

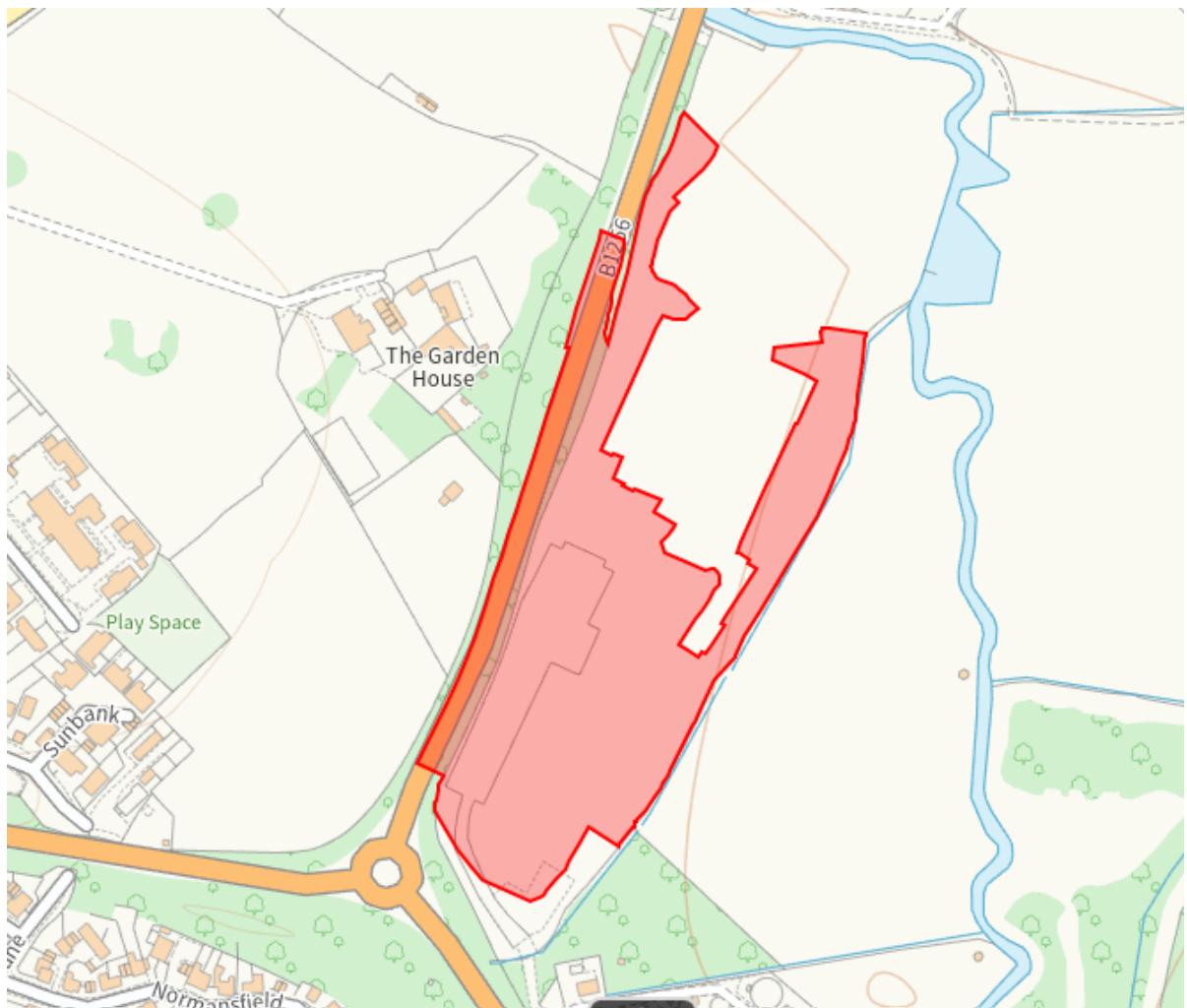
**ITEM NUMBER:** 4

**PLANNING COMMITTEE** 11 February 2026  
**DATE:**

**REFERENCE NUMBER:** UTT/25/1619/FUL

**LOCATION:** Land East of Braintree Road (B1256)  
Braintree Road, Dunmow

## SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: Jan 2026

**PROPOSAL:** Proposed new offices, workshop and depot (use class E(g) and B8) with new vehicular access and associated parking, refuse, landscaping and infrastructure.

**APPLICANT:** 24/ 7 (Investments) c/o Ceres Property

**AGENT:** Ceres Property (Rory Baker)

**EXPIRY DATE:** 23 September 2025

**EOT Expiry Date** 16 February 2026

**CASE OFFICER:** Chris Tyler

**NOTATION:** Outside Development Limit  
Tree Preservation Order  
Flood Zone 1, 2 and 3

**REASON THIS APPLICATION IS ON THE AGENDA:** Major Planning Application.

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## 1. **EXECUTIVE SUMMARY**

- 1.1 This application seeks full planning permission for employment development comprising offices, a workshop and depot (Use Classes E(g) and B8) with associated access, parking, landscaping and infrastructure on land east of Braintree Road (B1256), Great Dunmow. The site lies outside the defined Development Boundary and is designated countryside in the adopted development plan.
- 1.2 The site benefits from a previously approved and implemented planning permission (UTT/19/1219/FUL) for employment-led development, which establishes the principle of commercial development and represents a realistic fallback position carrying significant weight. The current proposal is a revised and reduced scheme, omitting elements of the extant consent, including the refuse lorry depot, and resulting in reduced scale, intensity and vehicle movements.
- 1.3 Some conflict arises with adopted countryside policies and the Great Dunmow Neighbourhood Plan; however, when assessed against the

extant permission, the proposal would result in no materially greater harm, and in several respects reduced impacts. All technical matters have been assessed and raise no objections, subject to conditions.

**1.4** The development would deliver modern employment floorspace, supporting business activity and local economic growth, consistent with national policy and the direction of the emerging Local Plan. On balance, and having regard to the extant fallback position, officers conclude that the proposal represents sustainable development. Planning permission is therefore recommended, subject to conditions and completion of a deed of variation to the existing Section 106 agreement.

## **2. RECOMMENDATION**

**2.1**

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

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

**And**

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

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

**3.1**

The application site comprises approximately 1.97 hectares of land situated to the east of Braintree Road (B1256) on the eastern edge of Great Dunmow, within the administrative area of Uttlesford District Council. The site lies around 1 kilometre from Great Dunmow town centre and benefits from proximity to the A120 strategic road corridor, providing connections to Braintree, Colchester and Harwich to the east and the M11/Stansted Airport to the west.

**3.2**

The site formed part of a wider land parcel granted planning permission under UTT/19/1219/FUL, which authorised a refuse lorry depot, classic car storage and restoration facilities, flexible office floorspace, public open space and associated access, landscaping and infrastructure. That permission has been implemented, with material operations undertaken including site clearance, initial groundworks and enabling works. As a result, the approved development remains extant and capable of full completion.

**3.3** Notwithstanding the implementation of the earlier consent, the majority of the current application does not include any buildings erected to date. The site is partially enclosed by mature vegetation and hedgerows along the western and southern boundaries and contains a mature oak tree of ecological interest located centrally within the site. Overhead power lines traverse the southern part of the site.

**3.4** The land continues to slope gently from west to east towards the River Chelmer, with the eastern portion falling within Flood Zones 2 and 3, although both the previously approved scheme and the current proposal avoid development in these areas. Aside from the implemented enabling works, the site retains a largely undeveloped, semi-rural character.

#### **4. PROPOSAL**

**4.1** Full planning permission is sought for the construction of a new headquarters, workshop, and associated infrastructure for 24/7 Group, a nationally recognised provider of specialist education transport services. The development will occupy approximately 1.97 hectares within the southern parcel of land east of Braintree Road (B1256), Great Dunmow, and will form part of the wider site that benefits from an implemented planning permission (UTT/19/1219/FUL) for commercial use.

**4.2** The revised scheme proposes a bespoke employment-led development comprising:

- Building A: A single-storey office building (approx. 575m<sup>2</sup>) acting as the primary administrative hub and focal point at the site entrance.
- Building B: A single-storey expansion office (approx. 290m<sup>2</sup>) to accommodate future growth.
- Building C: A combined workshop and office building (approx. 650m<sup>2</sup>) featuring dedicated bays, storage areas, and a car wash facility.

**4.3** The layout has been designed to optimise functionality while respecting site constraints, including flood zones and existing overhead power lines. All built development is located on higher ground outside Flood Zones 2 and 3, with the eastern floodplain retained as landscaped open space.

**4.4** The design adopts a contemporary architectural approach, using high-quality materials such as red brickwork, grey metal cladding, and anthracite aluminium fenestration. Roofs will feature solar panels, and the development will integrate air source heat pumps, greywater harvesting, and other measures in line with the Uttlesford Interim Climate Change Policy.

**4.5** A comprehensive landscaping strategy will retain existing mature vegetation and the on-site oak tree, while introducing native planting, wildflower meadows, and biodiversity enhancements to deliver a minimum 10% Biodiversity Net Gain. Sustainable drainage systems (SuDS), including attenuation basins and permeable surfaces, will manage surface water runoff at greenfield rates.

**4.6** The proposal represents a improvement over the extant scheme, reducing overall massing, improving visual integration with the Chelmer Valley, and delivering economic, social, and environmental benefits. It will provide a modern operational base for 24/7 Group, supporting local employment and contributing positively to the district's economic growth.

## **5. ENVIRONMENTAL IMPACT ASSESSMENT**

**5.1** The proposal constitutes Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (Class 10 – Infrastructure Projects: Industrial Estate Development), as the site exceeds 0.5 hectares. The site does not lie within or adjacent to a sensitive area as defined by the Regulations.

The application is supported by technical reports covering flood risk, ecology, landscape, transport, and other relevant matters. These demonstrate that the development would not result in significant environmental effects by virtue of its nature, size, or location. The scale of the proposal is reduced compared to the extant permission and includes mitigation measures such as sustainable drainage, biodiversity enhancements, and renewable energy technologies. While the proposal is Schedule 2 development, it is not EIA development, and an Environmental Statement is not required.

