

UTT/0678/12/FUL WHITE RODING

PROPOSAL: Change of use of 4 barns to form a wedding venue. Demolition of lean-to extension and erection of single storey extension. Creation of new vehicular access and car park. Demolition of three outbuildings. Change of use of 1 no. barn to D1 use.

LOCATION: Colville Hall, Chelmsford Road, White Roding

APPLICANT: Professional Vision Services

AGENT: Kay Pilsbury Thomas Architects

GRID REFERENCE: TL 553-134

EXPIRY DATE: 25/07/2012

CASE OFFICER: Mrs Madeleine Jones

1. NOTATION

1.1 Outside Development Limits. Metropolitan Green Belt. Grade 1, II* and Grade II buildings. Ancient Scheduled Monument. Tree Preservation Orders. Within Flood Plain Zones 1, 2 and 3. Public Right of Way and Bridleway. Within notifiable distance of gas pipeline. Contaminated Land.

2. DESCRIPTION OF SITE

2.1 Colville Hall is located on the southern side of the A1060 between Hatfield Heath and White Roding in a rural location, surrounded by mostly arable farmland. Colville Hall, the main farmhouse, is a Grade II* listed building with Grade 1 listed barns, Grade II* and Grade II listed buildings. The complex is surrounded by countryside with an access lane to the north leading to the A1060 past a pair of semi detached cottages.
The site has several trees that are subject to Tree Preservation Orders.

3. PROPOSAL

3.1 The proposal is for:

a) Change of use and adaption for the following redundant agricultural buildings for use as a wedding venue:

- Mill Pond Barn (Grade II*),
- The Byre, wedding family and guest accommodation.
- The Cart Lodge (Grade II) for use by the bride couple
- The Stables for use as guest accommodation The rental use will be ancillary to the wedding venue and not for separate accommodation.

b) Change of use of Orchard Barn (Grade I) agricultural barn to D1 use. There would be no alterations to this building.

c) The demolition of three modern redundant agricultural buildings and part of Mill Pond Barn.

d) Formation of a new access road and car park

The roads and pathways within the site will be constructed of a semi- permeable gravel construction.

The proposal would provide employment for 4 full time staff and 8 part time staff.
The opening times would be 09.30 until 23.30 hours and there would be approximately 80-90 weddings a year.

4. APPLICANT'S CASE

The application is supported by an
Arboricultural Impact Assessment Report,
Ecological Scoping Survey Report and ecological Species Survey Report
Acoustic Report,
Structural survey of the barn structures,
Design and Access Statement,
Automatic Traffic Count Speed Survey and a Transport Statement Letter.
Flood Risk Assessment
Heritage Statement
Accident Date
Scheduled Monument Consent

Following a representation from the Uttlesford Badger Group further information has been submitted by the applicant in relation to ecology.
In summary the ecologists states that "neither of the outlier sett entrance holes are within, or close to the parts of the site that will be directly or indirectly affected by the proposed works. Since there is no reason to believe that the short-term and long-term disturbance will be greater than that which badgers commonly tolerate, a licence would not be required to be applied for from Natural England, although some basic, precautionary mitigation measures would be required. To conclude, the scoping survey recorded two single hole outlier setts, which will not be directly or indirectly affected by the proposed works and therefore, badger is not considered to be a legally protected species constraint to the proposed works."

5. RELEVANT SITE HISTORY

5.1 UTT/0734/98/LB Restoration to barn following fire damage (The Great Barn)
Conditional approval 1998

UTT/1203/03/FUL Change of use of agricultural building from B1 use to use as holiday let (The Old Dairy) conditional approval 2003

UTT/0096/08/FUL Change of use from holiday let to residential (The Old Dairy) refused 2008

UTT/0987/93/FUL Retrospective application for the change of use of farm office/milking parlour to offices and workshop. Conditional approval 1993

6. POLICIES

6.1 National Policies

National Planning Policy Framework
Technical Guidance to the National Planning Policy Framework.

6.2 East of England Plan 2006

Policy

6.3 Uttlesford District Local Plan 2005

Policy S6 - Metropolitan Green Belt -
Policy GEN1 – Access
Policy GEN2 – Design

Policy GEN3 – Flood Protection
Policy GEN4 – Neighbourliness
Policy GEN5 – Light Pollution
Policy GEN7 – Nature Conservation
Policy GEN8 – Vehicle Parking Standards
Policy E3 – Access to workplaces
Policy E4 – Farm Diversification – Alternative use of Farmland
Policy E5- Re-use of Rural Buildings
Policy ENV2 – Development affecting Listed Buildings
Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation
Policy ENV14 – Contaminated Land
Policy LC5 – Bed and Breakfast Accommodation
Policy RS1- Access to Retailing and Services

6.4 **Supplementary Planning Documents:**

7. **PARISH COUNCIL COMMENTS**

7.1 Colville Hall and its farm buildings form a very significant part of Essex heritage, especially of White Roding and therefore any proposal to restore these buildings is to be welcomed providing it is sensitively done and in keeping with the environment. It is for the heritage experts to determine whether the proposals for restoring the buildings are in keeping with their heritage. However the Council does not believe the proposal to turn the buildings into a wedding venue meets these criteria and therefore strongly objects to this application on the grounds of the seriously detrimental effect it will have on the local environment and the village of White Roding in terms of noise and light pollution and the sheer volume of traffic in and out of the site.

The reasons are as follows:

1. The impact of the operation on the immediate vicinity will be immense, in particular on the inhabitants of Colville Hall cottages which are within 200m of the site. Their well established quiet way of life in peaceful countryside will be completely destroyed.
2. There will be a significant impact on local wildlife. The surrounding countryside which is mostly farmland and woodland and the buildings themselves, being ancient barns, are home to many different species. There is also a bridleway running alongside the site, users of which would be affected at certain times.
3. The wider impact on the whole village of White Roding will be totally unacceptable. The noise and disturbance generated by 150 guests (more than half the population of the village) having a party, usually late into the night, will travel to most of the village. Music, revelry, shouting, car doors slamming, engines revving and the inevitable occasional fight and consequent police attendance (evidence says these will happen) not to mention fireworks, all occurring perhaps twice a week or more, will destroy the quiet nature of the village. In particular the effect of fireworks on local domestic animals will be traumatic.
4. The volume of traffic generated by 150 guests and all the service vehicles associated with them will cause a major traffic hazard on the A1060. The access road to Colville Hall joins the A1060 on a bend where the road is also undulating, severely restricting the lines of sight. Some vehicles travel along this stretch at great speed (there is no speed restriction other than the national limit) and even with the limited amount of traffic using the junction now it is a dangerous place where several accidents have happened in recent years. Add another 100 or so vehicles turning onto the lane twice a week and it will rapidly become an accident black spot. The proposed revised junction layout and new access road across green belt land will have little or no effect, nor will it reduce the impact of traffic on Colville Hall Cottages because it is still only 40m away. Of particular concern

is that there will be a large number of large coaches and service vehicles entering and leaving the site.

