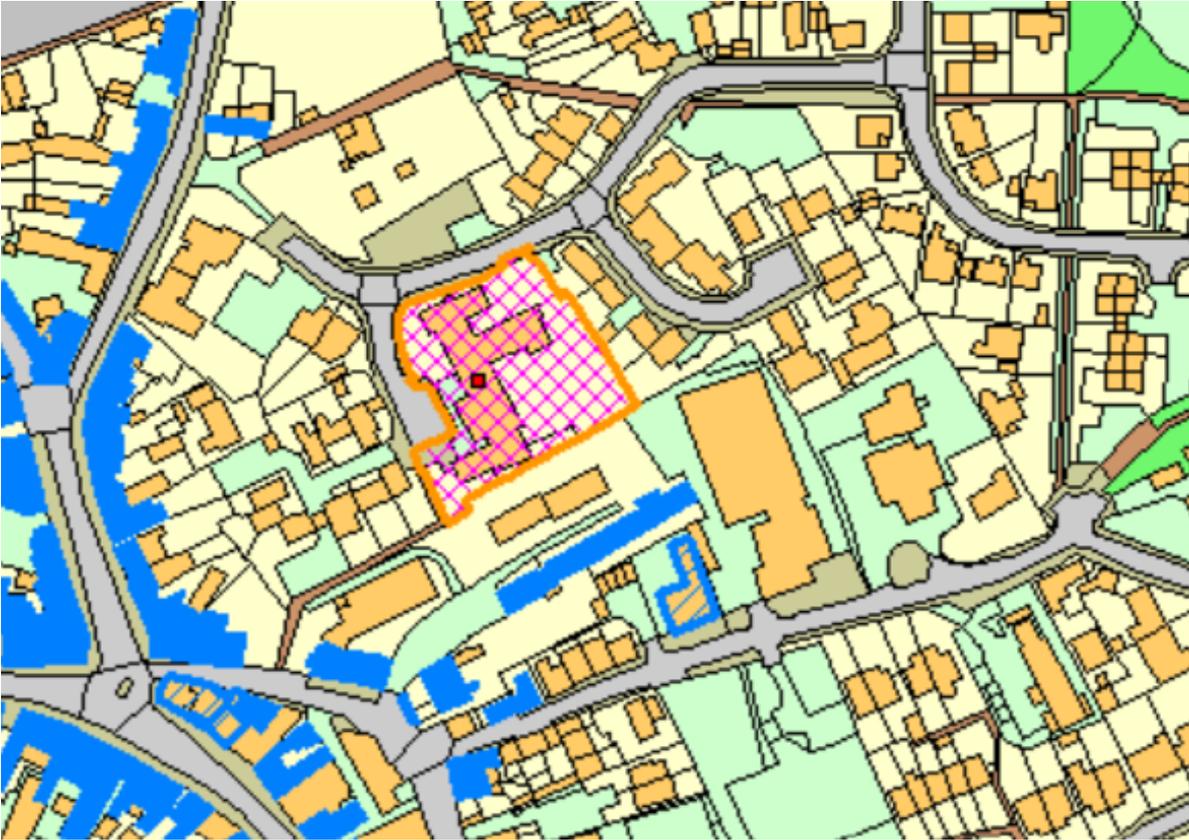


**ITEM NUMBER:** 10

**PLANNING COMMITTEE  
DATE:** 18 September 2024

**REFERENCE NUMBER:** UTT/23/2599/FUL  
**LOCATION:** Alexia House, Randall Close, Great Dunmow,  
CM6 1UW

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council Date: 02 September 2024

**PROPOSAL:** Proposed demolition of existing Alexia House and erection of 24 affordable flats (for over 60s) including vehicular access off Knights Way and associated external works

**APPLICANT:** Uttlesford District Council (Housing Strategy)

**AGENT:** Last & Tricker Partnership

**EXPIRY DATE:** 16 January 2024

**EOT EXPIRY DATE:** 27 September 2024

**CASE OFFICER:** Timothy Cakebread

**NOTATION:** Ground Water Protection Zone  
Adjacent Conservation Area  
Adjacent Listed Buildings  
Adjacent Archaeological sites

**REASON THIS APPLICATION IS ON THE AGENDA:** Uttlesford District Council own and operate the site which is currently vacant.

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## **1. EXECUTIVE SUMMARY**

- 1.1** The proposal seeks full planning permission for the demolition of the existing building (Alexia House) and the erection of 24 affordable flats (for over 60 year olds) including vehicular access off Knights Way and associated external works.
- 1.2** Alexia House was built in the 1970s as a 20 affordable flats for shared living accommodation. The building needs investment to bring the standard of accommodation up to modern requirements and due to the cost of this, redevelopment is the most cost effective solution.
- 1.3** The principle of residential (affordable) use is deemed acceptable on this site due to the current residential use and therefore this proposal complies with local and national policy.

## **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) Conditions

### **3. SITE LOCATION AND DESCRIPTION:**

- 3.1** The area of land subject to this planning application relates to the land known as 'Alexia House, Randall Close, Great Dunmow.' The extent of the application site is as shown by the land edged in red on the site location plan submitted in support of this application.
- 3.2** The site is 0.24 hectares and comprises of a vacant 2 storey building with pitched roofs built in the 1970s, a private garden and landscaping (shingle areas, lawn, banks, shrubs and trees). There is no off-street parking for cars or cycles. It is located within Great Dunmow (second largest settlement in the district) and to the east of the designated town centre.
- 3.3** The site is surrounded on all sides by a mix of detached and semi detached 1970s 2 storey residential properties, all with pitched roofs with predominately brick builds with some wooden cladding. Access to the site is via Randall Close which leads from Knights Way in the east. This connects into The Maltings which in turn leads onto North Street (B1008) which is the main road that runs through Great Dunmow from north to south. There is pedestrian access directly to Great Dunmow Town Centre to the south of the site which connects into White Street.
- 3.4** The site to the west and south is flat but the topography to the north east slopes downwards along Knights Way, which creates a noticeable difference in land levels.
- 3.5** The site does not have any designations, other than being in a ground water protection zone. In addition the Environmental Agency Flood Risk Maps identifies the whole of the site lying within 'Flood Zone 1 – low risk'. The site is outside of the Great Dunmow Conservation Area, although the west and south boundaries adjoin it. There are a number of listed buildings in close proximity to the site with 2 having the potential to be impacted on by the redevelopment of the site. These are the Great Dunmow Maltings (Grade II\*) to the south (closest listed building) and 20 and 24 North Street (Grade II) to the north west (can be viewed from the site).