## **6. RELEVANT SITE HISTORY**

<b>6.1</b>	UTT/19/1219/FUL	A full application for Refuse Lorry Depot, Classic Car storage and restoration business, flexible office space, enhanced public open space, cycle and pedestrian uses and associated development.	Approved
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## **7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

**7.1** The applicant engaged in pre-application discussions with Uttlesford District Council under reference UTT/24/2175/PA, with a formal meeting held on 17 October 2024. The Council confirmed that the principle of development had been established through the implementation of planning permission UTT/19/1219/FUL and acknowledged that the revised proposals represent a improvement over the extant scheme. Key points of advice included:

**7.2**

- The revised design, comprising three smaller buildings in place of a single large structure, was considered to reduce overall massing and visual impact.
- The replacement of the consented roundabout with a simplified junction was welcomed as a positive change.
- Opportunities were identified to enhance landscaping, particularly to soften areas of hardstanding and improve screening along the B1256.
- The scheme should incorporate measures from the Uttlesford Design Code (2024) and Interim Climate Change Policy (2021), including solar panels, air source heat pumps, and electric vehicle charging points.

**7.3**

The Council recommended early engagement with the Town Council and local community, and the applicant subsequently presented the proposals to Great Dunmow Town Council on 7 November 2024, where the revised scheme was well received, with no objections raised to the proposed junction arrangement.

**7.4**

In addition, pre-application advice was sought from Essex County Council Highways Authority and the Lead Local Flood Authority (LLFA). Both consultees confirmed the suitability of the site for employment use and provided detailed guidance on access design, visibility splays, drainage strategy, and sustainable drainage measures. The LLFA encouraged the integration of SuDS features and rainwater harvesting within the landscaping strategy.

**7.5**

Overall, the pre-application process has informed the design evolution of the scheme, ensuring compliance with local policy objectives and addressing key matters relating to design, access, sustainability, and environmental considerations.

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

### **8.1 Highway Authority – No Objection**

**8.1.1**

The Highway Authority has assessed the information which has been submitted with the planning application, including the Transport Statement (dated December 2024) and the revised plans most recently submitted. The assessment of the application and Transport Assessment was undertaken with reference to the National Planning Policy Framework 2024 and in particular paragraphs 115-117, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

### **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 based on the following conditions:

- Compliance condition for development to be in accordance with the FRA.
- Approval of Drainage Maintenance details.

**8.3 Environment Agency- No Objection**

**8.3.1** The Environment Agency raises no objection to the proposed development subject to foul drainage considerations being addressed. Their comments focus on risks to the receiving water environment because:

**8.3.2** Great Dunmow WWTW is currently operating in exceedance of its permitted Dry Weather Flow (DWF) limits (both Q80 and Q90). Exceedance increases the risk of deterioration to the Chelmer (Gt Easton – R. Can) water body, already classified as moderate ecological status and poor for phosphate and dissolved oxygen. The WWTW is included in Anglian Water's AMP8 programme (2025–2030) but this is subject to CMA review following PR24. Until the investment timetable is confirmed, there remains uncertainty about future capacity at the WWTW.

**8.3.3F** The LPA is reminded of its duties under the Water Framework Directive and NPPF para 187, ensuring development does not cause unacceptable water pollution.

**9. Great Dunmow Town Council Comments- Supports**

**9.1** A statement of support is provided subject to the development include the terms of the previous S106 agreement.

**10. CONSULTEE RESPONSES**

**10.1 CADENT**

**10.1.1** No Objection

**10.2 EU NETWORKS**

**10.2.1** No Objection

**10.3 UKPN**

**10.3.1** No Objection

**10.4 ANGLIAN WATER**

**10.4.1** No Objections

**10.5 ECC PLACE SERVICES ECOLOGY**

**10.5.1** We have reviewed the revised Preliminary Ecological Appraisal (Crossland Ecology, October 2025) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures.

**10.6 ESSEX FIRE AND RESCUE**

**10.6.1** No objection

**10.7 ESSEX POLICE**

**10.7.1** We strongly recommend that the developer seeks to achieve the relevant Secured by Design accreditation detailed within the current Secured by Design Non-Residential guide for the development. Further information requested.

**11. REPRESENTATIONS**

**11.1** Site notice/s were displayed on site and 74 notifications letters were sent to nearby properties. The application was also advertised in the local press. 2 letters of objections received.

**11.2**

- Objection to development on countryside land outside the defined development boundary.
- Alleged conflict with the Local Plan, Great Dunmow Neighbourhood Plan and the environmental objectives of the NPPF.
- Concern that the proposal is not supported by an identified local or community need.
- Harm to the character and appearance of the Chelmer Valley.
- Loss of open, rural landscape and intrinsic beauty of the countryside.
- Adverse visual impact from the B1256 and from across the valley.
- Insufficient assessment of landscape and visual impacts from public viewpoints on the east side of the valley.
- Landscaping mitigation considered inadequate and slow to establish.
- Loss of public amenity for users of Public Rights of Way, including PRoWs 66, 67 and 70.
- Harm to the recreational value of the Saffron Trail and David Cock land.

- Development on land identified as part of the functional floodplain of the River Chelmer.
- Increased flood risk, particularly in the context of climate change and more intense rainfall events.
- Potential harm to biodiversity within a recognised wildlife corridor.
- Ecological surveys undertaken at an inappropriate time of year.
- Insufficient assessment of impacts on protected species including bats and water voles.
- Doubts over the effectiveness of proposed biodiversity net gain measures.
- Absence of an Arboricultural Impact Assessment.
- Potential impacts on mature and possibly veteran trees within the site.
- Increased traffic movements on the B1256.
- Highway safety concerns due to proximity to an existing accident-prone junction.
- Car-dependent location with limited public transport accessibility.
- Design considered inappropriate and out of character with the rural valley setting.
- Concerns regarding light pollution and urbanisation of the landscape.
- Lack of demonstrable community benefit.
- Availability of alternative brownfield or town-centre employment sites.
- Concern over alleged use of the site as a car park prior to determination. Lack of clarity regarding the relationship of the proposal to existing sewage works infrastructure.

## **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 21 February 2020)  
Great Dunmow Neighbourhood Plan (made December 2016)  
Newport and Quendon and Rickling Neighbourhood Plan (made 28 June 2021)  
Thaxted Neighbourhood Plan (made 21 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 and Little Chesterford Neighbourhood Plan (made 2 February 2023)

## **13. POLICY**

### **13.1 National Policies**

**13.1.1** National Planning Policy Framework (2024)

**13.1.2** A new draft NPPF was published for consultation on 16 December. The draft NPPF is not adopted policy. The current adopted NPPF remains the primary national policy for decision-making under section 38(6) of the Planning and Compulsory Purchase Act 2004.

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

S7: The Countryside  
GEN1: Access  
GEN2: Design  
GEN3: Flood Protection  
GEN4: Good Neighbourliness  
GEN5: Light Pollution  
GEN7: Nature Conservation

GEN8: Vehicle Parking Standards  
E3: Access to workplaces  
ENV4: Ancient Monuments and Sites of Archaeological Importance.  
ENV7: The Protection of the Natural Environment  
ENV8: Other Landscape Elements of Importance for Nature Conservation  
ENV11: Noise Generators  
ENV12: Air Quality  
ENV14: Contaminated Land

### **13.3 Neighbourhood Plan**

#### **13.3.1 Great Dunmow Neighbourhood Plan**

DS1: TDA: Town Development Area  
LSC1: Landscape, Setting and Character  
LSC3: The Chelmer Valley  
NE2: Wildlife Corridors (Chelmer Valley Wildlife Corridor)  
GA1: Core Footpath and Bridleway Network  
GA2: Integrating Developments (Paths and Ways)  
GA3: Public Transport

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

Essex County Council Parking Standards (2009)  
Uttlesford Interim Climate Change Policy (2021)

### **13.5 EMERGING LOCAL PLAN**

13.5.1 Core Policy 4- Meeting Business and Employment Needs  
Core Policy 5- Providing Supporting Infrastructure and Services  
Core Policy 21- Rural Diversification  
Core Policy 26 – Providing for Sustainable Transport and Connectivity  
Core Policy 27 – Assessing the Impact of Development on Transport Infrastructure  
Core Policy 28 – Active Travel (Walking & Cycling)  
Core Policy 29- Electric & Low Emission Vehicles  
Core Policy 30- Public Rights of Way  
Core Policy 31 – Parking Standards  
Core Policy 34- Water Supply and Protection of Water Resources  
Core Policy 35- Watercourse Protection and Enhancement  
Core Policy 36- Flood Risk  
Core Policy 37- Sustainable Drainage  
Core Policy 38 – Sites Designated for Biodiversity or Geology  
Core Policy 39 – Green & Blue Infrastructure  
Core Policy 40 – Biodiversity and Nature Recovery  
Core Policy 41- Landscape Character  
Core Policy 42 – Pollution and Contamination  
Core Policy 43 – Air Quality

Core Policy 44 – Noise

Core Policy 45 – Protection of Existing Employment Space

Core Policy 52 – Good Design Outcomes and Process

**13.5.2** The emerging local plan has reached an advanced stage, with the Inspector's post-examination report received and the Plan scheduled for adoption this spring. Whilst the Plan does not yet form part of the statutory development plan, paragraph 48 of the NPPF states that weight may be afforded to relevant policies in emerging plans according to their stage of preparation. Given the advanced stage of the Plan and the absence of any outstanding substantive objections, moderate to significant weight is afforded to the policies.