5. There is no evidence of any need for such a venue, which will provide little or no economic benefit to the village. There are already at least five wedding venues within the vicinity, some of which are reported to be struggling. If this enterprise fails what will then happen to these precious buildings?

8. CONSULTATIONS

Highways Essex County Council:

- 8.1 The Highway Authority would not wish to raise an objection to the above application as shown in principle on Drawing No. SK01 Rev A dated 30 November 2011 subject to conditions:

Thames Water Utilities

- 8.2 No objection to sewerage infrastructure.
In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground water.

Environment Agency

- 8.3.1 Our flood map shows the buildings which are the subject of the change of use application are located within Flood Zone 1, classed as low probability risk as defined in Table 1 of the Technical guidance to the National Planning Policy Framework (NPPF)

The access route on and off site is through an area of flood zone 3 (high probability risk) We would advise that you speak to your emergency planning staff regarding the access/egress of the site in the event of a flood and whether the possible restricted access for a certain amount of time is acceptable.

No objection to application.

The application proposes to culvert an ordinary watercourse to provide access. Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the Lead Local flood authority which in this instance is Essex County Council.

We would recommend that a river crossing is created by using an open span bridge structure rather than a culvert. A bridged design is better from a flood risk perspective and also from an environmental point of view.

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS)

We note from section 15 of the planning application form that the method of disposing of foul water proposed is via a package treatment plant.

A private means of foul effluent disposal is only acceptable when foul mains drainage is unavailable. We note from our records that the site is at least 850 m from the main sewer network. The use of non mains drainage, given the location would therefore appear to be appropriate in this case. That said the method of non- mains disposal should be the most appropriate to minimise the risk of the water environment.

We consider that the controlled waters at this site are of low environmental sensitivity , therefore we will not be providing detailed site specific advice.

County Planner – Archaeology Section

8.4 Initially the owner should contact English Heritage as for the proposed Scheduled Monument Consent will be required.

The proposed development lies on the site of Colville hall which is a protected scheduled monument and is a significant group of historic buildings dating back to the 13th century. This application is concerned with the Grade II Listed Mill Pond barn, Grade II* Cart Lodge, Grade I Listed Orchard barn and the Stable Block. The whole of Colville Hall is protected as a scheduled monument with a series of fish ponds possibly originally forming a moated complex. The proposed conversion of the buildings will alter the character of the present farm complex and has the potential to uncover evidence of earlier occupation on the site.

Recommendation: Consult English Heritage, Building Recording and Archaeological Monitoring/ Excavation

“ No conversion or preliminary groundwork’s of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority”

A recognised professional team of archaeologists should undertake the archaeological work. The work will consist of a building record being made of the Farm buildings proposed for conversion and an assessment of the farm complexes history. Archaeological monitoring and excavation will be required in line with any scheduled monument consent received.

English Heritage

8.5 (summary)The proposals for the repair and alteration of a number of historic buildings to provide for their use for wedding celebrations form a sympathetic approach to the task of securing the site's future. The buildings are remarkable both for their chronological range and for their quality and together form an exceptionally beautiful ensemble. The exceptional importance of the site and the buildings is reflected in appropriate designations. A large area is scheduled (a fact not referred to in the application). Colville Hall and its buildings survive remarkably uncompromised and their extraordinary significance can be appreciated keenly in part due to this. Their conservation, however, is not assured. Already the Byre has partially collapsed in the absence of use and repair and its roof structure has been lost. The cartshed is in very poor condition. The Mill Pond Barn has suffered from significant movement and the failure of joints. A significant and expensive programme of works is needed to remedy these defects and to ensure that the buildings are in good repair.

It follows that the question of how best to fund such repairs and thereby secure the future of this exceptional ensemble is an urgent one.

The proposals do raise questions of principle. Fundamental to the presumption in favour of sustainable development that animates the National Planning Policy Framework is the conservation and enhancement of the historic environment and in considering planning applications planning authorities are required, inter alia, to take account of "the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation" In practice all forms of conversion compromise the significance of such buildings markedly, but it is widely accepted that thoughtfully conceived and executed conversions may be necessary to secure the future of any such buildings. In effect the harm consequent on conversion may be justified by the benefit of securing a buildings future, apposition that can be understood in relation to paragraphs 133 and 134 of the Framework. Conversions may be the necessary means of securing the future of most such buildings, but not all. A very small number of traditional farm buildings (principally grade I and grade II * listed and scheduled monuments) are such historically for architecturally significant element of our heritage

that they should be conserved without alteration for the benefit of current and future generations. Even if they become redundant, they should be maintained and kept in good repair. Given the exceptional nature of the buildings of Colville Hall some thought has to be given to this point. It is particularly relevant to the highly graded agricultural buildings on the site. We would hope to see these conserved without alteration..Given that the owners of such houses often maintain one or more barns, both as ancillary structures and to preserve the beauty and amenity of their property, the notion that such building should be maintained without conversion is not in itself unreasonable. In this case, however, the extent of the historical buildings in proportion to the size of Colville Hall, coupled with their poor condition at the time the applicants acquired the site, suggests that the conversion of at least some of the buildings on the site may be necessary to secure their future.

English Heritage's conclusion, in respect of the principle of what is proposed can be set in two parts. First, the proposals as presented form a sympathetic means of providing uses for the buildings that are to be repaired and converted, and securing the repair of the barn and the repair and partial reconstruction of the two buildings on the site whose condition is most poor. Second, the success of these proposals, coupled with the continued use of the hall as a house, ought to be considered to provide an adequate means of securing the site as a whole. While the use of Orchard Barn for ceremonies would be unexceptionable, we would strongly advise against its alteration. Should major repairs be required in the future it might be possible to provide grant aid towards their cost. The future use of the Courthouse is a different question, given that the character of this building is not, and was not, purely agricultural, but is a building of particular sensitivity.

In principle, therefore, English Heritage endorses the proposals submitted. The design of the works appears largely sympathetic. We have the following observations:

- 1) The Mill pond Barn would be quite radically altered. The reconstruction of the modern lean-to to its north, and the removal of the facing from the northern wall of the original barn, would provide light to the interior in a way that would affect part of the barn that has already been compromised. Given the level of light that this would provide, coupled with light from the proposed gable windows, we suggest that the proposed windows in the south elevation of the barn should be omitted. These, placed to either side of the midstrey- which itself would be glazed - would give the barn an unduly domestic appearance.
- 2) The byre would necessarily be extensively rebuilt. While the general approach seems unexceptionable the effect of conversion on the external appearance of the building to the west could be reduced were the bedroom window to be altered so as to match that of the bathroom - i.e to be set above the weatherboarding. To introduce three full height windows and a door to this elevation seems excessive.
- 3) The cart shed would also be radically altered by being lifted and rest on a new floor. This may be necessary to its proposed use. It would also be both reversed and given a number of new windows. The effect of conversion could be modified were the proposed window in the south elevation to be screened, perhaps by battens of the sort to be used on the west elevation.
- 4) The remarkable character of the site is due not only to the extraordinary assembly of buildings and structures that survive but also to the simplicity of their setting. There is nothing complex or affected in the landscaping of the place. With this in mind, it is important that the landscaping works associated with these proposals should be minimal. Materials and detailing for new drives or roads, for paths and for other features should be consistent with the agricultural character of the place. The creation of a formal garden in what is essentially an informal landscape would seem at odds with the character.
- 5) Given the archaeological, architectural and historic importance of the site, it would be appropriate to attach a full archaeological condition requiring recording of both building works and ground works.