### **4. PROPOSAL**

- 4.1** Redevelopment of the site for the erection of 24 affordable flats (for over 60 year olds) including vehicular access off Knights Way and associated external works. The site will be managed by Uttlesford District Council and the flats will be offered to over 60s on the council's housing register

- 4.2** The 24 flats will be split into 18 1xbeds and 6 2xbeds. Each flat has been designed for the over 60s. Every flat will have private amenity space via a balcony and access to the resident's garden. Other communal facilities include a lift (only accessible for northern core for three storey element), bin storage, cycle storage (anything else).
- 4.3** The new building will be 2-3 storeys and will replace the existing building which is 2 storeys (which will be demolished). The new building will have pitched slate roofs with black horizontal boarding and red brickwork forming the external walls.
- 4.4** There will be 26 car parking spaces (which includes 3 disabled spaces), 4 visitors car parking spaces and 24 EV charging points. There will also be a secure cycle parking storage on the ground floor for 40 bays using a two tier cycle rack. The existing site has no on site car parking spaces.
- 4.5** The site will be accessed by the existing vehicular access from Randall Close and via a new access into the basement from Knights Way, both of which are accessible for delivery and servicing vehicles. Both access will have footpath links onto the existing pavements on Randall Close and Knights Way.
- 4.6** There will be 10 new trees planted which is predominantly on the eastern boundary (8 trees) and the removal of 2 groups of yew trees, 1 lime tree and 1 alder tree (all of which are in a poor state of repair and offer no positive contribution to the site. Other landscaping improvements include a new yew hedgerow, native hedgerow and other low level planting and shrubs. All of these changes are demonstrated on Plan LS1917-02.

**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**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
UTT/0252/75/A	Erection of 29 houses 24 flats and 20 OP units	Approved with conditions
DUN/0001/66	Site for residential development	Approved with conditions
DUN/0090/64	Site for residential development	Refused

**7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

- 7.1 Pre-application advice was sought by the applicant prior to the submission of this application with UDC as summarised below.
- 7.2 Pre-Application 1 (April 2021). This confirmed that the principle of the proposal is acceptable and would not require a section 106 agreement. Points were raised that the design/appearance/materials/amenity space/ecology/impact onto heritage assets, were not in line with policy/guidance or needed further justification. Concerns were also raised over the impact onto the surrounding residential amenity and level of parking being provided.
- 7.3 Pre-Application 2 (October 2021). The applicant submitted revised plans taking on board comments from the first meeting. Points were discussed on the revised materials, impact onto residential amenities, private amenity space, landscaping and trees, climate change.
- 7.4 In addition the applicant sought pre-application advice from ECC Highways as of October 2021 and this response includes advice over the technical details of the proposal, e.g. the size of car parking spaces and how the site will be accessed.
- 7.5 A Statement of Community Involvement has been submitted as part of the application and sets out the public engagement that took place prior to submission. The applicant circulated a letter to all nearby residents and held a public consultation event on 27 February 2023 which was attended by 21 local residents and 15 feedback forms were received. From the feedback 80% of consultees agreed the proposed use was acceptable at this location and the majority supported the density. The majority of comments when asked over how to improve the scheme were based on design, materials, ensuring no overlooking to adjacent properties and more parking. The applicant has taken onboard the comments within the submission pack.
- 7.6 In conclusion the principle of the proposal is acceptable from the pre-application meetings and the majority of attendees to the public consultation were in support to the proposal and density of it.

## **8. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

### **8.1 Highway Authority – No objection**

- 8.1.1 From a highway and transportation perspective, the impact of the proposal is acceptable, subject to conditions (see full response in Appendix 1).

### **8.2 Local Flood Authority – No objection**

- 8.2.1 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object

to the granting of planning permission, subject to conditions (see full response in Appendix 2).

### **8.3 Anglian Water – Commenting**

**8.3.1** Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy. If consent is granted, then a surface water condition is required (see full response in Appendix 3).

### **8.4 Affinity Water – No objection**

**8.4.1** You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) corresponding to our Pumping Station (DUNM). No objection subject to conditions (see full response in Appendix 4)

## **9. TOWN COUNCIL RESPONSE**

**9.1** Great Dunmow Town Council reviewed the proposal at the following Planning and Transport Committee dates and each time objected to the proposal.

- 20<sup>th</sup> June 2024 – The revised proposal is still contrary to Local Plan Policies GEN8 (inadequate parking, there should be 49 spaces instead of the proposed 30). The committee noted that social care and health visitors will be regularly visiting the site and that there are concerns the proposal is an overdevelopment and will encroach onto common land.
- 9<sup>th</sup> November 2023 – Proposal is contrary to Local Plan Policies GEN8 (due to inadequate parking) and GEN2 (due to flats being out of keeping with the local vernacular).

## **10. CONSULTEE RESPONSES**

### **10.1 UDC Housing Enabling Officer – No objection**

**10.1.1** There is an identified need within Gt Dunmow for new purpose-built affordable homes for those aged 60 and over. There are currently 45 applicants aged 60 and above upon the Council's Housing Register seeking affordable housing in Gt Dunmow, including 14 who are seeking to downsize into either 1- or 2-bedroom properties. The proposed scheme will also appeal to those age 60 and above who have not already joined the Council's Housing Register.

**10.1.2** The proposed new affordable homes meet or exceed NDSS and benefit from provision of PV panels and EV charging points. No objection.

**10.2 UDC Environmental Health – No objection**

10.2.1 No objection subject to conditions.

**10.3 UDC Landscape Officer/Arborist – No objection**

10.3.1 The planting proposals are considered appropriate.

**10.4 Place Services (Conservation and Heritage) – No objection**

10.4.1 Having provided comments in December 2023, June 2024 and July 2024, I consider that revised design to be acceptable (subject to conditions) with regards to the setting of the Conservation Area (and as per the previous revision, with regards to the setting of the Grade II\* listed Great Dunmow Maltings and Museum).

