 The Local Plan and GDNP do not have specific policies for retail proposals which are not located within the main town centre. Policy RS2 of the Local Plan states that the Council will seek to sustain the vitality and viability of Great Dunmow as a smaller town centre.

- 14.3.20** Paragraph 94 of the NPPF states that *‘When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace)’*. The Uttlesford Retail Capacity Study Update (2023) which is an evidence base document to the emerging Local Plan (forecast to open for Regulation 19 consultation at the end of the summer) advocates a lower threshold of 1,000 sqm (which is also the position within the emerging Local Plan).
- 14.3.21** The proposal will be 1,512 sqm of which 1,210 sqm (c80%) will be for convenience sales and the remainder will be for comparison sales.
- 14.3.22** The applicant has prepared a Retail Impact Assessment within the Planning Statement. This has reviewed all retail stores that this proposal could complete with and a range of parameters including total household expenditure of both goods, existing market share of food stores, turnover of proposed Lidl store and household turnovers. This assessment found that the proposal would not have a significant adverse impact on the vitality and viability of Great Dunmow Town Centre, with an impact of just 8.78%. The principal competition for this Lidl comes from Co-op (in Great Dunmow Town Centre) and Tesco (edge town of Great Dunmow). The assessment of both considers that both will continue to overtrade against benchmarks, with Tesco overtrading by as much as 98% (convenience goods), when compared to benchmark.
- 14.3.23** Nexus has confirmed that the Impact Assessment prepared by Rapleys is methodologically sound and accords with the NPPG. Furthermore, they have concluded that following the receipt of the NEMS Household Survey, that they are content to conclude that the impacts of the proposal are unlikely to constitute significant adverse impact on sites (including Tesco and Co-Op) or centres (Great Dunmow Town Centre). The proposal therefore complies with the guidance within the NPPF.
- 14.3.24** Summary
- 14.3.25** The sequential test and retail impact assessments conclude that the site is acceptable to both assessments.
- 14.3.26** The Retail Capacity Update (October 2023) to the emerging Local Plan states under paragraph 6.9: *We therefore recommend that the Council seeks to identify a suitable site in, or on the edge of, Great Dunmow Town Centre for the provision of a foodstore in order to address the needs of the resident population over the period to 2026 and beyond. The sequential assessment outlines there are no sequentially preferable sites within Great Dunmow Town Centre or in edge-of-centre locations. Given the retail capacity update and need to address the resident population in the future, it is considered that the proposed development site (out of*

centre) would meet the emerging demand from Great Dunmow and as such is considered acceptable in this context.

14.3.27 This site is a partial brownfield site wherein the NPPF supports sustainable development and the GDNP supports the retention and enhancement of employment sites. The proposal will create 40 FTE jobs together with a multi-million-pound investment into the local area delivering a boost to the local economy.

14.28 The principle of development is acceptable in terms of both local and national policies and guidance.

14.4 B) Design, Scale, Layout and Landscaping

14.4.1 In terms of design policy, good design is central to the objectives of both National and Local planning policies. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes. Section 12 of the NPPF highlights that the Government attaches great importance to the design of the built development, adding at Paragraph 131 '*The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve*'. These criteria are reflected in Policy GEN2 of the Local Plan and within Policy LSC1 of GDNP. In addition, the Council has recently adopted a District Wide Design Code SPD to help provide design guidance.

14.4.2 The proposed store will be a single storey located in the southeastern part of the site with the car parking area adjacent the store extending westwards, with servicing of the store at the southern part of the site adjacent to the retention basin. There will be new landscaping along the perimeter of the site in addition to the enhancement of the existing hedgerows.

14.4.3 The layout helps to ensure that the design contributes positively to the street scene with the glazed wall on the northern elevation fronting Stortford Road which helps to provide openness as well as encouraging natural surveillance from increased activity around the store entrance and individuals using the car park. Access to the site will be via the existing entrance which will be upgrade. The layout will ensure the store has good visibility to both Stortford Road and the A120 in the south.

14.4.4 The store will provide a modern contemporary design which features a single height glazed curtain walling in grey and insulated metal cladding panels in white. The base of the wall cladding will have a render strip in grey and the doors will be powder coated steel in grey. The building will also have metal composite insulated roof panels with steel coping flashing along the perimeter in grey to match the cladding, and aluminium gutters and rainwater pipes. The roof of the store slopes slightly from north to south.

- 14.4.5** The accompanying Landscape Assessment states that the existing vegetation is poor quality and overgrown and that the proposal will remedy this by providing ongoing maintenance with landscape enhancements, particularly along the northern and eastern boundaries. This will deliver 18 new trees, of which 6 are located to the front of the site (along Stortford Road); 7 are located along the western boundary, close to the boundary with the A120; and 5 are located within the drainage basin. Overall, this will represent an enhancement to the visual amenity of the site by providing improved landscaping which inputs into the overall high-quality design of the proposal.
- 14.4.6** There are no surrounding properties adjacent the site with the nearest residential properties being c175m to the east of the site. Thus, any impact on the amenity of these properties is very limited. A lighting scheme has been proposed which will minimise light spillage and dust from the construction is considered to have a medium risk and an associated planning condition will ensure mitigation to reduce this. Subsequently the impact of noise, light and dust is limited, and conditions will help to manage this.
- 14.4.7** Overall, the site is a gateway location on the junction of Stortford Road and the A120. The proposal will deliver a high-quality modern building and layout which complements the size of the site. The scheme will provide better maintenance to the existing vegetation will providing 18 new trees. Both UDC landscape and conservation officers raise no objections to the proposal which complies with National and Local Policies.