Recommendation

English Heritage considers that these proposals for Colville Hall form a sympathetic approach to securing the future of this remarkable historic place. We advise your Council to consider the minor amendments that we have proposed above, but, subject to these, we recommend that your council approve the proposals, with appropriate conditions, including a recording condition.

Ancients Monuments Society

8.6 No reply received. Expiry date 29th May 2012

Council for British Archaeology

8.7 No reply received Expiry 29th May 2012

Garden History Society

8.8 No reply received. Expiry date 29th May 2012

National Grid Pant Protection

8.9 No reply received. Expiry date 29th May 2012

Essex County Council Ecology Advice

8.10 I refer to the following reports in my e mail below:

The Ecological Scoping Survey report dated 12th August 2011

Protected Species Survey Report 5th September 2011

The site contains numerous trees, 3 ponds (in or adjacent), a small area of reptile habitat and a number of existing buildings including barns and other outhouses.

Species considered as having potential to be present within these two reports were bats, great crested newts, bird and reptiles.

Bats

Holding objection

Three species were found to be roosting, including a maternity colony of brown long eared bats. Therefore a development licence from Natural England will be required should planning permission be granted. Various mitigation measures will be required and it will need to be incorporated into the new buildings. A summary is set out within the Protected Species Survey Report.

Please note that brown long eared bats require a large roof space to breed – this is explained within 6.1.2 of the Protected Species Survey Report.

My only concern is that the report has not considered the potentially significant issue that the proposal is for a wedding venue, which presumably involves fairly regular loud noise and bright lights during evenings. The consultants have not considered the impact that this would have on the roosting bats and any special mitigation that might be required, e.g. sound proofing. This should be discussed as an addendum to the current report prior to planning permission.

Birds

Evidence of birds nesting throughout the site. Of particular note were house martin nests in the lean-to, stables and cart lodge. Alternative nesting sites should be included within the design of the new building.

Great crested newts

Great crested newts are not considered to be present The ponds considered to be 'average' is situated outside the area proposed for development and terrestrial habitat

within the area is considered to be unsuitable. The Precautionary mitigation measures proposed should be conditioned.

Reptiles

Reptile habitat was small and isolated.

Enhancement measures, conditions and informative

Enhancement measures are welcomed. However, given the rural setting new planting/ habitats should be predominantly native

Should you be minded to grant planning permission, I recommend that the following issues should be conditioned:

- The proposed mitigation and other recommendations and enhancements within the Ecological reports listed above must be undertaken.
- All existing habitats to be retained must be protected during construction.
- An appropriate lighting scheme to ensure that bats and other wildlife are not adversely affected by the proposed development.
- Vegetation and structures supporting nesting birds should not be removed during the nesting season (mid February to the end of August).
- Should there be a delay to the start of the development a revised ecological assessment should be undertaken which may require repeat protected species surveys.

Despite ecological surveys being undertaken which suggest that protected species are not using the application site, it is possible that protected species may be encountered once works commence. As such Natural England recommends that the following informative should be appended to the consent:

'Should any *bats, great crested newts, native reptiles or birds*, or evidence of *bats, great crested newts, native reptiles or birds* be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.'

1 Impacts upon badgers or their setts should be avoided but where this is not possible, mitigation will be required. Please note that badger tunnels can extend to 20m from the entrance holes and are located between 0.2 and several metres deep, depending on the soil and topography. Excavation work and heavy machinery will be kept well away from where it could result in damage to the sett or disturbance to any badger occupying the sett.

Mitigation required:

- Foraging areas for badgers should be maintained or new foraging areas created.
- Access between setts and foraging/watering areas should be maintained or new ones created.
- Development that isolates a badger territory by surrounding it with roads or housing should be avoided as this can often result in problems such as increased road traffic collisions and badger damage to gardens and houses.
- If main setts need to be demolished, an artificial badger sett can be created as close to the original sett as possible, however this should only be considered as an option as a last resort as natural setts are usually favoured over artificial ones.
- Fires and chemicals should not be used within a 20m radius of a sett.
- Trees should be felled so that they fall away from active setts and badger paths should be cleared of felled timber and scrub wherever possible.
- Disturbances, such as loud noise or vibrations, that might agitate badgers occupying a sett should be avoided or limited to areas well away from the sett.

Environmental Health

8.11 The plans do not contain sufficient detail to allow full comment on the proposals in relation to current legal requirements for food hygiene and health and safety. (please see main file for advice given) In relation to possible planning issues:
There is insufficient staff lavatory provision. Ensure all food preparation and storage areas have adequate ventilation either by natural or mechanical means. This is to reduce high humidity, room temperatures, cooking odours and airborne particles.

I have no objection subject to the recommendations of the Philip Acoustic Ltd being conditioned. A bund or fencing is often used in these situations to aid noise reduction. Evergreen hedging can help reduce noise but not as successful._

Internal Building Control

8.12 No comments at this stage Expiry date 29th May 2012.

Internal Landscaping

8.13 The officer is completely satisfied with the findings and recommendations of the Arboricultural Impact Assessment undertaken by D F Clark Bionomique Ltd. Subject to the recommendations of this report being implemented I have no objections to the development proposals. Any approval should be conditional on the full implementation of the recommendations as set out in Arboricultural Impact Assessment

Internal Specialist Advice

8.14 Coville Hall together with the selection of important agricultural buildings forms an outstanding example of early historic farmstead sadly now redundant for farming purposes. It is clear that because of the historic and architectural importance of this site the new, economically viable use has to be found for these structures so their survival is assured.

This proposal has been a subject of extensive pre-application negotiations involving the Council's and English Heritage officers. In general it is considered that the suggested use, the overall details of the design and proposed repairs would be beneficial to the integrity and longevity of the historic buildings. The content of English Heritage letter conveys in great detail the importance of the buildings and merits of the proposal, which by and large reflect my view and I am happy to indorse most of the suggested conditions.

I feel however that the suggested long glazed screens with associated timber doors pinned back on the face of the Byre would result in a less domestic character of the conversion rather than the cottage-like windows suggested by the EH.