## **14. CONSIDERATIONS AND ASSESSMENT**

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

- A) Principle of development**
- B) Countryside Impact**
- C) Design and Amenity**
- D) Access and Parking**
- E) Nature Conservation & Trees**
- F) Flood risk and water resource protection**
- G) Contamination**
- H) Planning Obligations**

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

**14.3.1** The application site lies outside the defined Development Boundary of Great Dunmow and is therefore designated as countryside for the purposes of the adopted Uttlesford Local Plan. In isolation, proposals for new built development within the countryside would ordinarily be resisted in accordance with Policy S7 of the adopted plan and relevant policies within the Great Dunmow Neighbourhood Plan.

**14.3.2** Planning permission UTT/19/1219/FUL has been implemented following the discharge of a number of pre-commencement and pre-occupation conditions, including those relating to phasing, materials, landscaping, drainage, archaeology and construction management. Subsequent material operations, including site clearance and preparatory groundworks carried out in accordance with the approved phasing plan, were undertaken on site and are sufficient to constitute commencement under section 56(4) of the Town and Country Planning Act 1990. The approved development is therefore extant and capable of being completed in full and represents a realistic fallback position which carries significant material weight in the determination of the current application, confirming that the permission is extant and capable of continued implementation.

**14.3.3** Whilst the proposed uses are not entirely identical to those previously approved, officers consider that there is a high degree of functional and operational overlap between the schemes. Both the approved and proposed developments are employment-led, involve commercial built form, vehicle movements, servicing activity and associated office accommodation. In this regard and having particular regard to paragraph 85 of the National Planning Policy Framework, which places significant weight on facilitating the expansion and adaptation of businesses, it is considered that the extant permission establishes the principle of employment development on the site. This position is consistent with the conclusions reached through pre-application engagement, where the Council confirmed that the principle of development was already established.

**14.3.4** The current application seeks permission for a revised form of development within the parameters of the approved masterplan, limited to the southern parcel of the site. The proposals do not extend beyond the approved red line boundary and do not introduce development into areas previously safeguarded as floodplain or public open space. In addition, the proposal omits elements of the approved scheme, including the refuse lorry depot, resulting in a materially reduced intensity of use when compared to the extant permission.

**14.3.5** Moderate to significant weight can currently be afforded to the emerging Uttlesford Local Plan; however, it is noted that Core Policy 45 indicates a presumption in favour of employment development on sites with an extant or part-implemented planning permission, provided that proposals are generally consistent with the original consent. Officers consider that the current proposals fall broadly within this scope, reinforcing the acceptability of the development in principle.

**14.3.6** The proposed development continues to deliver employment uses consistent with those previously approved, falling within Class E(g) and B8, and remains aligned with both local and national policy objectives to support economic growth. Paragraphs within the National Planning Policy Framework place significant emphasis on the need to support a strong and competitive economy, including the expansion of existing businesses and the provision of employment opportunities in sustainable locations.

**14.3.7** In addition, emerging evidence on employment land need supports further positive weight being attributed to the proposals. The Uttlesford Employment Needs Update (2023) identifies a requirement for between 5–10 hectares of industrial land in Great Dunmow, alongside an identified need for additional office provision within the wider Stansted Area. Whilst the emerging Local Plan seeks to address these requirements through draft allocations, the report also identifies that windfall sites, particularly in locations such as Great Dunmow, will play an important role in meeting identified needs. In this context, the delivery

of additional office and industrial accommodation attracts moderate positive weight.

**14.3.8** Whilst it is acknowledged that the site lies within a sensitive landscape context, including the Chelmer Valley. In terms of the Great Dunmow Neighbourhood Plan, officers acknowledge the emphasis placed by Policies DS1, LSC1 and LSC3 on protecting the countryside setting of the town and the Chelmer Valley. However, these policies must be read in the context of the existing consent on the site. The assessment of principle must be undertaken in the context of the established use of the land. In this regard, the proposed scheme represents a re-planning of an accepted form of development, rather than the introduction of a new or unrelated use in the countryside. The principle of employment development in this location has therefore already been accepted, and the primary consideration is whether the revised proposals give rise to materially greater harm than the approved fallback position.

**14.3.9** Having regard to the extant consent, the reduced scale and intensity of the revised proposals, and their continued alignment with strategic economic objectives set out in the NPPF, it is considered that the principle of development is acceptable. The proposal does not undermine the spatial strategy of the development plan when assessed in the context of the existing permission, and the key policy considerations instead relate to matters of detailed impact, including design, landscape, ecology, highways and amenity, which are considered in the sections that follow.

#### **14.4 B) Countryside Impact**

**14.4.1** The application site lies outside the defined development boundary of Great Dunmow and is therefore designated as countryside under Policy S7 of the adopted Uttlesford Local Plan, which seeks to protect the character and appearance of the countryside and restrict development to that which is compatible with its rural setting. In principle, the introduction of new built development in this location would ordinarily be contrary to Policy S7 and relevant countryside protection policies within the Great Dunmow Neighbourhood Plan, particularly Policies DS1, LSC1 and LSC3, which seek to protect the rural setting of the town and the character and function of the Chelmer Valley.

**14.4.2** However, the assessment of countryside impact in this case must be undertaken in the context of the extant and implemented planning permission (UTT/19/1219/FUL), which establishes the acceptability of employment-led development on the site in principle. The fallback position would permit the completion of a larger and more intensive form of commercial development, including substantial built form, extensive hardstanding, HGV activity and associated infrastructure.

**14.4.3** Whilst it is accepted that the proposals will inevitably alter the character of this parcel of countryside, officers consider that the degree of harm is not materially greater than that which could already arise from the implementation of the extant consent, and in several respects is reduced. As such, the weight to be afforded to conflict with Policy S7 and countryside protection policies of the Neighbourhood Plan is considerably diminished.

**14.4.4** Moderate to significant weight can currently be afforded to the emerging Uttlesford Local Plan; however, it is noted that emerging policy direction supports employment development on sites with an extant or part-implemented permission, where proposals are broadly consistent with the approved form of development. In this regard, the proposals align with the emerging policy.

**14.4.5** The National Planning Policy Framework (December 2024) seeks to recognise the intrinsic character and beauty of the countryside, while also supporting sustainable economic growth and the adaptation and expansion of established businesses. Having regard to paragraph 85 of the Framework, and when assessed against the approved fallback position, officers consider that the proposal strikes an appropriate balance between economic objectives and countryside protection and does not result in harm of a severity that would justify refusal on countryside grounds alone.

**14.4.6** Overall, whilst the proposals do give rise to some conflict with adopted countryside policies at a theoretical level, officers consider that this harm is limited and appropriately mitigated when assessed in the context of the extant planning permission, the reduced scale and improved design of the proposed development, and the wider planning balance.

## **14.5 C) Design and Amenity**

**14.5.1** Design

**14.5.2** The assessment of design and appearance has been undertaken with regard to Policy GEN2 of the adopted Uttlesford Local Plan, relevant design-related policies within the Great Dunmow Neighbourhood Plan (in particular Policy LSC1), the Uttlesford Design Code, and the design objectives of the National Planning Policy Framework (December 2024), which places strong emphasis on achieving high-quality design that is sympathetic to its context.

**14.5.3** The proposed development comprises three commercial buildings arranged in a disaggregated layout, replacing the larger, more consolidated built form approved under the extant planning permission. Officers consider that this approach represents a clear improvement in design terms, reducing perceived mass and visual dominance and

allowing the development to sit more comfortably on the edge of the settlement.

**14.5.4** The Council's Urban Design Officer supports this conclusion, advising that the principle of development is already established and that the proposed scheme represents an improvement over the previously approved massing. In particular, the separation of development into three smaller buildings, together with varied roof forms and heights, is considered to result in a reduced visual impact and a more articulated and legible form of development. The replacement of the previously approved roundabout with a simpler junction arrangement is also identified as a positive design response, lessening the overall visual and physical impact of the development.

**14.5.5** In terms of architectural quality, the proposed buildings adopt a consistent but varied palette of materials, including brick at lower levels, metal cladding and timber-effect weatherboarding, which is characteristic of contemporary employment development within the district. This approach is considered appropriate for the semi-rural edge-of-settlement context and broadly reflective of modern commercial development, without competing visually with the surrounding landscape. The scale of the buildings, which are predominantly single storey with limited two-storey elements, is also considered proportionate and sympathetic to the site's location.

**14.5.6** The layout has been informed by site levels and existing landscaping, with built form positioned to minimise prominence when viewed from the public realm. Whilst the parking areas are necessarily extensive due to the nature of the use, these are mitigated through retained boundary planting and additional landscaping. The Urban Design Officer has recommended that areas of surface parking should be further softened with internal landscaping and tree planting. Officers consider this to be achievable and appropriate, and the detailed implementation of such measures can be secured through condition where necessary.

**14.5.7** Overall, when assessed against adopted and emerging local design policies, neighbourhood plan objectives and national guidance, officers consider that the proposed development achieves an appropriate standard of design and appearance. Importantly, the scheme represents a design improvement over the extant fallback permission, with reduced massing, clearer articulation and a more sensitive relationship with the edge-of-countryside context. Subject to appropriate landscaping detail, the proposal is considered acceptable in design terms.

**14.5.8** Overall, officers conclude that the proposed development is acceptable in design terms, complying with Policy GEN2 of the adopted Local Plan, Policy LSC1 of the Great Dunmow Neighbourhood Plan, and the design objectives of the National Planning Policy Framework, and representing a clear improvement in form, scale and appearance when assessed against the extant fallback permission.

**14.5.9** Neighbouring Amenity

**14.5.10** In assessing the impact of the development on residential and environmental amenity, regard has been had to Policies GEN2, GEN4, and GEN5 of the adopted Uttlesford Local Plan, alongside the relevant provisions of the National Planning Policy Framework (December 2024), particularly paragraphs 178–180, which seek to ensure development is appropriate for its location having regard to noise, disturbance, pollution and the protection of amenity and the natural environment.

**14.5.11** The Environmental Health Officer raises no objection to the proposal, subject to the imposition of appropriate conditions. In reaching this conclusion, it is noted that the site is located some distance from residential properties and is situated within an area characterised by existing employment and infrastructure uses. As such, the proposal is not considered inherently incompatible with its surroundings in amenity terms.