14.5 C) Heritage Impacts and Archaeology

- 14.5.1** Policy ENV 2 of the Local Plan seeks to protect the historical significance, preserve and enhance the setting of heritage assets. This is supported by guidance within the GDNP under position LSC-A.
- 14.5.2** The guidance contained within Section 16 of the NPPF, 'Conserving and enhancing the historic environment', relates to the historic environment, and developments which may have an effect upon it. The NPPF defines significance as 'the value of a heritage asset to this and future generations because of its heritage interest'. Such interest may be archaeological, architectural, artistic or historic.
- 14.5.3** Paragraphs 200, 205 and 206 of the NPPF state: "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, the significance, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification*". The NPPF provisions

summarised above set out the approach which is required in law under the Planning (Listed Buildings and Conservation Area) Act 1990, sections 66(1) and 72(1) of which require great weight to be given to any harm to a listed building or its setting, and to the character/appearance of a conservation area.

14.5.4 The site has no designated heritage or archaeological assets. The site does lie within the setting of several designated heritage assets, such as the ruined gatehouse to High Wood (known as Easton Lodge Gatehouse) which is Grade II which is on the other side of Stortford Road to the northwest and 2 Grade II listed buildings at Highwood Farm located c100m to the east of the site. The Great Dunmow Conservation Area is 1.3km to the northeast of the site.

14.5.5 The proposal does have the potential to impact onto the setting of the heritage assets. UDC Conservation have reviewed the Heritage Statement (2023) and proposed landscaping screening. The landscape consists of the existing vegetation to all sides of the site and new tree planting to the northwest and southwest boundaries of the site. In addition, the building is single storey and is set back from the main road so will not be prominent in views from Stortford Road. The Conservation Officer agrees with the conclusion in the Heritage Statement that the overall impact of the proposed development in heritage terms may be assessed as slight to moderate and would cause less than substantial harm to the setting and significance of three of the designated heritage assets – the Gatehouse to Easton Lodge, Highwood Farmhouse and the Barn at Highwood Farm, with neutral harm to the Round house.

14.5.6 In accordance with Paragraphs 208 and 212 of the National Planning Policy Framework (2023) and Planning (Listed Building and Conservation Areas) Act (1990), the proposed development would provide significant public benefits including new employment opportunities for local people, improved landscaping along Stortford Road and improved customer choice and shopping experience for local people. As such, it is considered that the public benefits outweigh the less than substantial harm from the development on nearby heritage assets, in accordance with national and local planning policies.

14.6 D) Impact on natural environment designated sites and biodiversity

14.6.1 Policy GEN7 of the Local Plan seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated. Policy ENV7 also of the Local Plan states that proposals that adversely affect designated natural environment sites will not be permitted unless the need for development outweighs the importance of the designated site.

14.6.2 The application was submitted before the requirement for 10% Biodiversity Net Gain was introduced by the Government.

14.6.3 The site has no designated natural environment designation but High Wood on the opposite side Stortford Road to the north of the site is a SSSI and Flitch Way Local Natural Reserve (LNR) is to the south.

14.6.4 The ecology concludes that the proposal provides suitable mitigation measures to avoid any impacts on to the designated natural environments, such as fence to the south of the site to stop public access to the Flitch Way LNR. Place Services Ecology consider that the proposal is acceptable due to the biodiversity improvements, such as the incorporation of new native trees, deadwood hibernacula and 2 bird and bat boxes. These help to secure net gains for the site's biodiversity. They recommend a number of conditions to ensure construction impacts onto the SSSI and Flitch Way LNR and protected species are mitigated. The proposal is in accordance with Local Policies.

14.7 E) Highways and parking (including access considerations)

14.7.1 Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must compromise road safety and take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and also encourage movement by means other than a vehicle.

14.7.2 GDNP Policies GA1, GA2 and GA3 relate to various aspect of sustainable transport promoting other means of transport other than the private car, namely public rights of way and public transport. These principles form part of the principles of sustainable development in the 2023 NPPF and as such are considered to carry full weight.

14.7.3 Paragraph 114 (b) of the NPPF states that development should ensure that *'safe and suitable access to the site can be achieved for all users'*, whilst Paragraph 116 (c) states that development should *'create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.'*

14.7.4 The existing access to the site from Stortford Road will be upgraded to include a ghost island right turn arrangement and the speed limit along Stortford Road will be reduced to 40mph. This will also include a pedestrian island to the northeast of the entrance to allow pedestrian access to the existing footpath that runs along the northern part of Stortford Road.

14.7.5 There is a new entrance proposed onto Stortford Road to the east of the site for the outline planning application (Ref UTT/19/2354/OP) which was granted consent in 2022. This access will also have a ghost island right turn arrangement with a pedestrian signalised crossing, footway and bus stop provisions. As part of the section 278 works to the adopted highways for the outline planning application it will be coordinated to ensure that the

future highways work for the adjacent site can be delivered. Furthermore, the s106 contribution in this application towards real time bus information will be for the bus stop being delivered as part of this adjacent consent.

14.7.6 The upgraded access will also allow for deliveries and servicing vehicles to safely access the site. The Transport Assessment states that there is sufficient capacity in the local road network including the junction to the A120 to accommodate the proposed development.

14.7.7 The site will include 119 car parking spaces, including 6 disabled bays, 9 parent & child bays and 2 EV charging bays. In addition, 10 cycle spaces will be provided in the form of Sheffield stands. This is in compliance against Local Plan Policy GEN8 and Essex Parking Standards (which allows for a maximum of 155 car parking spaces).

14.7.8 The Transport Assessment has been updated several times following extensive consultation with ECC Highways and National Highways both of which consider that the proposal is acceptable against Local and National policy and guidance subject to the section 106 and planning conditions.

14.8 F) Flooding

14.8.1 Policy GEN3 of the Local Plan requires development outside flood risk to avoid increasing the risk of flooding through surface water run-off.

14.8.2 The NPPF states that inappropriate development in areas of high-risk flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

14.8.3 The Environmental Agency's website and the Council's policy maps has identified the site is within a fluvial Flood Zone 1 where there is a minimal risk of flooding.