Although it is said that the grade I Orchard Barn would be used for the ceremonies, no information is provided as to the possible work if any which need to be implements. I consider that in view of its high grading only exactly like for like repairs and minimal adaptations could be considered. Clearly any work to this structure would require formal listed building consent.

Society for the Protection of Ancient Buildings

8.15 No reply received. Expiry date 29th May 2012

Project Officer

8.16 I have looked at the Design and Access Statement and the plans submitted, consideration has been given with regard to access arrangements for disabled visitors, or a bride and groom in terms of parking, WC facilities and visitor accommodation. As long as the ceremonial area had level access as well, this site seems suitable to meet need. Management arrangements would be in place for any sensory visitors.

Uttlesford Badger Group

- 8.17 Within the vicinity there are a number of badger setts , which are well established. The survey dated 29th July submitted with the application makes no reference of the protected species the badger. The proposed road and possible heavy equipment during construction to these setts, thus creating a disturbance, may require a Natural England License. This new access road will present another hazard in the area for the badgers that live and forage in that field, that being, run over and killed by the vehicles using the proposed new road. This will add to the existing numbers of badgers that have already been killed along the section of the A1060 adjacent to the field of the property.

Natural England

- 8.18 (summary) Natural England is broadly satisfied that the mitigation proposals, if implemented, are sufficient to avoid adverse impacts on the local population of bats and therefore avoid affecting favourable conservation status. It is for the local authority to establish whether the proposed development is likely to offend against Article 12(1) of the Habitats Directive.

9. REPRESENTATIONS

- 9.1 This application has been advertised and 39 representations have been received. Expiry date 12th June 2012.

Within the 39 representation letters received objecting to the proposal a summary of the main concerns are as follows: Highway safety, noise, impact on amenity, affect on wildlife, light pollution

Highways safety -

- Concerns regarding increase in volume of traffic especially late at night.
- Limited visibility.
- Proposed modification for a new road to link into the A1060 seems to be totally inadequate. There are hidden dips and bends from both the eastern and western approaches. The amendments to the existing junction will not be adequate in avoiding potential hazards, back queuing of traffic at busy times to turn into Colville Lane or exiting the same.
- The undulating aspect of the A1060 with resultant blind spots. The Colville Lane junction with the A1060 is in dip which drastically reduces ones sight line.
- The applicants road survey was undertaken when snow lay on the ground and schools were on holiday, if these facts are so, then the figures may not reflect the true volumes that could be experienced. However it is still interesting to see that even in those conditions speeds of 45mph were recorded on this stretch of road. I do not believe these conditions can give an accurate sample of traffic speed at the junction and believe the survey carried out should have mentioned the dangerous conditions for that week.
- The report omits to mention that the section of the a1060 where the junction is located is in a 60mph area. This is a section of the a1060 which is often used as a rat run by drivers particularly motorcyclists, whom I am aware often reach speeds of up to 100mph. This particularly occurs on sunny Saturday/Sunday afternoons. Indeed police records will disclose that there have been some fatalities along this road due to excessive speeds .A site visit will disclose that there is not 160m of visibility in both directions from the junction. The junction is located at a low point in the A1060, which is a windy road. The resident of 1 Pages Cottages carried out his own survey on 23rd May 2012 and was not able to see the junction until I was within 50m of the junction and the hedgerows will only get thicker over the summer months.
- The survey undertaken by Intermodal Transportation makes assumptions, admitting they have no accurate plans and base their recommendations upon

these. I do not think that 160m actual visibility is achievable and their conclusion is unreliable.

- Traffic safety on the A1060 as the proposed entrance is on a stretch where there have been several serious accidents in recent years.
- Amount of traffic generated by this venue, entering and existing this junction would greatly increase the possibility of accidents.
- The new roadway will be between 30-40m from the boundary of our clients property and the impact will be significant.
- The proposal indicates that to provide an adequate return on investment the facilities will need to cope with up to 150 guests. In addition there will be the staff required for the functions. There can be little doubt that this is a substantial number of people and will cause a substantial impact on local residents in terms of traffic movements.
- A considerable number of parking spaces will need to be allocated to cope with guests and staff alike and there can be little doubt that a substantial hard standing will be required which will have a considerable impact on the local area with the property itself being located within the green belt.
- The projected vehicle flows do not seem to truly reflect the volume of traffic that will be created by service and support vehicles delivering and collecting all the produce and incidentals required for weddings, together with staff, visitors and guest needed to support such an operation.
- Attendees - this is shown as a maximum of 150 seated guests but an expected average of 80. The traffic levels and road usage have been based on this number, but I see no consideration being given for evening guests. It is normal practice that additional guests to a wedding function will attend an evening reception and this in my experience doubles the numbers, so here we're talking about up to 300 with normal of around 160.
- The car parking facilities would be inadequate.
- The revised junction layout and new access road across green belt land will have little or no effect, nor will it reduce the impact of traffic on Colville Hall cottages because it is still only 40m away. Of particular concern is that there will be a large number of coaches and service vehicles entering and leaving the site.
- The base data for the road junction access is based on a week in December when none of the hedgerows or trees are in leaf, most weddings take place in the summer. The traffic survey was carried out over a week in December 2010. This in itself is surprising as the most popular time for weddings would be during spring/summer when driving conditions are easier and people are inclined to drive faster. What also does not seem to have been considered is that visibility is much more limited when the hedgerows and trees are in full leaf. The existing turning is obscured during the summer and the junction as planned I believe is inadequate and will constitute a serious hazard.
- Serious accident A1060 near junction with Colville Hall Lane. Head on accident between two vehicles on sat 30th June in which an air ambulance was called.
- The A1060 is a very busy road at all times of the day with the majority of vehicles exceeding the speed limit. The creation of new vehicle access on to this road at the proposed point is going to increase the probability of a fatal motoring accident occurring. The police and highways department must be aware that several serious accidents have occurred on this stretch of road in recent times.
- Increased air pollution.
- The access is unsuitable for lorries during demolitions and alterations.
- During darkness and/or when its raining, the access onto the A1060 is potentially dangerous - even under normal driving conditions it is dangerous as accident statistics demonstrate.
- The existing lane which provides access to Colville Hall and our house is single track with no footways or lighting and bounded in parts by hedgerows.

It is clearly not suitable for anything other than a low key use. It is used to access the bridleway that runs past the hall by walkers and horse traffic. The fact that an expensive alternative access is being planned is indicative of recognition that the use will generate a fair bit of traffic including coaches and mini buses. It is also indicative that the use is inherently unsuitable if it requires an entirely separate access across farmland in the MGB.