**14.5.12** With respect to noise, Environmental Health advises that whilst the proposal has the potential to generate noise associated with fixed plant, workshop activities and vehicle movements, the overall risk of unacceptable impact is considered relatively low, particularly when compared to the more intensive activities permitted under the extant planning permission. Notwithstanding this, a condition is recommended to ensure that noise arising from fixed mechanical services, plant and equipment does not exceed established background sound levels, in accordance with BS 4142, thereby safeguarding nearby occupiers and ensuring compliance with Policy ENV11 and the NPPF.

**14.5.13** Regarding external lighting, the Environmental Health Officer notes the potential for artificial lighting to affect local amenity and biodiversity if not appropriately controlled. A condition is therefore recommended requiring the submission and approval of a detailed lighting scheme, including luminance levels, hours of operation and measures to prevent glare and light spill beyond the site boundary. Subject to such controls, the proposal is considered acceptable and consistent with Policy GEN5 and national guidance relating to dark skies and ecological protection.

**14.5.14** The Environmental Health Officer also highlights the importance of mitigating short-term impacts during the construction phase, particularly in proximity to neighbouring commercial occupiers. This can be satisfactorily managed through standard controls on working hours, dust suppression and construction practices, consistent with established best practice and the Council's previous condition framework on the site.

**14.5.15** Importantly, when assessed against the extant implemented fallback permission, the current proposals represent a reduced intensity of use, most notably through the omission of the refuse lorry depot and associated heavy vehicle movements. As such, the potential amenity

impacts of the development are materially reduced when compared to those already accepted in principle.

**14.5.16** Overall, officers are satisfied that, subject to the recommended conditions, the proposal would not result in unacceptable harm to residential or environmental amenity, would comply with the relevant Local Plan policies and Neighbourhood Plan objectives, and would accord with the amenity protections set out in the NPPF.

## **14.6 D) Access and Parking**

### **14.6.1 Access**

**14.6.2** The highway implications of the proposed development have been assessed having regard to Policy GEN1 of the adopted Uttlesford Local Plan, relevant transport policies within the Great Dunmow Neighbourhood Plan, the direction of the emerging Uttlesford Local Plan, the Essex County Council Development Management Policies, and the National Planning Policy Framework (December 2024), in particular paragraphs 115–117, which seek to ensure that development provides safe and suitable access for all users and that development should only be refused on highway grounds where residual cumulative impacts would be severe.

**14.6.3** A key material consideration in this assessment is the relationship between the current proposals and the previously approved and implemented scheme under reference UTT/19/1219/FUL. That permission included a new roundabout access on the B1256, designed to serve a more intensive form of development across the wider site, including a refuse lorry depot and associated heavy goods vehicle movements. The fallback position therefore allows for a more substantial quantum of highway infrastructure and a higher level of traffic generation than is now proposed.

**14.6.4** The current application introduces a revised access arrangement, replacing the previously approved roundabout with a simpler priority junction arrangement, incorporating a ghost-island right-turn lane into the site and a left-out-only exit, together with associated pedestrian safety and connectivity improvements. Officers consider that this revised approach represents a significant reduction in the scale, complexity and visual impact of highway infrastructure, and is a more proportionate response to the reduced scale and intensity of development now proposed.

**14.6.5** From a safety and capacity perspective, the Highway Authority has reviewed the submitted Transport Statement, revised access drawings and supporting information and raises no objection, subject to conditions. This response supersedes earlier consultation comments and reflects amendments made to address previous concerns.

Importantly, the Highway Authority confirms that the revised access arrangements do not compromise or prejudice the delivery of the remainder of the extant consent, and that the impact of the proposal is acceptable in highway terms.

**14.6.6** A Stage 1 Road Safety Audit has also been undertaken to assess the revised access strategy. The Audit does not identify any fundamental safety objections to the proposals. The issues raised relate to detailed matters such as drainage provision, surfacing, vegetation management and pedestrian safety, all of which are capable of being satisfactorily addressed through detailed design and the Highway Authority's recommended conditions, including any further Stage 2 Road Safety Audit requirements.

**14.6.7** Moderate weight is currently afforded to the emerging Uttlesford Local Plan; however, it is noted that its transport policies continue to emphasise safe access arrangements and the promotion of sustainable travel. The requirement for a Workplace Travel Plan, secured by condition, is consistent with this direction of travel.

**14.6.8** Taking all the above into account that the proposed development would generate no greater—and in several respects a reduced—highway impact when compared with the previously approved and implemented scheme. Subject to the recommended conditions, the revised access arrangements provide safe and suitable access, represent an improvement in terms of proportionality and visual impact, and comply with the adopted Local Plan, the Great Dunmow Neighbourhood Plan, the direction of emerging policy and the National Planning Policy Framework.

**14.6.9** Parking

**14.6.10** The proposed parking provision has been assessed against Policy GEN8 of the adopted Uttlesford Local Plan, which requires development to provide adequate off-street parking in accordance with adopted standards to avoid highway safety and amenity issues. Regard has also been had to the Great Dunmow Neighbourhood Plan, emerging Local Plan policy direction, and the National Planning Policy Framework, which seeks to balance the provision of appropriate parking with the promotion of sustainable transport modes.

**14.6.11** The submitted Parking Plan indicates that the development would provide sufficient parking spaces, together with disabled bays, dedicated fleet / car storage areas, and provision for electric vehicle charging points. In addition, cycle parking is provided at an appropriate level, supplemented by Sheffield stands located in accessible positions close to building entrances. This level of provision is considered proportionate to the nature and scale of the proposed employment uses and aligns with the Council's adopted parking standards.

**14.6.12** The Highway Authority has reviewed the proposed parking arrangements as part of its wider transport assessment and raises no objection in principle, subject to conditions to ensure that final bay dimensions, circulation and disabled parking layouts meet detailed guidance. Officers note that this is a common and reasonable approach and that such matters can be satisfactorily resolved through the recommended planning conditions, ensuring compliance with highway safety requirements.

**14.6.13** In the context of the Great Dunmow Neighbourhood Plan, the proposal supports the objectives of Policies GA2 and GA3, which seek to improve accessibility and promote sustainable transport choices. The inclusion of cycle parking, EV charging infrastructure and integration with pedestrian routes and bus stop improvements helps to reduce reliance on private car use while still ensuring that adequate parking is available to support the day-to-day operational needs of the development.

**14.6.14** Moderate weight can currently be afforded to the emerging Uttlesford Local Plan; however, it is noted that emerging policies continue to promote a balanced approach to parking, supporting economic development while encouraging sustainable travel behaviour. The proposal's parking strategy is consistent with this approach, particularly when considered alongside the requirement for a Workplace Travel Plan, which will actively manage parking demand and travel choices over time.

**14.6.15** When assessed against the previously approved and implemented scheme, the parking provision is also considered proportionate, reflecting the reduced scale and intensity of the current proposal. Overall, officers are satisfied that the level and layout of parking proposed would not result in on-street parking pressures or highway safety concerns and that, subject to the recommended conditions, the proposal complies with Policy GEN8 of the adopted Local Plan, the relevant provisions of the Great Dunmow Neighbourhood Plan, and the direction of emerging policy.

## **14.7 E) Nature Conservation & Trees**

**14.7.1** Nature Conservation

**14.7.2** Policies GEN7 and ENV8 of the adopted Uttlesford Local Plan (2005) seek to protect features of nature conservation value including trees, hedgerows and habitats, and require appropriate survey information and mitigation where development may have ecological implications. The Great Dunmow Neighbourhood Plan, particularly Policy LSC3, seeks to protect and enhance the ecological and landscape character of the Chelmer Valley, whilst allowing development that avoids harm and incorporates mitigation and enhancement where impacts arise.

**14.7.3** The emerging Uttlesford Local Plan has reached an advanced stage, with the Inspector's post-examination report received and the Plan scheduled for adoption in spring 2026. Whilst the Plan does not yet form part of the statutory development plan, the National Planning Policy Framework confirms that weight may be given to relevant policies in emerging plans according to their stage of preparation.

**14.7.4** Given the advanced stage of the Plan, its consistency with national policy, and the absence of any outstanding substantive objections to the relevant environmental policies, moderate to significant weight is afforded to those parts of the emerging Local Plan that are material to the determination of this application.

**14.7.5** The application site comprises managed agricultural grassland with a boundary hedgerow and a single mature oak tree located within the site. A Preliminary Ecological Appraisal (PEA) has been submitted and reviewed by Essex County Council Place Services acting as the Local Planning Authority's ecological advisers. The submitted appraisal confirms that the majority of the site comprises modified grassland of limited ecological value. Ecological features of value are limited to the site boundaries. Place Services have confirmed that the ecological assessment is proportionate and adequate for determination of the application and have raised no objection on ecological grounds, subject to appropriately worded conditions.

**14.7.6** Trees and Bat Roost Potential

**14.7.7** The mature oak tree within the site has been assessed as having moderate bat roost potential and accordingly has been treated as an ecologically sensitive feature. However, it is noted that:

- The tree is not identified as a veteran or ancient tree.
- It is not listed on the Ancient Tree Inventory.
- No evidence has been submitted to indicate that the tree constitutes an irreplaceable habitat as defined by national policy.

**14.7.8** This position has been reviewed and accepted by Place Services. Nevertheless, the proposal adopts a precautionary and positive approach, providing for:

- Retention of the oak tree in situ;
- A 20-metre exclusion buffer during construction;
- A requirement for pre works bat inspection where necessary; and
- A sensitive lighting strategy to protect nocturnal wildlife.

**14.7.9** These measures are consistent with both adopted Local Plan policy and the direction of travel established by the emerging Local Plan.