14.8.4 The application includes a Drainage Strategy which includes on site attenuation which will ensure the proposal can cope with drainage including future predicted increase in rainfall.

14.9 G) Contamination

14.9.1 Policy ENV14 of the Local Plan states that any proposal on contaminated land needs to take proper account of the contamination. Mitigation measures, appropriate to the nature and scale of the proposed development will need to be agreed.

14.9.2 UDC Environmental Health do not consider that the site is contaminated and are not aware of any previous occupiers who may pose a contamination risk. The proposal is in accordance with the Local Policy subject to a planning condition should any contamination be discovered.

14.10 H) Interim Climate Change Policy

14.10.1 Policy GEN2 of the Local Plan seeks to ensure that the design of new development helps to minimise water and energy consumption. Uttlesford Interim Climate Change Policy sets out a list of Policies of note a demonstration of how developments demonstrate the path towards carbon zero. The NPPF seeks to ensure that new development should avoid increased vulnerability arising from climate change. More so, developments should help to reduce greenhouse gas emissions.

14.10.2 The proposal will be sustainably constructed, with construction techniques, materials and operational practices to promote energy saving and carbon reduction. Other measures to promote environmental sustainability include a rooftop PV solar panel array for on-site energy generation (which will help to reduce greenhouse gas emissions) and the provision of 2 EV charging points, which will allow customers to charge their vehicles whilst shopping (and help to minimise air pollution from motor vehicles).

14.10.3 UDC Environmental Health have raised no objection to the proposal and overall, the proposal in accordance with Local Policy and guidance.

14.11 I) Planning Obligations

14.11.1 Policy GEN6 of the Local Plan states that development will not be permitted unless it makes provision for school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development.

14.11.2 Paragraph 57 of the NPPF sets out that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. This is in accordance with Regulation 122 of the Community Infrastructure Levy (CIL) Regulations.

14.11.3 The following identifies those matter that the Council would seek to secure through a planning obligation, if it were proposing to grant planning permission.

- 14.11.4**
- Real time passenger information displays at new bus shelters on Stortford Road (secured under planning reference UTT/19/2354/OP) cost of £31,148.18 (index linked)
 - Travel Plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £7,037.16 (index linked) to be paid before occupation to cover the 5 year period
 - UDC Monitoring Fee - £1,664.00
 - ECC Monitoring Fee

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

15.1.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

15.1.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

15.2 Human Rights

15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application

16. Planning Balance and Conclusion

16.1 Benefits of the development

- 16.2**
- Redevelopment of a partial brownfield employment site for enhanced employment use (e.g creation of up to 40 new jobs, wherein the existing site has 9 (increase of up to 31 jobs).
 - Retail Capacity Update evidence base to the emerging Local Plan supports the provision of a new supermarket in Great Dunmow and the proposal demonstrates this is the Sequentially preferable site and the and retail impact assessment is satisfactory. The proposed impact onto Great Dunmow Town Centre and the edge of centre Tesco is acceptable.
 - Lidl will provide a greater choice of convenience goods to locals and could stop residents visiting other settlements which have a greater range of supermarkets than Great Dunmow
 - All consultees are either commenting and or not objecting to the proposal (other than residents and Town Council)

- The existing hedgerows will be enhanced and there will be an increase of 18 new trees which will help to increase the biodiversity on the site.

16.3 Neutral Impacts

- 16.4**
- Existing business is relocating to another site, but this is not confirmed yet but it is important that this local employer is seeking to remain in the area
 - Proposal has had a lot of local interest with residents seeing both the benefits and negatives.
 - The layout utilise the existing vegetation with the addition of new trees to mitigate the impacts onto the SSSI and LNR

16.5 Negative impacts

- 16.6**
- Despite the mitigation measures proposed (location of the building and improvements to the vegetation) the Heritage Officer agrees with the applicant's heritage advisor that the overall impact of the proposal would cause less than substantial harm (on the slight to moderate scale) to the setting and significance of the adjacent heritage assets.
 - Great Dunmow Town Council were in support of the application as part of the pre-submission consultation, but their formal consultation response was an objection largely on highway grounds. Both Highways England and ECC Highways consider the proposal acceptable.

16.7 Conclusion

16.8 The principle of retail use is deemed acceptable to both local and national policies and guidance. It will deliver a high-quality scheme at a gateway location. The design has been carefully considered to mitigation the impacts of the proposal onto the heritage and nature designations, through the siting of the proposed building and increased tree planting within the site.

16.9 Notwithstanding the proposed less than substantial harm to nearby heritage assets and objections from the Great Dunmow Town Council, it is considered that the benefits of the proposed development, including redevelopment of an existing employment site, increased shopping choice to meet the needs of local residents, creation of new jobs for local people, enhancement to landscaping along Stortford Road and provision of enhancements to bus stop infrastructure, outweigh the harm and that the proposed development complies with the tests outlined in Paragraphs 208 and 212 of the National Planning Policy Framework (2023).

16.10 Overall, the proposals are in conformity with relevant local and national planning policies and the scheme results in a positive and sustainable form of development that is of planning merit.

16.11 It is therefore recommended that the application be approved subject to

the suggested conditions.

17. S106 / CONDITIONS

17.1 S106 Heads of Terms

- Real time passenger information displays at new bus shelters on Stortford Road (secured under planning reference UTT/19/2354/OP) for £31,148.18 (index linked)
- Travel Plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £7,037.16 (index linked) to be paid before occupation to cover the 5 year period
- UDC Monitoring Fee - £1,664.00
- ECC Monitoring Fee

17.2 Conditions

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

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

- 2** The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies

- 3** No works except demolition shall takes place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting discharge rates to 2.9l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party/ All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Final modelling and calculations for all areas of the drainage system.

- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

REASON:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

To ensure the development does not increase the risk of flooding through surface water run-off in accordance with ULP Policy GEN3

- 4** No works shall take place (excluding demolition) until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON:

The National Planning Policy Framework paragraph 173 and paragraph 180 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

- 5** Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with ULP Policy GEN3.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

- 6** The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. This is in accordance with ULP Policy GEN3.