- The automatic traffic count took place some time ago in 2010 and has no detailed analysis. It is quite difficult to exit the lane at times, in either direction. There is quite a sharp incline at the point where the lane joins the main road which adds to the difficulty. Whilst a 2.4m x 160m sight line is possible this does not take account of the fact that there is the brow of a hill in both directions. By the time a speeding vehicle comes over the brow of either hill it is almost on top of the junction which is not an obvious one. Both the Transport Assessment & Automatic Traffic Count and Essex County Council, lead us to believe that when the related reports were compiled the site was not visited to the extent of actually observing vehicle behaviour. For example the field which will accommodate the new access road is about 1.8m higher than the lane so as to join the two satisfactorily will require substantial engineering works, drainage and the removal of a lot of soil to provide the right gradient across the field. Easing the kerb radii at the junction with the main road would also be insufficient. Associated signage and possibly lighting would ideally be required, all of which would intrude significantly into the countryside.
- The junction is an accident "black spot"

Noise

- Music, traffic, guests singing or shouting, vehicle doors slamming, car engines revving. The inevitable occasional fight and consequent police attendance all occurring perhaps twice a week or more will destroy the quiet nature of the village
 - Guests who smoke must go outside.
 - Noise travels great distances in the countryside, with little or no attenuation once any noise has egressed the buildings.
 - The prospect of weddings up to seven times a week with loud music, revelry and possible fireworks that accompany such events is most disturbing
 - Noise relating to coming and goings, especially late at night.
 - Noise would continue from 4pm through until 01.30 which is unacceptable in a quiet rural surrounding and based on the information this would occur on both Saturday and Sundays for the majority of weekends in the year. The wind being prevailing westerly's the noise will be carried easily up the hill to the village of White Roding.
 - The noise and disturbance to the residents in Colville Hall Cottages will be in my opinion unbearable.
 - The noise levels that a wedding venue will attract are likely to have a detrimental impact on small children's sleep.
 - The occupier of 1 Pages Cottage states that he will not be able to sit out in his garden in the summer months when a wedding reception is in progress without its noise dominating the sound. The noise will dramatically alter the dynamic of "living in the country"
 - Colville Hall cottages are within 200m of the site. Their well established quiet way of life in peaceful countryside will be completely destroyed.
 - An important point is that in the evenings and at weekends the background traffic noise from the A1060 diminishes and so other sources of noise will become more readily apparent.
 - My sister lives many miles from Lees Priory and Maidens barn but can clearly hear their music on a still evening.

Light pollution -

- Will affect local wildlife and livestock

Wildlife -

- The report by Greenlink Ecology Ltd makes mention as to the existence of three species of bat, but how long will they remain if their environment is drastically altered.
- Reference was made by lack of evidence with regard to the existence of great crested newts. The applicants survey was undertaken during August 2011 but the recommended survey period is March - June when the animals are active. I have been informed of great crested newts in the Parish of White Roding.
- The consequential noise and lighting will drastically alter the wildlife environment, affecting their breeding and general existence.

Greenbelt

- The local plan (chapter 3), the emerging core strategy, the proposals maps and the National Planning Policy Framework (paragraphs 17, 34, 109 and 123) all reveal that Colville Hall and the proposed access route is in the Green belt and is near important woodland (local plan 5.1.3) and is outside the development boundary. All of the above would indicate that this planning application is against both local and national policy. With reference to paragraph 28 of the NPPF, while the proposed development is, as far as I understand it, a conversion of existing buildings it is not the position that it will create jobs within the local community and help the local economy. Indeed, within the application the applicants state that it will create 4 full time and 8 part time positions which on any basis is not significant or comparable to the negative impact this development will have on the local community and on Green Belt land. It is the position that the majority of the components required to hold a wedding e.g. the appointment of caterers/entertainers will come from outside of the area. In addition to this there are already a number of wedding venues in the vicinity of the proposed development which will inevitably suffer from the introduction of another venue.
- The new access road will bisect an agricultural land that is still viable, leaving a corridor of land near the lane of limited use. The access road itself will involve the loss of what is still viable agricultural land within the metropolitan Green belt and will result in loss of the open nature of the MGB.
- The extensive car park near the public bridleway will be intrusive and intensify the use of the site to the detriment of the MGB.
- No finishing time is stated so there are issues of cars dispersing late at night as well as late night music.
- The proposals do not constitute sustainable development, given the location and as such are contrary to the recently adopted National planning policy Framework.
- If the recommendations in the acoustic report are followed this would harm the openness of the MGB.
- There is no planning supporting statement of why the proposals are appropriate and will not harm the integrity of the green belt and its open nature.
- The extension to the Grade II* building would also conflict with openness and be inappropriate in terms of form and general design as regards the host barn

Other -

- Inappropriate Location
- Danger to horse riders due to increased traffic and noise and ramblers using the public bridleway especially at weekends.
- Part of the justification for the development is an enabling development to facilitate essential works that need to be carried out on old listed buildings, principally the barns around Colville Hall itself. Given the expenditure that is going to be required for the highway works, the new roadway and on the barns themselves it rather begs the question as to why the development

needs to take place to raise the necessary funds as it would seem to suggest that the applicant have the funds already.

- The application contravenes virtually with all four criteria of policy E5. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
- The applicants have not been able to demonstrate that permission should be granted as this property is within the Green Belt as they cannot establish special circumstances.
- The high court decision involving the Norfolk wind farm when Mrs Justice Lang emphasised that the Government's policy does not have "primacy over local conservation policies" The principle propounded here by Mrs Justice Lang can be used on the basis that even an enabling development should have primacy over both local planning policies and national planning policies.
- Loss of amenity, municipal green belt and agricultural land for a large access road and car parks.
- Within a small radius there are already several venues for weddings, one has already gone into administration, others are struggling and I doubt the viability of this proposal. If it fails what will become of this site/
- A serious concern is with regards to any use of event pyrotechnics which are now being used in some weddings. There are many thatched cottages in the village and any increase in fire risk however small is not acceptable and will affect insurance costs and/or the ability to obtain insurance. Fireworks will affect local livestock and wildlife.
- The proposal would have a serious detrimental effect on our peaceful village
- White Roding offers a peaceful existence where the levels of late night social activities are extremely limited.
- The area is already well catered for wedding venues and another is neither necessary nor needed.
- White Roding has approx 250 people living in the village and the plan to increase this number by 150 people during weddings will change the dynamics of the village completely.
- In terms of heritage issues, whilst the renovation and restoration of Listed barns and outbuildings is to be welcomed in principle, this could also be delivered in tandem with alternative employment uses suitable in the countryside/MGB, which operate at sociable hours, are not potentially noisy and will not generate much traffic. For example uses within class B1 or in appropriate cases, a residential barn conversion.
- Given the sensitivity of the site within the MGB and close to residents, we would expect an overriding need to be demonstrated, and not just in terms of how this might benefit Heritage Assets. There are 130 wedding venues listed on a website for Essex.
- Our concern is that the conservation of the heritage assets will be given greater weight than the adverse environmental and amenity aspects of the proposals. We would hope that a lure of a solution to the Council for the buildings future will not obscure these important considerations.
- The extension to the very fine Mill Pond Lower Barn (Grade II * Listed) raise issues of appropriateness, given the extension would be quite substantial, with some potential harm to this heritage asset. It is considered that policy ENV" is contravened. This is the finest of the Listed Buildings the subject of the change of use, with its thatched roof and original structure largely intact and whilst in need of restoration, is in comparatively good order. Other B1 uses would not necessitate such an extension.
- The extra on site parking and internal access ways are inconsistent with the ambience and setting of a group of very fine listed buildings, which are listed individually and not simply curtilage listed. These parking and servicing arrangements again would not be necessary with an alternative low key use in terms of numbers or persons and traffic generation. Whilst the planned

demolition of more contemporary farm buildings of no merit would enhance the setting of these key buildings, the parking and access arrangements would be a retrograde step and reinforce our opinion that this is not the best use for the whole site.