**10.5 Place Services (Ecology) – No objection**

10.5.1 We have reviewed the Preliminary Ecological Appraisal (Practical Ecology, February 2024) and Further Bat Survey Report (Including Dusk Emergence Surveys) (Skilled Ecology Consultancy Ltd., July 2024) relating to the likely impacts of development on designated sites, protected species and Priority species & habitats and identification of appropriate mitigation measures. We consider that the impact is acceptable, subject to conditions.

**10.6 Crime Prevention Officer – No objection**

10.6.1 There are no apparent concerns with the layout of the application. For the applicant to demonstrate compliance with the Secured by Design Homes Award we require them to consult with us directly.

**10.7 UDC Design Officer – No objection**

10.7.1 Having provided comments in January, March and June 2024, I consider that the applicant has engaged positively to feedback and the revised scheme is now in a position where it is acceptable in design terms.

**10.8 NHS Hertfordshire and West Essex Integrated Care Board – Commenting**

10.8.1 There original response included a section 106 financial contribution to improve local surgeries. However, following further dialog, they removed the request for a contribution given that the proposal is 100% affordable housing.

**11. REPRESENTATIONS**

**11.1** A site notice was displayed on the site, the application was advertised in the local press and notification letters sent to nearby properties. 5 responses have been received (all objecting to the proposal) of which some comments are before and after the amendments to the design of the proposal.

**11.2 Support (referenced as positives within objection letters)**

- 11.2.1**
- Support that the housing for over 60 year olds will be retained
  - Support redevelopment of out of date building which does not meet the current needs of over 60 year olds
  - Low level street lighting on the building will not impact amenity of neighbouring properties
  - Support the majority of the car parking at the rear

**11.3 Object**

- 11.3.1**
- Over development for the size of the plot
  - Modern design is not in keeping with the appearance of neighbouring properties and impact onto heritage assets
  - Invasion of privacy to adjacent residential properties. Can some of the windows be pixelated. Third storey will reduce light to the surrounding properties and can boundary wall with 2 Randall Close be made higher to reduce overlooking. Can third floor be removed entirely to reduce impact onto surrounding residential amenity.
  - Concerned that parking will overspill onto surrounding roads and can all roads leading to Randall Close/Knights Way be designated as residents permit parking only due to number of people leaving cars in area to visit the town centre.
  - Can any alarm/intercom noise be reduced to avoid noise pollution
  - Construction needs to be considerate to residents in adjacent properties
  - Adjacent residents must be informed if asbestos is found due to the impact our health

**11.4** The above representations are addressed in the report where material planning considerations are raised.

**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:
  - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- b) any local finance considerations, so far as material to the application, and
- c) any other material considerations.

**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)

**12.4.2** The Council currently has a Regulation 19 consultation open until 3<sup>rd</sup> October 2024 for the emerging Local Plan which will replace the 2005 Local Plan when adopted (forecast in 2026). This document currently has limited weight in determining planning applications, however the evidence base documents are capable of being material considerations.

## **13. POLICY**

### **13.1 National Policies**

**13.1.1** National Planning Policy Framework (2023) ('NPPF')

## **13.2 Uttlesford District Local Plan 2005**

- 13.2.1** S1 Settlement boundaries
  - GEN1 Access
  - GEN2 Design
  - GEN3 Flood Protection
  - GEN4 Good Neighbourliness
  - GEN5 Light Pollution
  - GEN6 Infrastructure Provision
  - GEN7 Nature Conservation
  - GEN8 Vehicle Parking Standards
  - ENV1 Design of Development within Conservation Areas
  - ENV2 Development affecting Listed Building
  - ENV3 Open Space and Trees
  - ENV4 Ancient Monuments and Sites of Archaeological Importance
  - ENV10 Noise Sensitive Development
  - ENV12 Groundwater Protection Zone
  - ENV13 Exposure to Poor Air Quality
  - ENV14 Contaminated land
  - H1 Housing Development
  - H9 Affordable Housing
  - H10 Housing Mix

## **13.3 Great Dunmow Neighbourhood Plan (2016)**

- 13.3.1** DS1 Town Development Area
  - DS8 Building for Life
  - DS9 Hedgerows
  - DS10 Eaves Heights
  - DS11 Rendering, Pargetting and Roofing
  - DS12 Integration of Affordable Housing
  - DS13 Local Housing Needs
  - NE4 Screening

## **13.4 Supplementary Planning Document or Guidance**

Uttlesford Local Residential Parking Standards (2013)  
Essex County Council Parking Standards (2009)  
UDC Accessible homes and playspace (2005)  
UDC Developer's contributions (2023)  
Essex Design Guide  
Uttlesford Interim Climate Change Policy (2021)  
Uttlesford District Wide Design Guide (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 and Layout**

- C) Residential Amenity**
- D) Heritage Impacts and Archaeology**
- E) Housing Mix and Tenure**
- F) Access and Parking**
- G) Ecology and Landscaping**
- H) Air Quality and Contamination**
- I) Flooding**
- J) Planning Obligations**

### **14.3 A) Principle of development**

- 14.3.1** Policy S1 of the Local Plan directs new development within the settlement boundary of Great Dunmow if the proposal is compatible with the character of the settlement and this position is supported by Policy DS1 in the Great Dunmow Neighbourhood Plan (GDNP).
- 14.3.2** The site is previously developed land<sup>1</sup> and an infill plot surrounded by built form on all sides. The re-development of brownfield land is strongly supported by national policy given that paragraph 124 of the NPPF states that planning decisions should (c) given substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and (d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively
- 14.3.3** Policy H9 supports the delivery of onsite affordable housing. The supporting text to GDNP Policy DS12 states that on consultation with Great Dunmow resident's half of respondents stated that there was not enough affordable housing at affordable prices or rents in the town. While starter homes for young people was the highest priority, retirement homes and affordable homes were third and fourth out of 5 types of affordable housing in order of priority.
- 14.3.4** Uttlesford District Council's (UDC) Housing Officer confirmed that there is an identified need within the town for new purpose-built affordable homes for those aged 60 and over. There are currently 45 applicants aged 60 and above upon the Council's Housing Register seeking affordable housing in Great Dunmow, including 14 who are seeking to downsize into either 1- or 2-bedroom properties. This is against a backdrop of the Local Housing Needs Assessment (October 2023) suggesting that UDC needs to provide 261 affordable dwelling per year across the district and that the analysis in this assessment demonstrates a notable need for more affordable housing. Local plan evidence also shows that there will be a substantial increase in older residents up to 2041.