- 7** Before the store carpark is brought into use a cut off drain is to be provided at the boundary of the site and the A120 slip road, the design of which is to be approved by the internal drainage board, the drain once installed is to be maintained in perpetuity.

REASON: To prevent surface water draining on to the A120 slip road in the interests of road safety in accordance with ULP Policy GEN3.

- 8** Construction Management Plan: no development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:

- a. vehicle routing,
- b. the parking of vehicles of site operatives and visitors,
- c. loading and unloading of plant and materials,
- d. storage of plant and materials used in constructing the development,
- e. wheel and underbody washing facilities.

f. before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer.

REASON: to ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1 of the Highway Authority's Development Management Policies February 2011

9 All works hereby permitted shall be carried out only between the following hours:

- 08 00 Hours and 18 00 Hours on Mondays to Fridays
- 08 00 and 13 00 Hours on Saturdays and;
- at no time on Sundays and Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above

REASON: In the interests of the amenity of surrounding locality residential premises in accordance with Policies GEN2, and GEN4.

10 Highway works: prior to occupation of the development, the following highway works will be provided entirely at the developer's expense:

- a. provision of a priority junction access with ghost right-turn island and pedestrian refuge island as shown indicatively on Cora IHT drawing no. 16-2118-SK102 Rev A
- b. provision of 2m wide footways on both sides of the access as shown indicatively on Cora IHT drawing no. 16-2118-SK102 Rev A
- c. provision of an informal pedestrian crossing point across Stortford Road (B1256) with tactile paving and 2m wide pedestrian refuge island to the north-east of the junction as shown indicatively on Cora IHT drawing no. 16-2118-SK102 Rev A
- d. conduct a review of the speed limit along Stortford Road (B1256) as part of the detailed design process for the highway works package, and if required, undertake the work and cover all costs incurred in developing and implementing a reduction in the speed limit to 40mph, including as appropriate, traffic regulation order, provision of new gateway features, signage and removal of redundant signage.

REASON: in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

11 Visibility: prior to occupation of the development, the road access at its centre line shall be provided with a clear to ground visibility splays with dimensions of 2.4 metres by 105 metres to the west (measured to the carriageway splitter island) and 2.4 metres by 210m to the east (measured from and along the nearside edge of the carriageway) as

shown on Cora IHT drawing no. 16-2118-SK102 Rev A. Such vehicular visibility splays shall be provided before the road access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: to provide adequate inter-visibility between vehicles using the road access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 12** Car parking: the development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: to ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 13** Cycle and powered two-wheeler parking: prior to occupation of the development, the Developer shall submit for approval to the local planning authority, in consultation with the highway authority, details of cycle parking facilities and powered two-wheeler parking provision which shall be provided in accordance with the Essex Parking Standards 2009, or later relevant standards. The approved facilities shall be secure, convenient, covered and retained at all times.

REASON: to ensure appropriate cycle / powered two-wheeler parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

- 14** External lighting/signage: prior to the first use of any external lighting within the development site, the light source shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The maximum luminance of the sign shall not at any time exceed the standards contained within the Institution of Lighting Professionals, Professional Lighting Guide.

REASON: To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety and in accordance with Policy DM1 of the Development Management

Policies as adopted as County Council Supplementary Guidance in February 2011.

- 15** If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

REASON: To protect human health and to ensure that no future in accordance with the Policy ENV14 of the Adopted Local Plan and the NPPF.

- 16** A minimum of two electric vehicle charging point shall be installed in the car park. These shall be provided, fully wired and connected, ready to use before first occupation.

REASON: To encourage/support cleaner vehicle usage in accordance with the NPPF and ULP Policies ENV13 and GEN2 of the Uttlesford Local Plan (adopted 2005) and in accordance with the guidance in Approved Document S 2021.

- 17** Prior to the commencement of physical works at the site the applicant must provide a Dust Management Plan (DMP) incorporating all essential and recommended mitigation measures considered by the IAQM "Guidance on the Assessment of Dust from Demolition and Construction" to be appropriate for this site given its risk rating which must be determined within the Air Quality Assessment. The DMP must be submitted to and approved in writing by the Council's Pollution Control Team. With appropriate mitigation as laid out in the aforementioned IAQM guidance, the construction dust risk should be rendered negligible. This will protect the health and amenity of local sensitive receptors.

REASON: To ensure the protection of the surrounding amenity in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 18** An acoustic assessment covering all proposed noise-generating fixed plant (in line with the methodology of BS 4142:2014) shall be submitted to the local planning authority for approval prior to the installation of any noise-generating fixed plant equipment commencing, along with a scheme of mitigation to ensure that:

1) at any time the plant rating level calculated according to BS4142:2014 shall not exceed the measured typical day and night-time LA90 background levels at any noise sensitive receptor, and additionally,
2) that the measured or calculated plant specific noise level (i.e. in the absence of any rating penalties) does not exceed 5dBA below the typical day and night-time LA90 levels [subject to a lower specific noise level requirement of 30dBA] at any noise sensitive receptor.

Once approved the scheme of mitigation shall be implemented in full prior to the use commencing and permanently maintained thereafter and replaced in whole or in part as often is required to ensure compliance with the noise levels.

REASON: To ensure the development does not have any harmful impact to the surrounding amenity with regards to noise and disturbance in accordance with ULP Policy GEN4.

- 19** No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:-
- (a) Dust mitigation and management measures.
 - (b) The location and operation of plant and wheel washing facilities
 - (c) Measure to reduce demolition and construction noise including, where applicable, noise trigger levels & monitoring and a plan to show where the nearest noise sensitive premises are in relation to the site.
 - (d) Hours of operation
 - (e) Details of a complaints procedure with a designated person on site responsible for complaint handling
 - (f) Other site specific Environmental Protection issues as requested on a case by case basis
 - (g) The development shall be undertaken in full accordance with the details approved under Parts a-f

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy GEN7 of the Adopted Local Plan and the National Planning Policy Framework.