- Most wedding venues appear to operate until at least midnight and are accompanied by a disco etc. If this were restricted this would make it less attractive to hire. If there is guest /bridal accommodation on site then the revelry is likely to be more protracted.
- On balmy evening in summer many people will be outside. The Acoustic Report concentrates on containing noise within buildings and likely noise levels with doors shut at key points within the site but surprisingly not on the nearest noise receptors outside the site including our house. This is somewhat fanciful and naïve. In any event Listed Buildings could not be adapted to a great extent to contain noise, because of structural and planning constraints on what could be made so as to protect these heritage assets.
- The location is not sustainable. The venue is remote from all forms of public transport.
- The bridleway runs very close to the proposed venue, both walkers and riders would be adversely affected.
- The expense of converting these historic barns must be immense and can in no way be recouped by a wedding venue business. This leads me to wonder what the applicant's final intentions for this site are once their wedding venue business has failed.

10. APPRAISAL

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

- A Whether the proposed use is acceptable in this location within the Metropolitan Green Belt and whether the design proposal of the application would be acceptable in terms of the impact on the character and setting of the Listed Buildings (ULP policies S6, GEN2, ENV2)
- B Impact on biodiversity (ULP policies ENV3, GEN7,)
- C Whether the proposal would be accessible to all (ULP policies GEN2, LC2)
- D Highway safety, whether the proposal would provide adequate parking facilities and have suitable access (ULP policies GEN8, GEN1)
- F Impact on neighbours amenity (ULP policies GEN2 and GEN4)
- G Any other planning considerations
- A Whether the proposed use is acceptable in this location within the Metropolitan Green Belt and whether the design proposal of the application would be acceptable in terms of the impact on the character and setting of the Listed Buildings (ULP policies S6, GEN2, ENV2,E5)**

The application site is located within the Metropolitan Green Belt where the fundamental aim is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is considered that the new access road will cause harm to the openness of the green belt and is therefore inappropriate development. Additionally the intensity of use on the site will change the character of the site, especially at night. The majority of the car parking will be on the existing hardstanding area to the North West corner of the site and in the area where the agricultural buildings are to be demolished.

The demolition of the three modern agricultural buildings to the north of the site will improve and enhance the setting of the listed buildings and the character of the Green Belt.

Policy E5 states that the re-use and adaption of rural buildings for business uses, small scale retail outlets, leisure uses or for tourist accommodation will be permitted in the countryside if all of the following criteria are met:

- a) The buildings are of a permanent and substantial construction;
- b) They are capable of conversion without major reconstruction or significant extension;
- c) The development would protect or enhance the character of the countryside, its amenity value and its biodiversity and not result in a significant increase in noise levels or other adverse impacts;
- d) The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity).

The proposal does not meet criteria a and b. Essex County Highways does not have any objections to the proposal, however the highway impact is discussed later. Provided appropriate mitigation measures are implemented the character of the countryside will be protected. The impact on biodiversity is discussed later.

The effect of an application on the significance of a non -designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. Paragraph 137 of the National Planning Framework states that Local Planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

A decision needs to be made whether the benefit of protection and long term future of the heritage assets outweighs any amenity(noise, light etc), highway safety, biodiversity issues and the impact the proposal would have on the character of the countryside and the Metropolitan Green Belt.

In addition Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. The listed buildings to be restored are significant heritage assets being grade II * and Grade 1

Policy ENV2 seeks to protect the fabric, character and the setting of listed buildings from development which would adversely affect them.

Development proposals that impair special characteristics of a listed building will not be permitted. The listed buildings subject of this proposal are redundant and in a poor state of disrepair. The Byre has partially collapsed and its roof structure has been lost. The cart lodge is in very poor condition and the Mill Pond Barn has suffered from significant movement and the failure of its joints.

It is clear that because of the historic and architectural importance of this site a new, economically viable use has to be found for these structures so their survival is assured. This proposal has been a subject of extensive pre-application negotiations involving the Council's and English Heritage officers. In general it is considered that the suggested use, the overall details of the design and proposed repairs would be beneficial to the integrity and longevity of the historic buildings

Paragraph 137 of the National Planning Framework states that Local Planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

The proposals for the repair and alteration of a number of historic buildings to provide for their use for wedding celebrations form a sympathetic approach to the task of securing the site's future. The buildings are remarkable both for their chronological range and for their quality and together form an exceptionally beautiful ensemble. The exceptional importance of the site and the buildings is reflected in appropriate designations. A large area is scheduled. Colville Hall and its buildings survive remarkably uncompromised and their extraordinary significance can be appreciated keenly in part due to this. Their conservation, however, is not assured.

As stated by English Heritage, the proposals as presented form a sympathetic means of providing uses for the buildings that are to be repaired and converted, and securing the repair of the barn and the repair and partial reconstruction of the two buildings on the site whose condition is most poor. The success of these proposals, coupled with the continued use of the hall as a house, ought to be considered to provide an adequate means of securing the site as a whole.

Advice is that Orchard Barn should remain unaltered. This proposal does not include any alterations to this Grade I listed building.

The part of Mill Pond Barn to be demolished is a modern addition and is therefore not considered to be detrimental to the special historical characteristics of the building; however, the proposed windows in the south elevation should be omitted. The applicants have agreed to this revision. A further revision is that a new glass screen should be built behind the existing glass doors. This will also help to control music noise breakout and will provide a high level of sound insulation.

In respect of the Byre which would be extensively rebuilt, advice from English Heritage and the internal Specialist advice conflicts,

English Heritage states the effect of conversion on the external appearance of the building to the west could be reduced were the bedroom window to be altered so as to match that of the bathroom - i.e to be set above the weatherboarding. To introduce three full height windows and a door to this elevation seems excessive. However, Conservation advice is that the suggested long glazed screens with associated timber doors pined back on the face of the Byre would result in a less domestic character of the conversion rather than the cottage-like windows suggested by the EH. The view submitted by English Heritage is an observation and he has no objections to the proposal as presented.