**14.7.10** A formal Arboricultural survey has not been submitted in support of the application. However, given that the previously approved planning

permission on the site has already been implemented, and significant areas of the land have already been cleared or altered as part of those extant works, a blanket tree survey covering the entire site is not considered necessary in this instance. The Council's Principal Landscape Officer has reviewed the proposed removal of trees required to facilitate the site access and has confirmed that this level of removal is acceptable. Nevertheless, ecological evidence submitted with the application identifies the centrally located mature oak tree as containing potential bat roosting features and therefore of elevated ecological value. The ecology report recommends that this tree is subject to an age and condition assessment, including aerial inspection where necessary, before any works occur within the recommended exclusion zone. This assessment will be secured through the imposition of an appropriate planning condition.

**14.7.11** Ecological Impacts, Mitigation and Enhancement

**14.7.12** While the proposal will result in the loss of areas of modified grassland, this habitat is of limited ecological value, and its loss is considered acceptable in policy terms. Importantly, the development incorporates a clear package of ecological mitigation and enhancement, including:

- Retention and protection of the mature oak tree and boundary hedgerow.
- Provision of new landscaping and habitat creation.
- Delivery of mandatory Biodiversity Net Gain, secured through condition or legal agreement.
- A wildlife-sensitive lighting strategy; and
- Long-term landscape and ecological management.

**14.7.13** Essex County Council Place Services confirm that, subject to conditions, the proposal will deliver net gains for biodiversity and will not result in unacceptable harm to protected species or habitats.

**14.7.14** Representations have raised concerns regarding the loss of grassland, potential impacts on bats and other wildlife, and the retention and protection of the mature oak tree within the site, with reference to both adopted and emerging planning policy. These matters have been carefully considered. The submitted Preliminary Ecological Appraisal identifies the grassland as modified and of limited ecological value and confirms that the mature oak tree has moderate bat roost potential but does not constitute a veteran or irreplaceable tree. These findings have been independently reviewed and accepted by Essex County Council Place Services. Subject to conditions securing the retention of the tree, a 20-metre construction exclusion buffer, pre-works bat inspection where necessary, sensitive lighting design, and the delivery of biodiversity net gain, it is concluded that the ecological impacts of the proposal are appropriately avoided, mitigated and compensated. On this

basis, it is considered that the concerns raised are adequately addressed and do not indicate material harm such that planning permission should be withheld on ecological or tree protection grounds.

**14.7.15** While the submitted Biodiversity Net Gain (BNG) assessment demonstrates that the development achieves a measurable net gain of 16.05% in habitat units and 16.50% in hedgerow units, thereby exceeding the statutory minimum 10% requirement under Schedule 7A of the Town and Country Planning Act 1990, it does not meet the 20% BNG target currently proposed within the emerging Local Plan. Notwithstanding this, the Council is required to apply full weight to the statutory BNG regime, and the detailed BNG design, delivery and long-term management will be secured through the mandatory Biodiversity Gain Condition, which applies automatically to the permission. This will require submission and approval of a Biodiversity Gain Plan, containing the final metric calculations, habitat plans, and 30-year management and monitoring commitments. As such, the acceptability of the proposed BNG position, and any opportunities for further enhancement, will be fully considered at the discharge-of-condition stage, when the Local Planning Authority assesses whether the scheme maximises biodiversity benefits in accordance with both national requirements and the direction of travel set by the emerging Local Plan

**14.7.16** When assessed against the adopted Local Plan, the Great Dunmow Neighbourhood Plan, the emerging Uttlesford Local Plan, and the NPPF, the proposal is considered to take a positive and policy compliant approach to ecology and trees. Although there is an inevitable degree of change arising from development, ecological impacts have been appropriately assessed, avoided and mitigated, with enhancements secured that align with both current and emerging policy objectives. The retention of key ecological features, together with biodiversity net gain and long-term management, ensures compliance with local and national policy.

## **F) Flood risk and water resource protection**

**14.8.1** Flood risk management and the protection of water resources are closely interrelated considerations in Great Dunmow, particularly given the proximity of the River Chelmer and its associated catchment. In assessing the proposal, regard has been had to the policies of the Great Dunmow Neighbourhood Plan, which forms part of the statutory development plan, together with relevant policies of the Uttlesford Local Plan 2005, including Policy GEN3, and the emerging Uttlesford Local Plan.

**14.8.2** Policy GEN3 of the Uttlesford Local Plan 2005 seeks to ensure that development does not increase the risk of flooding, does not adversely affect water quality or resources, and incorporates appropriate surface water management and mitigation measures where necessary. Although

an older policy, GEN3 remains part of the adopted development plan and its objectives are consistent with national policy and with the more detailed and up-to-date approach set out in the emerging Local Plan.

**14.8.3** It is also a material consideration that the site has benefited from a previously approved and implemented planning permission, which established the principle that flood risk and surface water drainage matters could be satisfactorily addressed at this location. While each application must be determined on its own merits and the earlier permission does not set a binding precedent, the implemented consent provides a relevant evidential baseline when assessing the practicality and acceptability of flood risk mitigation and water resource protection measures.

**14.8.4** The emerging Uttlesford Local Plan reinforces the principles embedded in Policy GEN3 by placing greater emphasis on climate resilience, sustainable drainage and the long-term protection of surface waters. These strategic objectives align closely with the locally specific policies of the Great Dunmow Neighbourhood Plan, which recognise the sensitivity of the River Chelmer corridor and seek to ensure that development does not exacerbate flood risk or undermine the water environment.

**14.8.5** In this case, the submitted Flood Risk Assessment and drainage strategy have been formally reviewed by Essex County Council in its role as Lead Local Flood Authority (LLFA). The LLFA has confirmed that it raises no objection to the proposal on flood risk or surface water drainage grounds, subject to the imposition of conditions. In reaching this conclusion, the LLFA has confirmed that the proposals accord with the relevant technical standards, including the non-statutory SuDS standards, the Essex SuDS Design Guide, CIRIA C753 and BS8582.

**14.8.6** The LLFA has accepted a drainage strategy which limits surface water discharge from the site to 2.6 litres per second, provides attenuation for all rainfall events up to and including the 1 in 100 year storm plus a 40% climate change allowance, and includes measures for the effective treatment of surface water runoff. These provisions directly reflect the objectives of Policy GEN3 in preventing increased flood risk and safeguarding water quality, while also aligning with the more detailed requirements of the emerging Local Plan and the neighbourhood plan.

**14.8.7** The LLFA has further advised that these measures, secured through planning conditions, would prevent flooding and reduce the risk of pollution to receiving watercourses. Additional conditions requiring the submission and implementation of a long-term maintenance plan, together with annual maintenance records, ensure that the drainage system will function effectively for the lifetime of the development.

**14.8.8** Taken together, the adopted and emerging policy framework, the previous implemented permission and the professional advice of the

LLFA demonstrate that flood risk and water resource impacts arising from the proposal are capable of being appropriately managed and mitigated. Subject to the recommended conditions, the development would not increase flood risk on site or elsewhere, nor would it result in unacceptable harm to water resources or the function of the River Chelmer corridor.

**14.8.9** Accordingly, the proposal is considered to accord with Policy GEN3 of the Uttlesford Local Plan 2005, the relevant policies of the Great Dunmow Neighbourhood Plan, and the flood risk and water resource objectives of the emerging Uttlesford Local Plan, and no conflict is identified in this regard.

**14.9 G) Contamination**

**14.9.1** Policy ENV14 of the Uttlesford Local Plan 2005 relates to the development of contaminated land and requires proposals to demonstrate that any contamination present on a site can be satisfactorily addressed to ensure there is no unacceptable risk to human health, controlled waters, property or the wider environment. The policy is consistent with the National Planning Policy Framework and therefore continues to attract significant weight.

**14.9.2** These objectives are reinforced by the emerging Uttlesford Local Plan particularly Core Policy 42 (Pollution and Contamination), which seeks to ensure that development proposals identify, assess and appropriately manage land contamination and ground conditions so as to protect human health, the environment and water resources over the lifetime of the development.

**14.9.3** In addition, the Great Dunmow Neighbourhood Plan, which forms part of the statutory development plan, contains policies that seek to ensure that development delivers a safe and healthy environment and does not give rise to unacceptable environmental or public health impacts. These policies support appropriate investigation and mitigation where risks arising from land condition or surrounding uses are identified.

**14.9.4** The application is accompanied by a Land Contamination Assessment and draws on investigations previously undertaken in support of earlier planning permissions at the site. The principal potential source of contamination historically identified relates to the proximity of the Water Recycling Centre, regarding ground gas. In this regard, contaminated land conditions attached to the earlier planning permission (UTT/19/1219/FUL) were formally discharged under application UTT/23/0571/DOC, following submission and review of a Phase II Site Investigation prepared by Gemco (23 February 2023, ref. 2169).

**14.9.5** That investigation did not identify any elevated concentrations of contaminants that would pose a risk to future users of the site, and no formal remediation was recommended. Whilst an area of made ground

was identified, sampling did not reveal contamination associated with those materials.

**14.9.6** The Council's Environmental Health Officer has reviewed the submitted information in the context of the current proposal and raises no objection, subject to the imposition of a precautionary condition. This condition requires that, should previously unidentified contamination be encountered during construction, works cease in the affected area until an appropriate remediation strategy has been submitted, approved and implemented, with validation provided thereafter.

**14.9.7** This approach is consistent with Policy ENV14, the objectives of Core Policy 42 of the emerging Local Plan, and the requirements of the Great Dunmow Neighbourhood Plan, ensuring that any residual risks are properly managed and that the site remains suitable for its proposed use. Subject to the recommended condition, it is considered that land contamination issues can be satisfactorily addressed, and the proposal accords with the adopted and emerging development plan policies in respect of contamination and land quality.

## **14.10 H) Planning Obligations**

**14.10.1** Policy GEN6 of the Uttlesford Local Plan 2005 requires development proposals to make appropriate provision for infrastructure necessary to mitigate the impacts of development, either directly or through planning obligations. This policy is consistent with the National Planning Policy Framework, which confirms that planning obligations must be necessary, directly related to the development, and fairly and reasonably related in scale and kind.