- 20** A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development.

The content of the LEMP shall include the following:

- Description and evaluation of features to be managed.
- Ecological trends and constraints on site that might influence management.
- Aims and objectives of management.
- Appropriate management options for achieving aims and objectives.
- Prescriptions for management actions.
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- Details of the body or organisation responsible for implementation of the plan.

- Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy GEN7 of the Adopted Local Plan and the National Planning Policy Framework.

- 21** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Enzygo, July 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

- 22** Prior to commencement a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to include protection of surrounding habitats and ecologically designated sites and a precautionary working method statement for Great Crested Newt, common reptile species and Badger.

- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

- 23** Prior to any works above slab level, a Biodiversity Enhancement Strategy for biodiversity enhancements, prepared by a suitably qualified ecologist in line with the recommendations of the Ecological Impact Assessment (Enzygo, July 2023), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

REASON: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (Priority habitats & species).

- 24** Prior to beneficial use, a “lighting design strategy for biodiversity” in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and

that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

25

1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.
3. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: The Essex Historic Environment Record and recent excavation in the adjacent site has shown that the proposed development area contains potentially significant archaeological remains. Excavations to the east of the proposed development identified early medieval remains (EHER49678). It is located near to a known area of cropmark evidence indicating a number of potential prehistoric and medieval features (EHER 14075). To the north of the proposed development is the Roman road of Stane Street (EHER 1226, 4698). To the south, prehistoric settlement activity including a late Iron Age farmstead was identified at Site 11 Highwood Farm during the A120 Trunk Road excavations (EHER45325). There is therefore the potential for early medieval, medieval and Roman archaeological remains within the proposed development.

The archaeological work would comprise initial trial trenching to identify the extent and depth of archaeological deposits followed by open area excavation if archaeological deposits are identified. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office.

This is in accordance with UDC LP Policy ENV4.

- 26** The application site is located within close proximity to Stansted Airport. In the interests of aviation safety, measures to minimise and manage the creation of dust and smoke should be implemented for the full duration of all construction works, in accordance with the advice of Stansted Airport and the Civil Aviation Authority.

REASON: Flight safety – dust and smoke are hazardous to aircraft engines; dust and smoke clouds can present a visual hazard to pilots and air traffic controllers. This is in accordance with UDC LP Policy GEN 2 and GEN4.

- 27** Should the solar PV array not be installed flush to the roof, and therefore provide nesting opportunities for birds that are hazardous to aviation, then a Bird Hazard Management Plan for the array is to be produced to provide mechanisms for control should birds hazardous to aviation start to nest under the array. The Bird Hazard Management Plan is to be submitted to the LPA in consultation with the Safeguarding Authority for Stansted Airport.

REASON: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. This is in accordance with UDC LP Policy GEN 2 and GEN4.

- 28** During construction, robust measures to be taken to prevent birds being attracted to the site. No pools of water should occur and prevent scavenging of any detritus.

REASON: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. This is in accordance with UDC LP Policy GEN 2 and GEN4.

- 29** Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport. This is in accordance with UDC LP Policy GEN 2, GEN4 and GEN5.

30 No development above slab level shall commence until the external materials of construction for the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of the appearance of the development and to accord with Policy GEN2 of the Uttlesford Local Plan 2005.

31 Prior to commencement of the development hereby approved, measure of renewable energy/climate control and water efficiency measures associated with the development shall be submitted to and approved in writing by the local planning authority. Thereafter, all approved measures shall be implemented prior to the occupation of the development and thereafter retained unless otherwise agreed in writing by the local planning authority.

REASON: To ensure the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with Policies ENV13 and GEN2.

32 No development above slab level shall commence until details of the planting sizes and planting centres for the hedgerows and trees shall be submitted to and approved in writing by the local planning authority. Thereafter the landscaping shall be implemented as approved.

REASON: To ensure that new vegetation planted is sufficient to ensure the successful growth of the new vegetation in accordance with Local Plan policies GEN7.

33 The planting proposals hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the council. All planted materials shall be maintained for five years, and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

REASON: To ensure that the appearance of the development is satisfactory in accordance with Local Policy GEN2

Appendix 1 – National Highways



National Highways Planning Response (NHPR 24-02) Formal Recommendation to an Application for Planning Permission

From: Martin Fellows (Regional Director)
Operations Directorate
East Region
National Highways
PlanningEE@nationalhighways.co.uk

To: Uttlesford District Council (FAO Madeline Jones)
planning@uttlesford.gov.uk

CC: transportplanning@dft.gov.uk
spatialplanning@nationalhighways.co.uk

Council's Reference: UTT/23/2006/FUL

National Highways Ref: NH/23/03255

Location: Foxtons Yard Stortford Road Great Dunmow Essex CM6 1WY

Proposal: Erection of a new Lidl foodstore (Use Class E) with associated car parking and landscaping.

Referring to the consultation on a planning application dated 30th January 2024 referenced above, in the vicinity of the A120 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- ~~a) offer no objection (see reasons at Annex A);~~
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);
- ~~c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B ~~is~~ is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningEE@nationalhighways.co.uk.

Signature: 	Date: 19 June 2024
Name: Mark Norman	Position: Spatial Planner
National Highways National Highways Woodlands Manton Lane Bedford MK41 7LW	

¹ Where relevant, further information will be provided within Annex A.

Annex A National Highways' assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Subject to a condition being attached to any permission being granted we have no objection to the application being granted.

Before the store carpark is brought into use a cut off drain is to be provided at the boundary of the site and the A120 slip road, the design of which is to be approved by the internal drainage board, the drain once installed is to be maintained in perpetuity.