The conversion and conservation will not only bring life back to the above listed buildings but also allow the possibility of a long-term future for all ten of the listed buildings forming the group.

The proposal would not adversely affect the setting or impair the special characteristics of the listed building and would be in keeping with its character and surroundings.

Scheduled Monument consent has already been approved (subject to conditions) by the Secretary of state for these works to proceed.

The access route on and off site is through an area of flood zone 3 (high probability risk) the Environment Agency have no objection to the proposal but recommend that a river crossing is created by using an open span bridge structure rather than a culvert. A bridged design is better from a flood risk perspective and also from an environmental point of view. This has been agreed with the applicant and can be dealt with by condition if the application is approved.

B Impact on biodiversity (ULP polices ENV3, GEN7,)

In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Similar requirements are set out in

Regulation 3(4) of the Conservation (Natural Habitats) Regulations 1994, Section 74 of the Countryside and Rights of Way Act 2000 and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010. Recent case law has established that local planning authorities have a requirement to consider whether the development proposals would be likely to offend Article 12(1), by say causing the disturbance of a species with which that Article is concerned, it must consider the likelihood of a license being granted.

The tests for granting a license are required to apply the 3 tests set out in Regulation 53 of the Habitats Regulations 2010. These tests are:

- The consented operation must be for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"; and
- There must be "no satisfactory alternative"; and
- The action authorised "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range".

The site contains several trees that are subject to Tree Preservation Orders. Only one tree of low value and one lime tree of moderate value will be lost as a result of the development. Provided that the recommendations made within the Arboricultural Impact assessment report submitted with the application then it is considered that the proposal is acceptable in respect of its impact on trees within the development site. However the above act provides statutory protection to species of flora and fauna including birds, bats and other species associated with trees and suitable mitigation is required, this can be dealt with by condition.

An ecology scoping report, an ecological species survey report and an arboricultural impact assessment report have all been submitted with the application. Great crested newts are not considered to be present The ponds considered to be 'average' is situated outside the area proposed for development and terrestrial habitat within the area is considered to be unsuitable. The Precautionary mitigation measures proposed should be conditioned.

Three species were found to be roosting, including a maternity colony of brown long eared bats. Therefore a development licence from Natural England will be required should planning permission be granted. Various mitigation measures will be required and it will need to be incorporated into the new buildings.

There is evidence of birds nesting throughout the site and alternative nesting sites should be included within the design of the restored buildings.

Natural England is broadly satisfied that the mitigation proposals, if implemented, are sufficient to avoid adverse impacts on the local population of bats and badgers therefore avoid affecting favourable conservation status.

There are badgers on the site, however provided mitigation measures are implemented, it is not considered that the proposal would have a materially detrimental impact on the badger population. The main issue in this respect is the new access road and increase in the amount of traffic the proposal would generate.

C Whether the proposal would be accessible to all (ULP policies GEN2, LC2)

The site has been reviewed by the council's project officer and she states that having reviewed the Design and Access Statement and the plans submitted, consideration has been given with regard to access arrangements for disabled visitors, or a bride and groom in terms of parking, WC facilities and visitor accommodation. As long as the ceremonial area had level access as well, this site seems suitable to meet need. Management arrangements would be in place for any sensory visitors. The car park will include 5 mobility spaces for wheelchair users and those with small children.

D Highway safety, whether the proposal would provide adequate parking facilities and have suitable access

The parking area is located further into the countryside and you indicate that for the business to be viable that a minimum of 150 seats are required. The parking for this number of guests together with parking for staff would be harmful to the visual amenity of the Metropolitan Green Belt.

Although, the traffic generated by the proposal is quite large , it would only be for a maximum of two days a week and for most parts of the day the most of the vehicles would be parked in the car park.

Numerous representations have been received expressing concern on highway issues; however, Essex County Council has no objections to the proposal. The design of the new access road with improved visibility splays has been negotiated in conjunction with Essex County Council Highways department at pre- application stage. Adequate parking for the proposal has been provided.

Essex County Council has requested that a condition be attached to any approval requesting a fee and the provision and implementation of a travel plan. It is considered that this would not meet the six tests required for conditions and is therefore unreasonable and not necessary.

F Impact on neighbours amenity

The main considerations in respect of impact on neighbour's amenity are in respect of noise, whether the development would cause material disturbance or nuisance and also whether it would generate more traffic that would adversely effect their reasonable enjoyment.

The development and access road is in close proximity to residential housing (although the access has been revised following pre- application advice) and as such the development may cause a material disturbance or nuisance to the occupiers of these properties by way of noise and light pollution day and night. The surrounding area is also open farmland where noise and light can easily be heard over large distances. This would be contrary to the criteria of Local Planning Policies GEN 2 and GEN 4.

To mitigate the noise from increased traffic travelling to and from the venue, the access road has been moved further from the cottages on the existing access road. The applicant has also agreed to plant a hedge along the access road and plant a wooded area between the existing access road and proposed new access road if the application is to be approved. The acoustic report recommends a bund or timber fencing alongside the access road; however it is considered that this would be detrimental to the character of the Metropolitan Green Belt and a landscaping scheme more appropriate.

Additionally this additional potential noise needs to be compared against existing noise levels or possible other uses of the site. The adjacent road is an A road and busy road.

To mitigate the noise from the venue, a glazed lobby is to be inserted to the entrance and exit to the reception hall. This will help prevent breakout noise by ensuring that at least one set of doors is closed most of the time. Entrance and exit times to Mill Pond Barn should be encouraged via the lobby doors. A music sound limiter should also be conditioned to protect neighbours amenity.

External lighting also needs to be controlled however this can be achieved by appropriate condition.

11. CONCLUSION

The main issue is whether protection and long term future of the heritage assets outweighs any amenity, highway safety, biodiversity issues and the impact the proposal would have on the character of the countryside and the Metropolitan Green Belt

Clearly this is a balancing act however, It is considered that the benefits of the development which would otherwise conflict with planning policies but which would secure the future conservation of these heritage assets outweighs the disbenefits of departing from these policies. The buildings are substantial heritage assets and it is considered that their conservation amounts to special reasons why the development in the form proposed needs to be in the Metropolitan Green Belt.

English Heritage and internal specialist advice recommends approval subject to conditions and as such it is considered that the proposal should be approved.

RECOMMENDATION – CONDITIONAL APPROVAL

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

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

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

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

3. No conversion or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority

A recognised professional team of archaeologists should undertake the archaeological work. The work will consist of a building record being made of the Farm buildings proposed for conversion and an assessment of the farm complexes history. Archaeological monitoring and excavation will be required in line with any scheduled monument consent received.

4. No demolition or site clearance works or removal of hedgerows or trees shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the local planning authority.