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<sup>1</sup> In the context of the NPPF glossary and a Court of Appeal decision: Dartford Borough Council v Secretary of State for Communities and Local Government & Anor [2017] EWCA Civ 141.

**14.3.5** The site is located within the settlement boundary of Great Dunmow located 5mins walk to the east of the designated town centre. The site is currently vacant but was formerly an affordable housing block aimed at sheltered accommodation for rent. This proposal will redevelop this brownfield site to provide 24 affordable flats aimed at local people who are aged 60 and above. This is an increase of 4 units based on the existing number of units within the vacant building.

**14.3.6** The proposal is considered acceptable against local and national policies and guidance and will deliver much needed affordable housing which is in short supply across the district.

#### **14.4 B) Design, Scale and Layout**

**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 Policy DS8 of the GDNP. The supporting text to Policy DS8 states that nearly half of responses from residents to the development of the GDNP that housing design and type should be major factors in influencing development proposals.

**14.4.2** In addition to these local policies the Council has recently adopted the District Wide Design Guide SPD (2024) to help provide up to date guidance over best practise in what constitutes great design for new developments within the district. This is one of the first district wide design codes to be adopted across a council area in the UK.

**14.4.3** The existing 2 storey vacant building is of a similar design to the surrounding residential properties with red bricks, painted render, wooden cladding and pitched concrete tiled roofs. The initial proposal for the site (as demonstrated by Figure 1) sought to create a more contemporary building to create interest in the streetscape and views. The proposal would be set further back from the rear gardens of Maynard Close and have a part additional storey without appearing to dominate to its surroundings. The materials would use red bricks, dark grey standing seam zinc and areas of brick details which would modernise the design which would also include flat roofs.



Figure 1 The initial design of the building (extract from drawing no. 5672/5C)

**14.4.4** Following the submission of the initial plans as demonstrated in Figure 1 there was objections from residents, from UDC Design and ECC Conservation that the proposal was too modern and was not in keeping with the surroundings which included the impact onto the heritage setting (sub section F). The applicant has amended the proposal, and the final position is demonstrated on Figure 2.

**14.4.5** The final design has incorporated the following alternations:

- Replacing flat roofs with a range of pitched roof forms and setbacks which is considered to be in keeping with the surrounding built form; and,
- Amending the materials to be brick and black composite boarding only.



Figure 2 – Amended design of the building (extract from drawing no. 5672/19B)

**14.4.6** These changes demonstrate that the proposal is now in keeping with the appearance and design of the surrounding buildings. A partial third floor is on the northern and western boundary breaks up the appearance of the building and is not overbearing onto the surrounding streetscape.

**14.4.7** Overall, the design changes demonstrate that the proposal will deliver a high quality modern building and layout. This complements the size of the site and that the proposal is in keeping with the built form surrounding the site. The proposal complies with National and Local polices and guidance. It is particularly noted that the application has taken onboard the guidance from the District Wide Design Guide to engage with residents.

**14.5 C) Residential Amenity**

#### 14.5.1 Neighbouring Amenity

14.5.2 The NPPF requires a good standard of amenity for existing and future occupiers of land and buildings. Policies GEN2 and GEN4 of the Local Plan states that development shall not cause undue or unacceptable impacts on the amenities of nearby residential properties.

14.5.3 The proposal would be up to 3 storeys with the tallest element on the northern and western boundaries and 2 storeys on the southern boundary and eastern part of the building. The replacement building footprint would be consolidated into a smaller footprint than the existing building. This is drawn back from the edge with the gardens from the housing along Maynard's Close and drawn back slightly from the southern edge with a slight increase in the footprint to the corner of Randall Close and Knights Way. This is demonstrated on Figure 3.



Figure 3 – Existing and Proposed Footprints (Extract from drawing no. 5672/25)

14.5.4 There are existing aspects of the current building onto adjacent properties and the layout and design of the new building has sought to ensure that these relationships are not made more harmful. The primary aspects that have been taken into consideration is the impact onto Maynard Close to the east and Boyes Croft to the south. The space between the new building to Maynard Close has been increased (including new trees and hedgerow on the boundary) and the number of windows facing onto Boyes Croft have been reduced including no balconies facing this direction. All of the separation distances comply with the guidance set within the Essex Design Guide.

14.5.5 UDC Environmental Health have reviewed the plans and have no concerns with the impact of the proposal onto the adjacent amenity of the surrounding residential properties. The layout and design of the flats has taken into consideration how the proposal would impact onto the adjacent residential properties to mitigate any negative impacts. The proposal will have an acceptable impact upon the residential amenity of neighbouring

occupiers. As such, the proposal would comply with Policies GEN2 and GEN4 of the Local Plan.

#### **14.5.6** Standard of Accommodation

**14.5.7** All the proposed flats have been designed to provide a layout that provides attractive residential environments for the future occupiers. Each flat will have a dedicated car parking space(s), a balcony (that meets the Essex Design Guidance) and access to the amenity space. The basement and ground floor will have secure bin storage, and the basement will have secure cycle parking. Half of the flats will have dual aspect, and all of the flats have been designed to have sufficient levels of outlook, daylight, and natural ventilation for the future occupiers. The proposed dwellings would also meet the minimum internal floor space requirements for each unit. There is one lift which provides access to 16 units.

**14.5.8** 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.

**14.5.9** The applicant has indicated within their Design and Access Statement that the design of the proposals to help tackle climate change and reduce carbon emissions will include the following techniques and features:

- Solar panels on the roof spaces
- Electric charging points for every unit (24no.)
- A high performing thermal envelope.

**14.5.10** The proposal will provide a high-quality standard of accommodation which will help to mitigate carbon emissions through sustainable building methods. The proposal would comply with the Interim Climate Change Policy.

#### **14.6** **D) Heritage Impacts and Archaeology**

**14.6.1** Policy ENV 2 of the Local Plan seeks to protect the historical significance, preserve and enhance the setting of heritage assets.