Reason,

To prevent surface water draining on to the A120 slip road in the interests of road safety

Standing advice to the local planning authority

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 74 and 109 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 108 and 114 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of [PAS2080](#) promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

Appendix 2 – ECC Highways

Your Ref: UTT/23/2006/FUL
Our Ref: HT/SD/RMc/26831
Date: 28/05/2024



CC (by email): Cllr Barker
Essex Highways Development Management

To: Uttlesford District Council
Assistant Director Planning & Building Control
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

Recommendation

Application No.	UTT/23/2006/FUL
Applicant	Lidl Great Britain Limited C/O Rapleys LLP
Site Location	Foxtons Yard Stortford Road Great Dunmow Essex CM6 1WY
Proposal	Erection of a new Lidl foodstore (Use Class E) with associated car parking and landscaping

This recommendation supersedes our previous recommendations dated 11th October 2023, 27th November 2023, 17th January 2024 and 10th April 2024.

The Highway Authority has reviewed the information which has been submitted with the planning application, including the original transport assessment (dated July 2023), subsequent technical notes (dated 15th September 2023, 23rd October 2023, 7th November 2023, 1st December 2023, 18th January 2024), the updated transport assessment (dated 25th March 2024), and further documentation submitted in response to our last recommendation (dated 10th April 2024) including: drawing no. 16-2118-SK102 Rev A (Proposed Access Arrangement), Automatic Traffic Count data (report ID 477/22), Stage 1 Road Safety Audit report (reference 18418 dated 17th April 2024) and the designer's response to that report.

The assessment of the application was undertaken with reference to the National Planning Policy Framework 2023, in particular, paragraphs 114-116, the following were considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. **Construction Management Plan:** no development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - a. vehicle routing,
 - b. the parking of vehicles of site operatives and visitors,
 - c. loading and unloading of plant and materials,
 - d. storage of plant and materials used in constructing the development,
 - e. wheel and underbody washing facilities.
 - f. before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer

Reason: to ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1 of the Highway Authority's Development Management Policies February 2011.

2. **Highway works:** prior to occupation of the development, the following highway works will be provided entirely at the developer's expense:
 - a. provision of a priority junction access with ghost right-turn island and pedestrian refuge island as shown indicatively on Cora IHT drawing no. 16-2118-SK102 Rev A
 - b. provision of 2m wide footways on both sides of the access as shown indicatively on Cora IHT drawing no. 16-2118-SK102 Rev A
 - c. provision of an informal pedestrian crossing point across Stortford Road (B1256) with tactile paving and 2m wide pedestrian refuge island to the north-east of the junction as shown indicatively on Cora IHT drawing no. 16-2118-SK102 Rev A
 - d. conduct a review of the speed limit along Stortford Road (B1256) as part of the detailed design process for the highway works package, and if required, undertake the work and cover all costs incurred in developing and implementing a reduction in the speed limit to 40mph, including as appropriate, traffic regulation order, provision of new gateway features, signage and removal of redundant signage

Reason: in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

3. **Visibility:** prior to occupation of the development, the road access at its centre line shall be provided with a clear to ground visibility splays with dimensions of 2.4 metres by 105 metres to the west (measured to the carriageway splitter island) and 2.4 metres by 210m to the east (measured from and along the nearside edge of the carriageway) as shown on Cora IHT drawing no. 16-2118-SK102 Rev A. Such vehicular visibility splays shall be provided before the road access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: to provide adequate inter-visibility between vehicles using the road access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

4. **Car parking:** the development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: to ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

5. **Cycle and powered two-wheeler parking:** prior to occupation of the development, the Developer shall submit for approval to the local planning authority, in consultation with the highway authority, details of cycle parking facilities and powered two-wheeler parking provision which shall be provided in accordance with the Essex Parking Standards 2009, or later relevant standards. The approved facilities shall be secure, convenient, covered and retained at all times.

Reason: to ensure appropriate cycle / powered two-wheeler parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

6. **Real-time passenger information displays:** prior to occupation of the development, payment of a financial contribution of £31,148.18 (index linked to the date of this recommendation) to provide real-time passenger information displays (2no. 28" stretch TFT displays) at the (yet to be installed/named) new bus shelters on Stortford Road (secured under planning reference UTT/19/2354/OP) to include installation and a commuted sum towards the energy and maintenance for a 15 year period and part replacement costs.

Reason: in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

7. **Travel Plan:** prior to occupation of the development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £7,037.16 (indexed from the date of this recommendation) to be paid before occupation to cover the 5 year period.

Reason: in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

8. **External lighting/signage:** prior to the first use of any external lighting within the development site, the light source shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The maximum luminance of the sign shall not at any time exceed the standards contained within the Institution of Lighting Professionals, Professional Lighting Guide,

Reason: To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety and in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Informatives:

- (i) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicant should be advised to contact the Development Management Team by email at development.management@essexhighways.org
- (ii) Prior to any works taking place in public highway or areas to become public highway, the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design checks, safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims, a cash deposit or bond may be required.
- (iii) Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the

highway

- (iv) There shall be no discharge of surface water onto the Highway.
- (v) Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway



.....
pp. Director of Highways and Transportation
Enquiries to Rachel McKeown
Email: rachel.mckeown@essex.gov.uk
Internet: www.essex.gov.uk

Appendix 3 – ECC Flooding

Essex County Council
**Development and Flood Risk
Environment and Climate Action,**
C426 County Hall
Chelmsford
Essex CM1 1QH



Madelaine Jones
Uttlesford District Council
Planning Services

Date: 18th September 2023
Our Ref: SUDS-006975
Your Ref: UTT/23/2006/FUL

Dear Ms Jones,

Consultation Response – UTT/23/2006/FUL - Foxtons Yard Stortford Road Great Dunmow Essex CM6 1WY

Thank you for your email received on 15/09/2023 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we **do not object** to the granting of planning permission based on the following:

Condition 1

No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting discharge rates to 2.9l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with

the relevant third party/ All relevant permissions to discharge from the site into any outfall should be demonstrated.

- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 2

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason

The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

Condition 3

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 4

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.
<https://www.essex.gov.uk/protecting-environment>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. Planning applications with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures
Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning

Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Yours sincerely,

Anna Murphy
Development and Flood Risk Officer
Team: Green Infrastructure and Sustainable Drainage
Service: Climate Action and Mitigation
Essex County Council

Internet: www.essex.gov.uk
Email: suds@essex.gov.uk

Appendix 1 - Flood Risk responsibilities for your Council

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

- Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- Flood recovery measures (including flood proofing and other building level resistance and resilience measures)

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs

are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications '[Preparing for Floods](#)' and '[Improving the flood performance of new buildings](#)'.

- Sustainability of the development

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

Appendix 4 – Natural England

From: Martin, Fiona <Fiona.Martin@naturalengland.org.uk>
Sent: Thursday, October 19, 2023 3:11 PM
To: Madeleine Jones <majones@uttlesford.gov.uk>
Cc: Sean Moulton <sean.moulton@rapleys.com>
Subject: [External] >> RE: UTT/23/2006/FUL - Consultee Comments (Natural England)

Dear Madeleine

Further to my correspondence with the applicant on the above case (see below), I can confirm that Natural England do not object to the above planning application, subject to the LPA's usual conditions regarding considerate construction, in particular with respect to avoiding construction impacts on the nearby SSSI (e.g. dust / contaminated water etc). This is because all of the works within the 15m SSSI buffer zone are alterations to the existing highway.

Kind regards
Fiona Martin

Natural England
Eastbrook
Shaftesbury Road
Cambridge
Cambridgeshire
CB2 8DR

Fiona Martin
Sustainable Development Lead Advisor
West Anglia Team
Usual office hours:
Mondays/Tuesdays/Thursdays 08.30-15.30, Wednesday 10.00-15.30
Tel: 07825 863 101
Email: fiona.martin@naturalengland.org.uk

www.gov.uk/natural-england

Appendix 5

RAPLEYS

Tim Cakebread
Planning
Uttlesford District Council
London Road
Saffron Walden
CB11 4ER

Our ref: 22-01339
Your ref: UTT/23/2006/FUL
Date: 31 July 2024

Dear Tim,

Re: Response to Objection from Tesco Stores Limited regarding application ref. UTT/23/2006/FUL at Stortford Road, Great Dunmow, CM6 1WY.

On 29th January 2024, a letter of representation from Martin Robeson Planning Practice (MRRP) on behalf of Tesco Stores Limited was received by Uttlesford Council regarding the current application for the erection of a new discount foodstore at Stortford Road, Great Dunmow. This letter has been prepared in response to this representation.

The objection's representation covered four themes:

- Regard to Great Dunmow Neighbourhood Plan and Policy DS1 of the Neighbourhood Plan;
- Impact on Great Dunmow Town Centre; and
- Impact to Designated Heritage Assets.

This letter will cover each theme in turn.

Regard to Great Dunmow Neighbourhood Plan (GDNP) and Policy DS1 of the Neighbourhood Plan

It is acknowledged that the proposed development falls outside the Town Development Area, contained within Policy DS1 of the Great Dunmow Neighbourhood Plan (2006). Within the appeal of UTT/19/2354/0P (approved 20th January 2022), the Inspector acknowledged:

"in establishing the Town Development Area (TDA) seeks to direct development to the areas already permitted for housing (which are significant in the Great Dunmow area), protect the rural setting and contain the spread of the town. Protecting the rural setting is stated as a priority for the GDNP and its community but the most important elements of the setting are clearly expressed as the east, north and south sides of the established town. The west side, although forming part of the setting and containing the important Filch Way corridor, is not given the same prominence. This would appear to explain in part why the most significant housing sites north and south of Stortford Road (already permitted) are on the west side of the town."

Moreover, for the same reasons the rural setting of Great Dunmow, which the GDNP at Policy DS1 seeks to protect, has now materially changed on the western approaches and the impact on the setting would not be significant. Given the A120 arterial road lies at the edge of the Great Dunmow settlement, this is a physical barrier to prevent urban sprawl and provides a human barrier to nearby settlements. As such, the proposal would protect the rural setting of Great Dunmow and contain the spread of the town by in filling the settlement within the existing built-up area.

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Additionally, it is noted that the GDNP seeks design, setting and materials that respect the key positive features of the approaches to Great Dunmow (Policy LSC1), with the proposed development providing high quality landscape (including the planting of new trees – in accordance with Policies NE3 and NE4) to enhance the Stortford Road streetscene, whilst being set away from the road to protect the High Wood SSSI, thus remaining in accordance with the Neighbourhood Plan policy on landscape, setting and character. The Heritage Assessment provided demonstrates the nearby heritage assets would not be harmed from this development, in accordance with Position LSC-A (The Historic Environment) and Policy NE1 (Identified Woodland Sites).

As such, the proposed development remains in accordance with the policies and positions contained within the Great Dunmow Neighbourhood Plan (2006).

Impact on Great Dunmow Town Centre

The MRRP objection refers to the proposal's potential retail impact on the White Street Co-operative Food (Co-op) store in Great Dunmow Town Centre.

An independent review of the applicant's Retail Impact Assessment and specifically in relation to the proposal's impact on Great Dunmow Town Centre, including assessment of the impact on the White Street Co-op has been undertaken by Nexus, as appointed by Uttlesford District Council. This review concluded:

"We have assessed the applicants impact assessment and are content that the proposals are unlikely to result in any significant adverse impact subject to ratification of the NEMS Household Survey results, and to learning of the outcome to the discussion on Highwood Quarry and any potential to necessitate an updated cumulative impact assessment."