**14.10.2** These principles are reinforced by the emerging Uttlesford Local Plan which seeks to ensure that new development is supported by timely and appropriate infrastructure and that mechanisms are in place to secure its delivery. Although the emerging plan carries weight at this stage, its approach represents a logical evolution of Policy GEN6 rather than a departure from it.

**14.10.3** In this case, the application site is subject to an existing Section 106 agreement dated 26 March 2021, entered pursuant to planning permission UTT/19/1219/FUL, which has been implemented. That agreement secures infrastructure and mitigation measures which formed an integral part of the planning balance and which continue to be material considerations in the determination of the current application.

**14.10.4** The existing Section 106 agreement secures, amongst other matters:

- the provision and transfer of a public car park and footbridge over the River Chelmer.

- a financial contribution for the long-term maintenance of these facilities; and
- the preparation, implementation and monitoring of a Workplace Travel Plan, together with an associated monitoring contribution to Essex County Council.

**14.10.5** The current proposal relates to development on the same site and would continue to rely upon, and benefit from, the infrastructure and mitigation already secured. It is therefore necessary to ensure that the existing planning obligations remain enforceable and appropriately related to the development now proposed.

**14.10.6** In these circumstances, it is considered that a deed of variation to the existing Section 106 agreement would be the most appropriate mechanism should planning permission be granted. This would allow the Local Planning Authority to

- confirm that existing obligations continue to bind the site;
- amend definitions and trigger points where necessary to reflect the current proposal; and
- avoid duplication or conflict between historic and proposed planning permissions while maintaining the level of infrastructure provision previously secured.

**14.10.7** This approach is consistent with the requirements of Policy GEN6, relevant policies of the Great Dunmow Neighbourhood Plan, and the infrastructure delivery objectives of the emerging Uttlesford Local Plan, ensuring that development is properly supported by the necessary infrastructure and mitigation. Accordingly, the completion of a satisfactory deed of variation to the existing Section 106 agreement would be required prior to the issue of any planning permission.

**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** The application has been assessed in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, having regard to the Uttlesford Local Plan 2005, the Great Dunmow Neighbourhood Plan, the National Planning Policy Framework, and all other material considerations, including the emerging Uttlesford Local Plan (Publication – Regulation 19), to which moderate to significant weight is afforded.

**16.2** A key material consideration in this case is the existence of a previously approved and implemented planning permission (UTT/19/1219/FUL) for employment-led development on the site. That permission establishes the principle of commercial development in this location and carries significant weight in the determination of the current application. The extant consent provides a realistic fallback position against which the acceptability of the revised proposal must be assessed.

**16.3** The current proposal seeks a revised and reduced form of development, limited to part of the wider site and omitting elements of the approved scheme, including the refuse lorry depot. When assessed against adopted countryside policies, including Policy S7 of the Uttlesford Local Plan 2005 and relevant policies of the Great Dunmow Neighbourhood Plan, the development gives rise to some tension due to its location outside the defined Development Boundary and within the setting of the Chelmer Valley. These policies attract significant weight as part of the statutory development plan.

**16.4** However, the proposal must be considered in the context of the established planning position. When compared with the extant consent, officers conclude that the revised development would result in no materially greater harm, and in several respects reduced harm, including lower operational intensity, reduced vehicle movements and a built form with reduced massing and improved layout. In this context, the weight to

be attached to conflict with countryside and neighbourhood plan policies is reduced.

**16.5** All technical matters, including highways and access (Policies GEN1 and GEN8), flood risk and water resource protection (Policy GEN3), ecology and landscape (Policies GEN7, ENV7 and ENV8), contamination (Policy ENV14), and amenity considerations (Policies GEN4, GEN5 and ENV11), have been assessed and raise no objections, subject to appropriate planning conditions. Infrastructure and mitigation secured under the existing Section 106 agreement would continue to apply through a deed of variation, ensuring compliance with Policy GEN6.

**16.6** The proposal would deliver modern employment floorspace, supporting the continued operation and expansion of an established business and contributing to local economic growth. These benefits align with the economic objectives of the National Planning Policy Framework, which places significant weight on supporting a strong and competitive economy and the expansion of existing businesses, including in edge-of-settlement locations. Moderate to significant weight is also afforded to the relevant policies of the emerging Uttlesford Local Plan, which support employment development on sites with extant or part-implemented permissions where proposals are broadly consistent with the original consent.

**16.7** When all relevant policies and material considerations are weighed together, officers conclude that any limited conflict with adopted countryside and neighbourhood plan policies is outweighed by the fallback position established by the extant permission, the reduced scale and improved form of development now proposed, the absence of technical objections, and the economic benefits that would arise. The proposal is therefore considered to represent sustainable development in accordance with the development plan when read as a whole and the National Planning Policy Framework.

**16.8** Accordingly, planning permission is recommended, subject to conditions and the completion of a deed of variation to the existing Section 106 agreement.

## **17. S106/ CONDITIONS**

**17.1** Any grant of planning permission shall be subject to the prior completion of a deed of variation to the Section 106 agreement dated 26 March 2021 (made pursuant to planning permission UTT/19/1219/FUL), between Uttlesford District Council, Essex County Council and the landowners, to secure that the obligations relating to the provision and transfer of the public car park and pedestrian footbridge, the payment of the associated maintenance contribution, the preparation, implementation and monitoring of a Workplace Travel Plan (including the agreed monitoring contribution to Essex County Council), and the payment of the

reasonable legal and monitoring costs of the District and County Councils continue to bind the land and apply to the development hereby approved, insofar as applicable.

## **17.2 Conditions**

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

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

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

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

## **PRE COMMENCEMENT CONDITIONS**

3. Prior to the commencement of development hereby approved a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to void or reduce impacts during construction (may be provided as a set of method statements) to include protection of Merks Hall Local Wildlife Site and Ancient Woodland, the onsite stream and hedgerows, tree T1, Badger and reptiles.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.

- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

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

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

**JUSTIFICATION:**

Implementation of biodiversity protection measures before any works occur is essential to avoid irreversible harm to protected species, priority habitats, boundary hedgerows and the mature oak tree identified as having bat roost potential. Early protection is required by Policy GEN7, which mandates the safeguarding of ecological features during development.

4. Prior to commencement of the development, details of all hard and soft landscaping (including planting, hard surfaces and boundary treatment) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: The use of this pre commencement condition is required to ensure compatibility with the character of the area in accordance with

Uttlesford Local Plan Policies S7 and GEN2 (adopted 2005), and Great Dunmow Neighbourhood Plan Policies DS1 and LSC3 (made 2016)

**JUSTIFICATION:**

The structural landscaping (framework planting, landform, boundary treatments) must be approved prior to commencement because these features influence site layout, levels, drainage design, and ecological mitigation. Policies S7 and GEN2 require development to integrate sensitively with the countryside, which cannot occur if landscaping principles are decided after groundworks begin.

5. A Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, including:
  - a) a non-technical summary;
  - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
  - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
  - e) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
  - f) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 3, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

The Council shall only issue approval of the habitat creation and enhancement works until:

- the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development and in accordance with ULP Policy GEN7 and the NPPF.

**JUSTIFICATION:**

BNG delivery is legally required to be designed and secured before habitat loss occurs. Policy GEN7 requires planning for enhancement of ecological networks, and this can only be achieved if the long-term HMMP is embedded at the project outset.

**6.** Prior to the commencement of the development hereby approved a Construction Method Statement shall be submitted and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (a) the parking of vehicles of site operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials used in constructing the development
- (d) the control of noise from construction, including the hours of working and hours of deliveries
- (e) safe access to site
- (f) wheel washing facilities
- (g) measures to control the emission of dust and dirt during construction
- (h) Details of a complaints procedure with a designated person on site responsible for complaint handling

REASON: The use of such pre commencement condition is required to protect the amenity of surrounding residential premises in accordance

with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

**JUSTIFICATION:**

Construction activities present immediate risks to amenity (dust, noise, hours, deliveries) and access (site safety, wheel washing). GEN1 and GEN4 require that impacts on neighbours and highways be controlled from the very start, meaning the CMS must be agreed before works commence.

7. Prior to the commencement of development, a Tree Protection Plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall accord with BS 5837:2012 and shall include protective fencing and exclusion zones for all retained trees and hedgerows, including the 20-metre exclusion zone around the mature oak tree identified as having potential bat roost features. The approved protection measures shall be installed before any works begin and retained in place for the duration of construction.

The development shall be carried out in full accordance with the approved TPP to safeguard retained trees and boundary habitats.

**REASON:** To protect retained trees and associated ecological features in accordance with Uttlesford Local Plan Policies ENV3 and GEN7, and as recommended by the submitted ecological assessments which require the use of Heras fencing, habitat protection measures, and a 20m exclusion zone around the mature oak with bat roost potential.

**JUSTIFICATION:**

Tree protection must be installed before machinery enters the site. Policy GEN7 and ENV3 require that trees of ecological value be protected throughout all site works; damage incurred at the start cannot be reversed and therefore cannot be left until later stages.

8. Prior to the commencement of development, a Arboricultural Assessment for the mature oak tree located centrally within the site shall be submitted to and approved in writing by the Local Planning Authority. The Arboricultural Assessment shall confirm the tree's age class and condition,

**REASON:** To ensure adequate protection of retained trees, including the ecologically important mature oak, in accordance with Uttlesford Local Plan Policies GEN7 and ENV3.

**JUSTIFICATION:**

The assessment is required upfront to confirm appropriate protection measures for the oak tree with bat potential. The findings directly influence site layout, machinery exclusion zones and construction methodology; therefore the information must be available prior to any ground disturbance as required by ENV3.

9. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the revised Preliminary Ecological Appraisal (Crossland Ecology, October 2025), shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

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- 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, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended) and in accordance with ULP Policy GEN7 and the NPPF.