**14.6.2** 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.

**14.6.3** 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”.*

**14.6.4** The site has no designated heritage assets but is adjacent to the Great Dunmow Conservation Area on the southern and western boundary. The Conservation Area Appraisal does not mention Alexia House. There are a number of listed buildings nearby in the central core of Great Dunmow and 2 buildings are located within the setting of the site. To the south of the site (other side Boyes Croft) is the Grade II\* Great Dunmow Maltings and Museum (built in early 16<sup>th</sup> century) while to the north of the site along North Street is 20 & 24 North Street which is Grade II listed (and also built in 16<sup>th</sup> century and altered in 18<sup>th</sup> century) and is located within the views from North Street to the site. The main impact of the proposal is onto the setting of the Conservation Area and the impact onto the Great Dunmow Malting and Museum building.

**14.6.5** The proposal does have the potential to impact onto the setting of the heritage assets. Place Services (Conservation) have provided a number of responses to the initial and revised plans including commentary over how the proposal should be altered to ensure there is no harm to the setting of the heritage assets. They consider the revised proposal is acceptable with regards to the setting of the Great Dunmow Conservation Area and to the setting of the Grade II\* listed Great Dunmow Maltings and Museum. They do not consider there to be any harm to the Grade II listed building at 20-24 North Street. This is subject to a condition for samples of the proposed materials to be provided.

## **14.7 E) Housing Mix and Tenure**

**14.7.1** The principle of the site as 100% affordable housing is certainly acceptable as per sub section A of this report.

**14.7.2** The affordable housing provision on this site will provide 24 flats, which is a betterment on the current provision by 4 units. The proposal consists 18 1xbeds and 6 2xbeds which will be offered for affordable rent. The current layout of the building was for sheltered accommodation for rent. The revised mix provides a better tenure mix and meets modern requirements.

**14.7.3** UDC Housing Officer has confirmed that as of October 2023 there are 45 applicants over 60 years old on the Council's Housing Register seeking affordable housing in Great Dunmow, including 14 who are seeking to downsize into either 1- or 2-bedroom properties. There is a clear demand for this type of housing in Great Dunmow particular which is within a minute

walk to the town centre with all the services and facilities on offer. This will also help to free up larger affordable housing by tenants looking to downsize which will enable more families on the Council's Housing Register to find accommodation.

- 14.7.4** This proposal would represent a substantial contribution to the Council's affordable housing objectives, and it would help meet the stated need for low-cost Council rented housing in this part of Uttlesford. The site is proposed to be run and operated by Uttlesford District Council who run various council housing sites across the district.
- 14.7.5** It is also the Councils' policy to require 5% of the whole scheme to be delivered as fully wheelchair accessible (building regulations, Part M, Category 3 homes). The proposal delivers 16% (2 flats)
- 14.7.6** While the Council's Housing Strategy 2021-26 aims for 5% of all units to be bungalows this is not deemed necessary for this site given that all units are flats (on one level) and 16 flats are accessible by a lift.
- 14.7.7** The proposal provides an overall mix and tenure of housing that is acceptable and in accordance with Policies H9 of the Local Plan and DS12 of GDNP.

## **14.8 F) Access and Parking**

### **14.8.1 Access**

- 14.8.2** 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.
- 14.8.3** 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.
- 14.8.4** 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.'*
- 14.8.5** The current entrance to the site for vehicular and pedestrian access is from Randall Close which is a cul-de-sack. There is no off street parking which has caused historic issues with on-street parking on Randall Close,

Knights Way and Maynard Close. There is space in front of the entrance for parking, but this seems to be informal and not part of this application site.

- 14.8.6** The existing vehicular and pedestrian access will continue to be utilised from Randall Close. A new vehicular and pedestrian access into the site from Knights Way will be added. This enables the topography of the site to be utilised to provide an off-site car park for 16 car parking spaces. With the building being set back from Randall Close this allows for 10 off street car parking spaces to be provided. Both the new access from Knight Way and the existing access along Randall Close can accommodate larger vehicles (e.g. refuse, servicing and emergency vehicles).
- 14.8.7** Essex Parking Standards requires the site to provide 30 car parking spaces and 6 visitor spaces. The proposal is for 26 car parking spaces and 4 visitor spaces, which is shortfall of 6 spaces. As the site is located within the preferred maximum walking distance of Great Dunmow town centre (as stipulated by the CIHT), provides 40 on site cycle parking, and is well connected by bus routes, the car parking provision is deemed acceptable in this instance. ECC Highways have not stated that this level is an issue in this location.
- 14.8.8** The supporting Transport Assessment states that the proposal is likely to generate 6 2-way vehicle movements during the AM peak, which an increase of 1 vehicle movement on the existing, and 11 movements during the PM peak an increase of 2 vehicle movements. It is therefore considered that this relatively low level of traffic movements can be accommodated on Knights Way without adversely affecting highway safety or queuing.
- 14.8.9** The current site has no on-site car parking spaces and no on site secure cycle spaces. The lack of on-site parking has caused tension with local residents from on street parking on the surrounding roads. The provision of on-site car and cycle parking will be a significant improvement on the parking on the site to the betterment of relations with adjacent neighbours. ECC Highways have reviewed the proposal and consider it acceptable and in accordance with the Development Plan.

## **14.9 G) Ecology and Landscaping**

### **14.9.1 Ecology**

**14.9.2** Policy GEN7 of the Local Plan seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated. The application was submitted before the requirement for 10% Biodiversity Net Gain was introduced by the Government.

**14.9.3** The application site itself is not the subject of any statutory nature conservation designation being a brownfield site within the settlement of Great Dunmow.

**14.9.4** Place Services (Ecology) have reviewed and confirmed that the likely impacts of the development on designated sites, protected species and Priority species & habitats and identification of appropriate mitigation measures is acceptable. The proposal will include 2 house sparrow terrace boxes, 5 swift boxes, a hedgehog house and will ensure the removal of the onsite Japanese Rose species. The proposal therefore complies with all policies relating to the conservation and enhancement of biodiversity.

**14.9.5** Landscaping

**14.9.6** Policy ENV3 of the Local Plan states that the loss of trees and vegetation will not be permitted unless the need for development outweighs their amenity value. Paragraph 5.6 in support of this position states that '*Where the principle of development is acceptable it should avoid taking away features that are prominent elements and enhance the local environment*'. This is supported by Policy DS9 of the GDNP which states that new developments of over 10 units should ensure an appropriate level of native and local species in hedgerows.