Subsequently, the NEMS Household Survey results have been shared with Uttlesford Council, with Nexus confirming the following:

"I have reviewed the data and can confirm that this corroborates the submissions made by the applicant. There is therefore no requirement to alter our previous assessment."

It is therefore, concluded that the proposal would not result in a significant adverse impact on Great Dunmow Town Centre or stores within the catchment area.

As such, the proposal complies with the retail policies contained within the National Planning Policy Framework (2023) and the current and draft Uttlesford Local Plan.

Impact to Designated Heritage Assets

A Heritage Assessment, prepared by Border Archaeology, accompanies the submission. This has found that the magnitude of impact on the listed heritage assets identified as having potential to be affected by the proposed development can be summarised thus:

"Gatehouse to Easton Lodge:

*The impact of the proposed development on the setting of the Gatehouse to Easton Lodge has been assessed as **Minor**.*

*There is intervisibility and co-visibility between the proposal site and the Gatehouse. The visual effects of the development will have a **Minor** effect on the heritage resource.*

The scale of the proposed development is consistent with Lidl's operational requirement. The new Lidl building is of contemporary design, and features a single height glazed curtain walling in grey

and insulated metal cladding panels in white on the western elevation fronting onto the carpark. The roof of the store slopes slightly from N-S designed to complement the surrounding land uses in terms of its height and bulk. This will be located along the E boundary of the site towards the SE quadrant thus there will be intervisibility between the new structure and the Gatehouse. However, the positioning of the store at the furthest point from the heritage asset and the retention of the vegetation/natural landscape in the NW quadrant and along the northern perimeter of the site, opposite the Gatehouse, will lessen the impact on the heritage asset giving an appearance of a larger buffer zone between the development and the Gatehouse.

The light industrial unit currently occupying the proposal site has been designed sympathetically to the built form and architectural character of the area, and aesthetically ties in with the rural nature of the landscape, being clad with black painted weatherboard reminiscent of the designated Barn structure at Highwood Farm and the ancillary building (non-designated) adjacent to the Round House, these designated assets lying to the E and SE of the proposal site. If the appearance and material selection proposed for the new food store were deemed to negatively impact the setting of the listed Gatehouse, a redesign of the material selection might further lessen the minor impact of the new development to the setting of the listed building.

The retention of trees and shrubs along the northern perimeter and the extra planting of trees and structural understory plants here also will break up the visual mass of the proposed built form and create a visual landscape buffer between the development and the heritage asset. It will enhance the current views between the proposal site and the Gatehouse and will be complementary to the existing ancient woodland, High Wood (SSSI) opposite on the N side of Stortford Road. The proposed landscaping scheme will provide a positive contribution to the street scene and wider surrounding area and will reflect the rural field boundaries as seen along the S side of Stortford Road.

However, it could be said the setting of the listed building has already been altered by 20th century and modern development. Construction of the new development for 790 residential houses (Planning Ref: UTT/13/2107/OP) on the E side of High Wood on the N side of Stortford Road to the NW of the proposal site which is well underway has altered the semi-rural setting of the proposal site, Gatehouse, and this fringe area on the edge of Great Dunmow, resulting in a more urbanised setting towards the western extent of Stortford Road towards the junction with the A120. The former industrial use of the proposal site itself could also be argued to have resulted in a minor change to the semi-rural nature of the assets setting. The roundabout junction for the A120 in the immediate vicinity of the Gatehouse has also substantially changed the character of the heritage asset and has had a negative visual impact on the asset, reducing its significance. The proposed new right-hand turn lane on Stortford Road is thus considered to be of minor impact as the A120 junction has already changed the character of the heritage asset and the new turn-lane is not considered to result in any substantial change. It can however be considered that the increase in vehicular traffic to and from the A120 onto Stortford Road due to the development of a new Lidl Store and the longer store operational hours will contribute to the further creation of a more urbanised setting for the Gatehouse, though the new residential development (Planning Ref: UTT/13/2107/OP) further E along Stortford Road and proposals for new residential housing (Planning Refs: UTT/19/2354/OP and UTT/22/3013/OP) and a new school site (Planning Ref: UTT/20/1963/CC) on the S side of Stortford Road in the vicinity of Buttleys Lane will further contribute to the change of character of the area.

The overall impact of the proposed development in heritage terms may be assessed as Slight to Moderate. In accordance with the National Planning Policy Framework (NPPF) it is considered that the proposed development would cause less than substantial harm to the setting and significance of three of the designated heritage assets – the Gatehouse to Easton Lodge, Highwood Farmhouse and the Barn at Highwood Farm, with neutral harm to the Round House. The harm to the three aforementioned heritage assets is considered to fall within the low to mid-point range of the scale."

In accordance with Paragraphs 208 and 212 of the National Planning Policy Framework (2023), the proposed development has significant public benefits including:

- The proposal, located within close proximity to ongoing residential development, will facilitate the creation of a new and modern discount foodstore for the residents in the locality;
- The proposal will improve customer choice and enhance the shopping experience for shoppers in Great Dunmow and the neighbouring areas, and will also promote sustainable travel patterns;
- There will be a positive economic impact as a result of new employment and increased earnings in the local area; and
- New improved landscaping will be provided throughout the site, providing a high level of visual amenity.

As such, the proposal is in accordance with the heritage policies contained within the Great Dunmow Neighbourhood Plan, Uttlesford Local Plan and National Planning Policy Framework.

Conclusion

The proposed Lidl foodstore has met the relevant retail and sequential tests outlined within the NPPF and local planning policies, which have been confirmed by Uttlesford Council's Planning Policy Team during the application process. The site would not lead to a detrimental impact on nearby heritage assets nor on the vitality or viability of nearby designated centres within the direct catchment area. The proposed development remains in compliance with the Great Dunmow Neighbourhood Plan, Uttlesford Local Plan and National Planning Policy Framework.

Yours faithfully,


S. Moulton (No. 11, 2024) (No. 1011)

Sean Moulton
MPlan
Senior Planner
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