**JUSTIFICATION:**

Renewable infrastructure (ASHPs, PVs) interacts with building design, elevations and servicing. GEN2 requires design coherence; therefore materials and installations must be agreed before construction progresses beyond basic structure.

## **SLAB LEVEL CONDITIONS**

**10.** Prior to any work above slab level details of any renewable features/ climate control measures associated with the development shall be submitted and approved in writing by the Local Planning Authority. The renewable features/ climate control measures shall be installed prior to the occupation of the dwellings and retained as such thereafter.

REASON: To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with Policies ENV15 and GEN2 of the Uttlesford Local Plan (adopted 2005) and Uttlesford District Council's Interim Climate Change Policy document (2021).

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

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

**12.** Prior to the commencement of development above slab level, a Crime Prevention Statement and accompanying plans shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall demonstrate how the development incorporates measures consistent with Secured by Design (SBD) principles, including (but not limited to):

- Building and site layout to maximise natural surveillance
- Lighting strategy designed to minimise crime and anti-social behaviour
- Boundary treatment and access controls
- Secure cycle and vehicle storage
- Security-rated doors, windows and hardware where appropriate
- Management and maintenance arrangements for shared spaces

The development shall thereafter be carried out in accordance with the approved details and retained as such for the lifetime of the development.

REASON: To ensure the development provides a safe and secure environment, reduces opportunities for crime and anti-social behaviour,

and achieves high-quality design in accordance with Uttlesford Local Plan Policy GEN2 (Design) and the principles of Secured by Design.

### **PRE OCCUPATION CONDITIONS**

**13.** Prior to occupation of the development, the provision of an access formed at right angles to Braintree Road, as shown in principle on drawing no. 19364-DUNM-5-120 Rev D (REVISED SITE ACCESS NO RIGHT TURN) and to include clear to ground visibility splays as indicated on the drawing, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: to ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance and in accordance with ULP Policy GEN1 and the NPPF.

**14.** Prior to occupation of the development, the following highway works, as shown in principle on drawing no. 19364-DUNM-5-120 Rev D (REVISED SITE ACCESS NO RIGHT TURN), to be provided, including but not limited to:

- a. Dropped-kerb pedestrian crossing with refuge island with adequate visibility splays for pedestrians. Such visibility splays to be retained free of any obstruction at all times.
- b. 2m wide footway connection from the vehicular access to public right of way footpath 66 (Great Dunmow 18)
- c. Upgrade of footpath 66 (Great Dunmow 18) to provide a suitable pedestrian route to Braintree Road
- d. Provision of footway from footpath 66 (Great Dunmow 18) to the westbound bus stop (ID: esxdamtd) and dropped-kerb crossing to the eastbound bus stop (ID: esxdamtg)
- e. Extension of 40mph speed limit to the B1256 Chelmsford Road roundabout to the south of the site access
- f. Street lighting if deemed necessary at detailed design stage
- g. Any other amendments or works required as a result of a Stage 2 Road Safety Audit

REASON: to make adequate provision within the highway for pedestrian access and to ensure adequate inter-visibility between vehicles and pedestrians in the interest of highway safety and in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance and in accordance with ULP Policy GEN1 and the NPPF.

15. Prior to first occupation of the proposed development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £7,269 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period.

REASON: in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and in accordance with ULP Policy GEN1 and the NPPF.

16. Prior to occupation of the development, the developer shall submit to the local planning authority for approval in writing (in consultation with Essex County Council) details of the vehicular parking across the site. Once approved, the development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans have been hard surfaced, sealed, and marked out in parking bays or areas. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking areas or bays shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.

REASON: to ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance and in accordance with ULP Policy GEN1 and the NPPF.

17. No external lighting shall be installed until a Lighting Design Strategy has been submitted to and approved in writing by the LPA. The strategy shall:

Demonstrate compliance with ILP Guidance Note 08/23 (or successor) for bat-sensitive design and identify sensitive features/areas (including bat foraging/commuting corridors, the on-site oak and boundary habitats), showing how light spill will be avoided/limited; and Specify hours of operation; luminaire types/locations; maintained horizontal illuminance for lit areas; predicted vertical illuminance at the façades of the nearest receptors; glare-stray light controls; and switching/controls to ensure lighting only operates when required.

The approved lighting shall be installed before first occupation (where lighting is proposed) and thereafter operated in accordance with the approved details. No other external lighting shall be installed without prior LPA approval.

**REASON:** To safeguard residential amenity and protect biodiversity through sensitive lighting design in accordance with ULP Policies GEN7, GEN4 and GEN5 and the NPPF.

**18.** Prior to occupation, written confirmation from Anglian Water must be submitted to and approved in writing by the Local Planning Authority confirming that there is sufficient headroom at the Great Dunmow Water Recycling Centre to accommodate the foul flows from the development. This condition shall cease to have effect if the development is first occupied after April 2030.

**REASON:** To protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 187 of the National Planning Policy Framework and in accordance with ULP Policy GEN3.

**19.** Prior to the occupation of any part of the development, evidence shall be submitted to and approved in writing by the Local Planning Authority demonstrating that:

There is sufficient permitted capacity at Great Dunmow Wastewater Treatment Works to accommodate the foul flows from the development; and

The development will not result in a deterioration of the receiving water environment in accordance with the Water Environment (Water Framework Directive) (England & Wales) Regulations 2017.

**REASON:** To ensure the development does not lead to an increase in foul discharge that could worsen the existing exceedance at Great

Dunmow WWTW, thereby avoiding deterioration in the Chelmer (Gt Easton – R. Can) water body and to comply with the Water Framework Directive and the National Planning Policy Framework and in accordance with ULP Policy GEN3 and the NPPF.

**20.** No occupation of any part of the development shall occur until the access road serving the public car park, as shown within the applicant's blue line ownership boundary on drawing B1256-SCN-XX-ZZ-DR-A-10.001-A3-PL01, has been:

- (a) constructed in full,
- (b) made fully available for use by the public.

The access road shall thereafter be retained and kept unobstructed at all times for the sole purpose of providing vehicular and pedestrian access to the public car park.

**REASON:** To ensure safe, suitable and functional access to the public car park and footbridge, in the interests of highway safety and good design, in accordance with Policies GEN1 (Access) and GEN2 (Design) of the Uttlesford Local Plan (2005).

**21.** In respect of the Repair Workshops hereby approved, no vehicle maintenance or repair works shall take place at any time in any external area.

**REASON:** To protect the amenity of existing residential occupiers neighbouring the development, in accordance with Uttlesford Local Plan Policies GEN4 and ENV11 (adopted 2005).

**22.** Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

**REASON:** To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. In accordance with ULP Policy GEN3 and the NPPF.

## **COMPLIACNCE CONDITIONS**

**23.** The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the FRA:

- Limiting the discharge from the site to 2.6l/s.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of 40% climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective treatment of surface water runoff to prevent pollution and in accordance with ULP Policy GEN3 and the NPPF.

**24.** 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. In accordance with ULP Policy GEN3 and the NPPF.

**25.** All mitigation measures and/or works shall be carried out in accordance with the details contained in the revised Preliminary Ecological Appraisal (Crossland Ecology, October 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during

construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended). In accordance with ULP Policy GEN7 and the NPPF.

**26.** If contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either

- a) A Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or,
- b) The Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority.

No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite and in accordance with ULP Policy ENV14 and the NPPF.

**27.** The combined noise from any fixed mechanical services and any mobile plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the

background sound level at any time. “Rating level” and “background sound level” are as defined in BS 4142:2014+A1:2019.

REASON: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance, and to accord with the aims of ULP Policy ENV10 and the National Planning Policy Framework.

**28.** Within 3 months from the date of approval, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

- A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof.
- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 20% of parking spaces.
- As parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation. Once installed the scheme shall remain maintained & operational thereafter.

REASON: To encourage/support cleaner vehicle usage in accordance with the NPPF and ULP Policies ENV13 and GEN2 of the Uttlesford Local Plan (adopted 2005) and in accordance with the guidance in the UDC Interim Climate Change Planning Policy 2021.

**29.** The development may not be begun unless a biodiversity gain plan has been submitted to the planning authority and the planning authority has approved the plan.

REASON: In order to accord with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and amended by The Biodiversity Gain (Town and Country Planning) Modifications and Amendments (England) Regulations 2024.

**30** All archaeological works associated with the development hereby approved shall be carried out strictly in accordance with the Written Scheme of Investigation and Post-Excavation Assessment details approved under application reference UTT/23/1392/DOC (discharging Conditions 15 and 16 of UTT/19/1219/FUL). No variation to the approved archaeological mitigation, reporting or archiving measures shall take place unless otherwise agreed in writing by the Local Planning Authority in consultation with the Essex County Council Historic Environment Advisor.

REASON: To ensure that known and potential archaeological remains are appropriately protected, investigated, recorded and archived, in accordance with the approved archaeological documentation and to comply with ULP Policy ENV4 (Archaeology), the NPPF and best practice guidance.

**APPENDIX 1- HIGHWAY AUTHORITY**



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

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

Highways and Transportation  
County Hall  
Chelmsford  
Essex  
CM1 1QH

### Recommendation

Application No. UTT/25/1619/FUL

Applicant Mr Andy Mahoney 24/ 7 (Investments) C/o Ceres Property Unit 1 Whitbreads Business Centre Whitbreads Farm Lane

Site Location Land East Of Braintree Road (B1256) Braintree Road Dunmow

Proposal Proposed new offices, workshop and depot (use class E(g) and B8) with new vehicular access and associated parking, refuse, landscaping and infrastructure

The Highway Authority has assessed the information which has been submitted with the planning application, including the Transport Statement (dated December 2024) and the revised plans most recently submitted. The assessment of the application and Transport Assessment was undertaken with reference to the National Planning Policy Framework 2024 and in particular paragraphs 115-117, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

This recommendation supersedes our previous responses dated 12<sup>th</sup> August 2025 and 12<sup>th</sup> September 2025 (issued by email). Following these responses, the applicant has made amendments and submitted revised plans and documentation to address the concerns raised. Where concerns remain, conditions have been drafted accordingly to ensure these are resolved ahead of occupation. Namely, the revised parking plan still shows parking bays that do not meet the minimum dimensions set out in guidance, and the clear zone of one of the blue-badge bays still clashes with proposed soft landscaping.