**14.9.7** The landscaping and existing vegetation on the site has fallen into disrepair and not been properly maintain for a number of years. The proposal will provide two new amenity areas comprising of grass lawns which are surrounded by new hedgerows and the installation of 12 new trees, of which 9 will be located on the eastern boundary with Maynard House and will further mitigate any impact of the proposal onto the amenity of these properties. The revised location of the building will result in the loss of 2 groups of yew trees, 1 lime tree and 1 alder tree. All of these trees are in a poor state of repair and keeping them is not considered to benefit the proposal.

**14.9.8** UDC Landscaping considered the planting and landscaping proposals to be acceptable and will provide an enhanced landscape offering including better mitigation to adjacent properties. it is considered that the proposal would provide a significant uplift in the number of trees and hedges on site and accords with the Development Plan policies.

**14.10 H) Air Quality and Contamination**

**14.10.1** 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. The NPPF supports provision of measures to minimise the impact of development on air quality by encouraging non car travel and providing infrastructure to support use of low emission vehicles.

**14.10.2** No air quality assessment is required due to the size of the proposal. Environmental Health has been consulted and raised no objection subject to a Construction Management Plan condition to control air quality, noise and vibration of the construction phase of the proposal on the surrounding

residential properties. Environmental Health also considers that there is no reason that the site is contaminated based on its previous history.

**14.10.3** The application is considered acceptable in terms of its land contamination risks, impact of the construction of the site onto adjacent properties and that the proposal will include electric vehicle charging points. The proposal is in accordance with the Local Plan policies and NPPF.

#### **14.11 I) Flooding**

**14.11.1** 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.

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

**14.11.3** 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. The site is also located within a groundwater source protection zone.

**14.11.4** New major development for housing need to include a flood risk assessment as part of their planning application, to ensure that the required form of agreed flood protection takes place. Additionally, all major developments are required to include sustainable drainage to ensure that the risk of flooding is not increased to those outside of the development and that the new development is future proofed to allow for increased instances of flooding expected to result from climate change.

**14.11.5** ECC Flooding have reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application and do not object to the granting of planning permission subject to conditions. In addition, Anglian Water consider that the proposal will lead to an unacceptable risk of flooding downstream but consider it can be resolved as part of a surface water planning condition and direct dialog.

**14.11.6** The proposals, for this reason is therefore considered to comply with policy GEN3 of the Local Plan and the NPPF.

#### **14.12 J) Planning Obligations**

**14.12.1** The description of development makes it clear that the proposal is for 100% affordable housing. There is no requirement for a section 106 agreement (which would effectively be the council entering into an agreement with itself).

### **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 vacant brownfield site to provide a facility that meets the needs of residents with a purpose built modern accommodation block
  - Multi-million-pound construction investment which will benefit local people and businesses
  - Re-providing affordable housing with an uplift in the number of units (4 units) and with a better mix of tenures than the current layout as this proposal includes 6 2xbeds. There is a shortage of this type of affordable housing in the district and this will help meet local demand and will allow residents to downsize freeing up their larger properties for the betterment of others
  - Delivery on site car and cycle spaces will stop residents parking on adjacent streets
  - Increase in trees and vegetation on site

- Increase in expenditure in local services and facilities from new residents.
- Design of building will have no harm on the settling of the adjacent heritage assets and revised location of the building will reduce the impact of the proposal onto the amenity of surrounding properties.
- No consultees have objected to the proposal

**16.3** Neutral impacts:

- 16.4**
- Great Dunmow Town Council have objected to the scheme on the basis of overdevelopment and lack of providing the required number of car parking spaces. The proposal has had several design changes to mitigate design concerns and ECC Highways have raised no objection to the number of car parking spaces provided. As the site currently has no off site car parking spaces the proposal will be a significant improvement on the current provision.
  - Anglian Water consider that the proposal will lead to an unacceptable risk of flooding downstream, but are happy to resolve this as part of a surface water planning condition and direct dialog.

**16.5** Negative impacts

- 16.6**
- All of the local resident responses to the scheme object to the proposal. However, some of the concerns have been address through the design revisions.

**16.7** Conclusion

**16.8** The principle of residential use (affordable housing) is deemed acceptable on this site due the current use of the site. This proposal complies with local and national policy.

**16.9** The proposal has undergone several design changes to ensure that the building is in keeping with its surroundings and has no negative impact onto the setting of the nearby heritage assets.

**16.10** The proposal will deliver much needed affordable housing which is in short supply in the Great Dunmow and provides a high quality development.

**16.11** Overall, the proposal is 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.

**16.12** It is therefore recommended that the application be approved subject to the suggested conditions.

**17.** PLANNING CONDITIONS

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

REASON: In accordance with Section 92 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.

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.

### **Prior to Commencement Conditions**

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

- I. the parking of vehicles of site operatives and visitors,
- II. loading and unloading of plant and materials,
- III. storage of plant and materials used in constructing the development,
- IV. wheel and underbody washing facilities.

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

- 4 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.

- 5 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.

- 6** 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 development 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.

Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the amenities of residents of nearby properties, in accordance with Policy GEN4 of the of the Uttlesford Local Plan (adopted 2005).

- 7** 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: In the interests of the amenity of surrounding locality residential/business premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005)

- 8** Prior to the commencement of the development, no works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried until the following has been submitted to an approved in writing by the Local Planning Authority in consultation with Affinity Water:

i) An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.

ii) A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity.

iii) A Method Statement detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to

prevent and/or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms

of the approved method statement.

iv) A Piling Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination.

The applicant or developer shall notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.

REASON: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants through displacement to a greater depths and turbidity generation. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply.

- 9** Prior to the commencement of development, no works shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

i) A Surface Water Drainage Scheme demonstrating appropriate use of sustainable urban drainage systems that prevent the mobilisation of any contaminants ensuring protection of surface and groundwater.

REASON: Surface water drainage can mobilise contaminants into the aquifer through infiltration in areas impacted by ground contamination.

Surface water also has the potential to become contaminated and can enter the aquifer through open pathways, either created for drainage or moved towards existing open pathways where existing drainage has reached capacity. All have the potential to impact public water supply.

- 10** Prior to commencement of the development a scheme of works to be agreed with the Planning Authority and in consultation with the Highway Authority, to include but not limited to, footway resurfacing, footway reconstruction to accommodate parking for flats 17-24 and kerb repairs/replacements as deemed necessary, for the footways on Randall Close and the footway fronting the development, road markings refreshing on Randall Close and road markings refreshing on the carriageway section fronting the development.

REASON: In the interest of highway safety and accessibility.

- 11** No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

REASON: To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.

Failure to carry out the required maintenance 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.

- 12** 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 1.7l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event 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 45% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm 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.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously 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.

- 13** The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

**REASON:** To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site. Failure to carry out the required maintenance 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.

**Prior to above slab works commencing conditions**

- 14** No development above slab level shall commence until the external materials of construction for the development (including samples which should include natural slate rather than slate tiles and timber rather than fibre cement cladding) have been submitted to and approved in writing by the Local Planning Authority.. This will include:

- Samples of the materials to be used on the external finishes (including doors and windows)
- All rainwater goods shall be black painted metal.

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.

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 Preliminary Ecological Appraisal (Practical Ecology, February 2024), shall be submitted to and approved in writing by the local planning authority.

- 15** 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, s40 of the NERC Act 2006 (as amended) and Policy GEN7 of the Uttlesford Local Plan (2005).

### **Prior to Occupation Conditions**

- 16** A minimum of 24 electric vehicle charging point shall be installed on site. 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 occupation of the development the vehicular access on Knights Way shall be constructed at right angles to the highway boundary and to the existing carriageway, and as shown in principle on DGW no. 5672-16 (titled Proposed Site Layout dated June 2024).

REASON: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

- 18** Prior to occupation of the development the agreed scheme as described on condition 10 of this recommendation, shall be implemented with the applicant entering into an appropriate legal agreement (S278 / MWA) with the Highway Authority to regularise the highway works.

REASON: In the interest of highway safety

- 19** Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, (to include six one day travel vouchers for use with the relevant local public transport operator)

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport

Prior to occupation, 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 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.

- 20** 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), s40 of the NERC Act 2006 (as amended) and Policy GEN7 of the Uttlesford Local Plan (2005).

- 21** 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 on each parcel, 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.

### **Other Conditions**

- 22** 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 ensure that the proposed development does not cause harm to human health, the water environment and other receptors in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

- 23** If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

i) A Remediation Strategy/Report detailing how contamination was/will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

REASON: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.

- 24** Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway.

REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety

- 25** No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.

- 26** The proposed development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans, has been provided. 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.

- 27** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Practical Ecology, February 2024) and Further Bat Survey Report (Including Dusk Emergence Surveys) (Skilled Ecology Consultancy Ltd., July 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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), s40 of the NERC Act 2006 (as amended) and Policy GEN7 of the Uttlesford Local Plan (2005).

- 28** 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.

- 29** 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

- 30** 5% of the dwellings approved by this permission (Flats 19&20) shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace

## Appendix 1 – ECC Highway Authority

Your Ref: UTT/23/2599/FUL  
Our Ref: 51345  
Date: 19<sup>th</sup> January 2024



Essex County Council

Director for Highways  
and Transportation

To: Uttlesford District Council  
Assistant Director Planning & Building Control  
Council Offices  
London Road  
SAFFRON WALDEN CB11 4ER

County Hall  
Chelmsford  
Essex CM1 1QH

### Recommendation

Application No. UTT/23/2599/FUL  
Applicant Mr Doug Malins  
Site Location Alexia House Randall Close Great Dunmow Essex CM6 1UW  
Proposal Proposed demolition of existing Alexia House and erection of 24 affordable flats (for over 60s) including vehicular access off Knights Way and associated external works

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

1. Prior to occupation of the development the vehicular access on Knights Way shall be constructed at right angles to the highway boundary and to the existing carriageway, and as shown in principle on DGW no. 2 Rev E (titled Proposed Site Layout dated Feb 2021). **Reason:** to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.
2. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway. **Reason:** To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety
3. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary. **Reason:** To avoid displacement of loose material onto the highway in the interests of highway safety
4. The proposed development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans, has been provided. 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
5. Prior to commencement of the development a scheme of works to be agreed with the Planning Authority and in consultation with the Highway Authority, to include but not limited to, footway resurfacing, footway reconstruction to accommodate parking for flats

17-24 and kerb repairs/replacements as deemed necessary, for the footways on Randall Close and the footway fronting the development, road markings refreshing on Randall Close and road markings refreshing on the carriageway section fronting the development.

**Reason:** In the interest of highway safety and accessibility.

6. Prior to occupation of the development the agreed scheme as described on condition 5 of this recommendation, shall be implemented with the applicant entering into an appropriate legal agreement (S278 / MWA) with the Highway Authority to regularise the highway works. **Reason:** In the interest of highway safety
7. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, (to include six one day travel vouchers for use with the relevant local public transport operator) **Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport.
8. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for;
  - I. the parking of vehicles of site operatives and visitors,
  - II. loading and unloading of plant and materials,
  - III. storage of plant and materials used in constructing the development,
  - IV. wheel and underbody washing facilities.

**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

**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.**

Informative:

- 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 applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.
- ii. 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.
- iii. There shall be no discharge of surface water onto the Highway.

- iv. 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.
- v. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes technical check, safety audits, site inspection, commuted sums for maintenance and any potential claims under the 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 as security in case of default.
- vi. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval.



.....  
pp. Director for Highways and Transportation  
Enquiries to Eirini Spyratou  
Email: [eirini.spyratou@essex.gov.uk](mailto:eirini.spyratou@essex.gov.uk)

## Appendix 2 – ECC Flooding

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



Tim Cakebread  
Uttlesford District Council  
Planning Services

Date: 6<sup>th</sup> August 2024  
Our Ref: SUDS-007102  
Your Ref: UTT/23/2599/FUL

Dear Mr Cakebread,

### **Consultation Response – UTT/23/2599/FUL - Alexia House Randall Close Great Dunmow Essex CM6 1UW**

Thank you for your email received on 05/08/2024 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 15<sup>th</sup> 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 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 1.7l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event 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 45% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm 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.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously 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**

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 on each parcel, has been submitted to and agreed, in writing, by the Local Planning Authority.

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

#### **Reason**

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

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

### **Condition 3**

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

### **Reason**

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

### **Condition 4**

The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

### **Reason**

To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.

Failure to carry out the required maintenance 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.