This application follows permission being granted for the wider site under reference UTT/19/1219/FUL. This application covers a change to the southern portion of the site and is indicated as 'Phase 1.' This response is issued on the basis that the proposals do not compromise or prejudice the delivery of 'Phase 2' being the northern portion of the site also consented under UTT/19/1219/FUL.

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

1. **Construction Management Plan:** no development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
  - a. construction vehicle routing and site access
  - b. the parking of vehicles of site operatives and visitors
  - c. loading and unloading of plant and materials
  - d. storage of plant and materials used in constructing the development
  - e. wheel and underbody washing facilities

**Reason:** in the interests of highway safety and efficiency in accordance with Policies DM1 and DM20 of the Highway Authority's Development Management Policies as County Council Supplementary Guidance

2. **Vehicular access:** prior to occupation of the development, the provision of an access formed at right angles to Braintree Road, as shown in principle on drawing no. 19364-DUNM-5-120 Rev D (REVISED SITE ACCESS NO RIGHT TURN) and to include clear to ground visibility splays as indicated on the drawing, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

**Reason:** to ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance

3. **Highway works:** prior to occupation of the development, the following highway works, as shown in principle on drawing no. 19364-DUNM-5-120 Rev D (REVISED SITE ACCESS NO RIGHT TURN), to be provided, including but not limited to:
  - a. Dropped-kerb pedestrian crossing with refuge island with adequate visibility splays for pedestrians. Such visibility splays to be retained free of any obstruction at all times.
  - b. 2m wide footway connection from the vehicular access to public right of way footpath 66 (Great Dunmow 18)
  - c. Upgrade of footpath 66 (Great Dunmow 18) to provide a suitable pedestrian route to Braintree Road
  - d. Provision of footway from footpath 66 (Great Dunmow 18) to the westbound bus stop (ID: esxdamtd) and dropped-kerb crossing to the eastbound bus stop (ID: esxdamtg)
  - e. Extension of 40mph speed limit to the B1256 Chelmsford Road roundabout to the south of the site access
  - f. Street lighting if deemed necessary at detailed design stage
  - g. Any other amendments or works required as a result of a Stage 2 Road Safety Audit

**Reason:** to make adequate provision within the highway for pedestrian access and to ensure adequate inter-visibility between vehicles and pedestrians in the interest of highway safety and in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance

4. **Vehicle parking:** prior to implementation of the development, the developer shall submit to the local planning authority for approval in writing (in consultation with Essex County Council) details of the vehicular parking across the site. Once approved, the development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans have been hard surfaced, sealed, and marked out in parking bays or areas. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking areas or bays shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.

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

5. **Workplace Travel Plan:** prior to first occupation of the proposed development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £7,269 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period.

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

**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 and Uttlesford Local Plan Policy GEN1.**

**Informatives:**

- (i) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicant should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)
- (ii) Prior to any works taking place in public highway or areas to become public highway, the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design checks, safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims, a cash deposit or bond may be required.
- (iii) Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway
- (iv) There shall be no discharge of surface water onto the Highway.
- (v) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath 66 (Great Dunmow 18) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.



pp. Director of Highways and Transportation  
Enquiries to Rachel McKeown  
Email: [rachel.mckeown@essex.gov.uk](mailto:rachel.mckeown@essex.gov.uk)  
Internet: [www.essex.gov.uk](http://www.essex.gov.uk)

## **APPENDIX 2- LEAD LOCAL FLOOD AUTHORITY**

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



Natasha Vernal  
Uttlesford District Council  
Planning Services

Date: 20<sup>th</sup> November 2025  
Our Ref: SUDS-008314  
Your Ref: UTT/25/1619/FUL

Dear Ms Vernal,

### **Consultation Response – UTT/25/1619/FUL - Land East Of Braintree Road (B1256) Braintree Road Dunmow**

Thank you for your email received on 28/10/2025 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**

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the FRA:

- Limiting the discharge from the site to 2.6l/s.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of 40% climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason**

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective treatment of surface water runoff to prevent pollution.

**Condition 2**

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

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

**Reason**

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

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

**Condition 3**

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

**Reason**

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

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))

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.

## **APPENDIX 3- ENVIRONMENT AGENCY**



Rory Baker  
Uttlesford District Council  
Development Control  
Council Offices London Road  
Saffron Walden  
Essex  
CB11 4ER

**Our ref:** AE/2026/131147/01-L01  
**Your ref:** UTT/25/1619/FUL  
**Date:** 20 January 2026

Dear Rory

**PROPOSED NEW OFFICES, WORKSHOP AND DEPOT (USE CLASS E(G) AND B8)  
WITH NEW VEHICULAR ACCESS AND ASSOCIATED PARKING, REFUSE,  
LANDSCAPING AND INFRASTRUCTURE.**

### **LAND EAST OF BRAINTREE ROAD (B1256) DUNMOW**

Thank you for your consultation dated 31<sup>st</sup> December 2025. We have reviewed the documents as submitted.

We have provided advice on waste water disposal based on our current available data, however we have not considered the implications for this development in detail.

We have no objection to the proposed development providing that the foul drainage considerations below are taken into account, which is your responsibility.

#### **Waste water disposal**

##### **Planning Policy Context**

Under the Water Environment (Water Framework Directive) (England & Wales) Regulations 2017, there is a requirement for water bodies not to deteriorate and to achieve 'good status' by 2027. Under Regulation 33, local planning authorities as 'public bodies' and the Environment Agency as a planning advisor must have regard to these requirements as they are part of river basin management plans (RBMP).

Permits at Waste Water Treatment Works (WWTW) are set with limits on the substances and volume of the effluent in order to protect the quality of the river. Any exceedance of the limits risks a deterioration in the river water quality.

Under the National Planning Policy Framework, there is a requirement that plans and planning decisions do not result in unacceptable levels of water pollution, and development should, wherever possible, help to improve local environmental conditions

such as air and water quality, taking into account relevant information such as river basin management plans (para 187e).

### **Environmental Setting**

This site falls within the catchment of Great Dunmow Waste Water Treatment Works (WWTW). We note Anglian Water Services' (AWS) latest verified 2024 Dry Weather Flow (DWF) data, shows that this works is currently operating in exceedance of its environmental permit for discharge volume. This measured DWF is known as the Q80. If the measured Q80 flow exceeds the permitted DWF, there is a risk of deterioration in river status.

The recently verified 2024 annual compliance data indicates for Q80, that the works is still operating in exceedance of its permitted DWF, and has also now exceeded the Q90 limit for measured discharge volume in 5 out of the previous 5 years. The Q90 is a trigger used by us for enforcement. If the measured Q90 exceeds the permitted DWF there is an even greater risk of deterioration in river status.

The Great Dunmow WWTW discharges into the 'Chelmer (Gt. Easton - R. Can) Water Body'. The Catchment Data Explorer dataset which provides the status for this water body: [Chelmer \(Gt. Easton - R. Can\) | Catchment Data Explorer | Catchment Data Explorer](#) shows that in Cycle 3 of the Anglian RBMP the water body was classified as 'moderate' ecological status, as defined within Water Environment (Water Framework Directive) (England & Wales) Regulations 2017, for both the 2019 and 2022 classifications. The water body is classified as poor for Physico-chemical quality elements – Phosphate and Dissolved oxygen. Water Industry [Sewage discharge (continuous)] has been identified as a reason for this waterbody not achieving 'good' status (Phosphate – confirmed, Dissolved Oxygen - suspected)

### **Water Company Investment Plans**

We understand that Great Dunmow WWTW was identified within AWS' AMP8 (2025-2030) business plan for investment. Ofwat published their Final Determination (FD) on 19 December 2024, and following the 18 February 2025 deadline to decide whether to accept or challenge it, AWS have announced their board [decision](#) requesting Ofwat to refer its PR24 FD to the Competition and Markets Authority (CMA).

Until we have a clear understanding of AWS' plans to accommodate growth within this catchment, we are unable to comment on the impact to the water environment. Capacity at this WWTW could have implications for this development. Please ensure you consult with AWS for an updated view on this proposal before determining the application. AWS will be in the best position to advise on establishing a timeline for when delivery of any investment plans will take place in line with the phasing requirements of the development. Your LPA should consider whether any growth proposals can be delivered without harm to the water environment.

We trust this advice is useful.

Yours faithfully

**Mr Giles Ward**  
**Planning Officer**

## Appendix 4- Great Dunmow Town Council

### **GREAT DUNMOW TOWN COUNCIL**

**Jonothon Weston-Cole**  
Planning and Democratic Officer



**Foakes House**  
47 Stortford Road  
Great Dunmow  
Essex  
CM6 1DG

01371 872406  
[planning@greatdunmow-tc.gov.uk](mailto:planning@greatdunmow-tc.gov.uk)

22<sup>nd</sup> July 2025

Dear Planning,

#### UTT/25/1619/FUL – Land East of Braintree Road (B1256), Great Dunmow

Per paragraph 1.19 of the Terms of Reference of the Planning and Transport Committee of Great Dunmow Town Council, revised 8<sup>th</sup> May 2025, I am instructed to submit the following in response to your consultation on the above application.

The Planning and Transport Committee, in the person of the Chair and Vice-Chair of the Committee, and the Proper Officer, hereby issue a statement of **SUPPORT** for the application, with the following proviso, to wit: that the extant terms of the S106 agreement attached to the previous iteration of this application (UTT/19/1219/FUL) be applied to application UTT/25/1619/FUL in order that the Town Council be not disadvantaged in any manner.

Kind regards,

*Jonothon Weston-Cole*

Jonothon Weston-Cole  
Planning and Democratic Officer