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](http://www.gov.uk))
- Please note that where discharge is to a public sewer, consent from the relevant authority will be required. The links can be found below.  
<https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/>  
<https://www.thameswater.co.uk/developers>

- Any works to a ditch may require a S23 Ordinary Watercourse Consent. Please see the below link for more information and how to apply.  
<https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/>

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](mailto: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 15<sup>th</sup> 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](http://www.essex.gov.uk)  
Email: [suds@essex.gov.uk](mailto: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 3 – Anglian Water



### Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 07929 786955 or email [planningliaison@anglianwater.co.uk](mailto:planningliaison@anglianwater.co.uk)

AW Site Reference: 214962/1/0210640

Local Planning Authority: Uttlesford District

Site: Alexia House Randall Close Great Dunmow Essex CM6 1UW

Proposal: Proposed demolition of existing Alexia House and erection of 24 affordable flats (for over 60s) including vehicular access off Knights Way and associated external works

Planning application: UTT/23/2599/FUL

**Prepared by:** Pre-Development Team

**Date:** 12 June 2024

## ASSETS

### Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

## WASTEWATER SERVICES

### Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Great Dunmow Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

When assessing the receiving water recycling centre's (WRC) dry weather flow (DWF) headroom we take an average flow over the past 5 years to take into account changing weather patterns. Where the average exceeds the WRC's permitted allowance we also take account of the following Environment Agency enforcement trigger - "has the DWF permit been exceeded in 3 of the last 5 years" – this must include non-compliance from the last annual data return. Based on the above assessment Great Dunmow WRC is flow non-compliant. We are obligated to accommodate domestic flows and we will plan investment, in consultation with the Environment Agency. The responsibility for implementing enhancement to WRC to enable an amended flow permit rests entirely with Anglian Water. Our investment programme aims to ensure that the WRC flow permit is sufficient to accommodate new development within the catchment.

### Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment and Drainage Strategy Report Dec 23 - V3; Based upon the above reference documents, the proposed connection is acceptable. We do not require a condition in planning for foul water. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. 1. **INFORMATIVE** - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. 2. **INFORMATIVE** - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3. **INFORMATIVE** - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. 4. **INFORMATIVE**: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

### Section 4 - Surface Water Disposal

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

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water, Flood Risk Assessment and Drainage Strategy Report Dec 23 - V3, is unacceptable. Incomplete evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests on site and the investigations in to discharging to a watercourse as there is one approximately 100m to the north. Additionally, no evidence has been provided to prove the existence of an unattenuated existing surface water connection to the public surface water network, this evidence may take the form of a CCTV survey or a onsite utilities survey. We request a condition be applied to the decision notice if permission is granted. The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

## Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

### Surface Water Disposal (Section 4)

No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

**FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:**

#### Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

#### Surface water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
  - Development hectare size
  - Proposed discharge rate (Our minimum discharge rate is 2l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website -<http://www.uksuds.com/drainage-calculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
  - Connecting manhole discharge location
- Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

## Appendix 4 – Affinity Water

**AffinityWater**

Taking care of your water

Council Offices,  
London Road,  
Saffron Walden,  
Essex  
CB11 4ER

Reference Number: UTT/23/2599/FUL

08 November 2023

Dear Madam/Sir

**DESCRIPTION:** Proposed demolition of existing Alexia House and erection of 24 flats (for over 60s) including vehicular access off Knights Way and associated external works

**LOCATION:** Alexia House Randall Close Great Dunmow

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) corresponding to our Pumping Station (DUNM). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

Provided that the below conditions are implemented and it has been demonstrated that public water supply will not be impacted, we would have no objections to the development.

### 1. Contamination through **Ground Works**

It is noted within the conclusions and recommendations of the initial ground investigation that a phase 2 is not considered necessary, however due to the previous industrial use identified in the investigation, we would disagree and require for the following condition to be implemented.

Condition

- A)** Prior to the commencement of the development, no works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried until the following has been submitted to and

# AffinityWater

## Taking care of your water

approved in writing by the Local Planning Authority in consultation with Affinity Water:

- i) An **Intrusive Ground Investigation** to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
- ii) A **Risk Assessment** identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity.
- iii) A **Method Statement** detailing the **depth** and **type** of excavations (e.g. piling) to be undertaken including **mitigation measures** (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent and/or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.
- iv) A **Piling Risk Assessment** identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination.

The applicant or developer shall notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.

**Reason:** Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants through displacement to a greater depths and turbidity generation. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply.

## 2. Contamination **during construction**

Construction works may exacerbate any known or previously unidentified contamination. If any pollution is found at the site, then works should cease immediately and appropriate monitoring and remediation will need to be undertaken to avoid any impact on water quality in the chalk aquifer.

### Condition

- B)** If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:
  - v)** A **Remediation Strategy/Report** detailing how contamination was/will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

**Reason:** To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.

### 3. Contamination through **Surface Water Drainage**

Surface water drainage should use appropriate Sustainable Urban Drainage Systems that prevent the mobilisation of any contaminants where a direct pathway to the aquifer is present. This should use appropriate techniques that prevent **direct pathways** into the aquifer and that ensure sufficient **capacity** is provided for all surface water to be dealt with on site, preventing consequential flooding elsewhere.

#### Condition

- C)** Prior to the commencement of development, no works shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:
- vi)** A **Surface Water Drainage Scheme** demonstrating appropriate use of sustainable urban drainage systems that prevent the mobilisation of any contaminants ensuring protection of surface and groundwater.

**Reason:** Surface water drainage can mobilise contaminants into the aquifer through infiltration in areas impacted by ground contamination. Surface water also has the potential to become contaminated and can enter the aquifer through open pathways, either created for drainage or moved towards existing open pathways where existing drainage has reached capacity. All have the potential to impact public water supply.

Issues arising from any of the above can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

#### **Water efficiency**

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.

#### **Infrastructure connections and diversions**

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection

## AffinityWater

Taking care of your water

or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com).

In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com). The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing [maps@affinitywater.co.uk](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

Thank you for your consideration.

Yours sincerely

Laurence Chalk  
Catchment Adviser  
Catchment Management  
[planning@affinitywater.co.uk](mailto:planning@affinitywater.co.uk)  
[laurence.chalk@affinitywater.co.uk](mailto:laurence.chalk@affinitywater.co.uk)