REASON: To protect roosting birds which use the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

5. The development hereby permitted shall be implemented in accordance with the scheme of mitigation/enhancement submitted with the application in all respects and any variation thereto shall be agreed in writing by the local planning authority before such change is made.

REASON: In the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 and PPS9 of the Uttlesford Local Plan (adopted 2005).

6. If the development hereby approved is not commenced within one year of the date of this consent a further wildlife survey of the site shall be carried out to update the information on the species and the impact of development and the survey, together with an amended mitigation strategy as appropriate, shall be submitted to and be approved in writing by the local planning authority and implemented as agreed.

REASON: To comply with the requirements of the Habitats Regulations and to protect species of conservation concern in accordance with Policy GEN7 and PPS9 of the Uttlesford Local Plan (adopted 2005).

7. Before development commences details of surface water drainage works shall be submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of all surface water to the ground within the site by means of a sustainable drainage system, which should include levels of the drive, materials to be used and how it would be drained. The results of this assessment shall be submitted to the local planning authority. Subsequently the surface water drainage shall be carried out in accordance with the approved details before the first occupation of the dwellings and maintained in the same condition thereafter.

REASON: To control the risk of flooding to the development and adjoining land in accordance with Policies GEN2 and GEN3 Uttlesford Local Plan (adopted 2005).

8. Demolition or construction works (including deliveries) shall not take place outside 7.30 hours to 18.00 hours Mondays to Fridays and 7.30 hours to 13.00 hours on Saturdays and at no time on Sundays or Bank Holidays.

REASON: In the interests of the amenity of the area in accordance with Policies GEN2 and GEN4 of the Uttlesford Local plan (adopted 2005)

9. ENV11 No deliveries shall be taken at or despatched from the site outside 7.30 hours to 18.00 hours Mondays to Fridays and 7.30 hours to 13.00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

REASON: In the interests of the amenity of the area in accordance with Policies GEN2 and GEN4 of the Uttlesford Local plan (adopted 2005)

10. The premises shall not be open to the public other than between the hours 7.30 hours to 23.30 hours for no more than 80 days in one year.

REASON: In the interests of the amenity of the area in accordance with Policies GEN2 and GEN4 of the Uttlesford Local plan (adopted 2005)

11 All hard and soft works shall be carried out in accordance with the full implementation of the recommendations as set out in Arboricultural Impact Assessment .

REASON: to ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Uttlesford Local Plan Policy GEN7.

12. Notwithstanding the plans submitted for the design of the formal garden to the west of Orchard Barn and The Byre, before development commences full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved.

The landscaping details to be submitted shall include:-

- a) proposed finished levels [earthworks to be carried out]
- b) means of enclosure
- c) materials and detailing of car parking layout and driveway
- d) vehicle and pedestrian access and circulation areas
- e) hard surfacing, other hard landscape features and materials
- f) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- g) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- h) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- i) location of service runs

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of

the development hereby permitted in accordance with Uttlesford Local Plan 2005 policy ENV2

13. Subject to the requirements of condition C.14 of this permission/consent, the development/works hereby permitted shall be implemented in all respects strictly in accordance with the submitted plans contained in the application, unless agreed in writing by the local planning authority.

REASON: To ensure the scheme will be carried out as approved and because any changes must be agreed in advance in writing by the local planning authority

14. Before development commences a revised plan shall be submitted to and approved by the local planning authority in writing showing the following amendments which shall be incorporated into the design for the development/works hereby permitted and the permission shall be implemented in accordance with the amendments listed below:

That a river crossing is created by using an open span bridge structure rather than a culvert proposed.

The proposed windows in the south elevation of Mill Pond Barn should be omitted.

Installation of a glazed lobby to Mill Pond Barn

The proposed window to the cart shed in the south elevation to be screened,

REASON: To ensure a higher quality of development which is compatible with the character and amenity of its surroundings in accordance with Uttlesford Local Plan ENV2

15. No more than 150 people shall attend any function at one time.

REASON: In order to safeguard the amenities of local residents in accordance with Uttlesford Local Plan policies GEN2 and GEN4.

16. Before the commencement of any works of site clearance, demolition or construction take place in pursuance of this permission, a licence to disturb any protected species shall have been granted by Natural England under the Conservation (Natural Habitats &c) Regulations 1994, and a copy of which shall have been provided to the local planning authority.

REASON: To comply with the requirements of the Habitats Regulations and to protect species of conservation concern in accordance with Uttlesford Local Plan policy GEN7.

17. The proposed mitigation and other recommendations and enhancements within the ecological reports submitted with the application must be undertaken prior to occupation of the development. In addition the following mitigation is required :

- . Foraging areas for badgers should be maintained or new foraging areas created.
- Access between setts and foraging/watering areas should be maintained or new ones created.
- Development that isolates a badger territory by surrounding it with roads or housing should be avoided as this can often result in problems such as increased road traffic collisions and badger damage to gardens and houses.
- If main setts need to be demolished, an artificial badger sett can be created as close to the original sett as possible, however this should only be considered as an option as a last resort as natural setts are usually favoured over artificial ones.
- Fires and chemicals should not be used within a 20m radius of a sett.
- Trees should be felled so that they fall away from active setts and badger paths should be cleared of felled timber and scrub wherever possible.
- Disturbances, such as loud noise or vibrations, that might agitate badgers occupying a sett should be avoided or limited to areas well away from the sett.

REASON: To comply with the requirements of the Habitats Regulations and to protect species of conservation concern in accordance with Uttlesford Local Plan GEN7.

18. There shall be no floodlighting or other form of external lighting constructed within the application site without the prior written consent of the local planning authority.

REASON: To ensure the development does not adversely affect the character of the area in accordance with Uttlesford Local Plan S8

18. All flood risk management measures identified in the approved Flood Risk Assessment shall be incorporated into the development prior to the occupation or first use of the development hereby permitted.

REASON: To reduce the risk and effect of flooding to the development and ensure neighbouring property is not put at greater risk as a result of the development

19. Prior to commencement of any development, the provision of suitable access arrangements to the application site in connection with the construction of the development, to include wheel cleaning facilities for the duration of the development to prevent the deposition of mud and other debris onto the highway network/public areas, turning and parking facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site. Details to be submitted to and agreed in writing with the Planning Authority.

REASON: In the interests of highway safety and efficiency.

20. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

21. Prior to occupation of the development, the provision and implementation of improvements to the junction with the A1060 Chelmsford Road, as shown in principle on the submitted drawing numbered SK01 Rev A. Such improvements are to include, but are not limited to, visibility splays of 2.4 metres x 160 metres in both directions and radius kerbs of 10 metres. All details are subject to the necessary safety audits and design checks and are to be agreed by the Highway Authority.

REASON: In the interests of highway safety and efficiency.

22. Prior to occupation of the development, the provision of a new access road from a revised junction with the A1060 as shown in principle on the submitted drawing numbered SK01 Rev A. Details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety and efficiency.

23. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

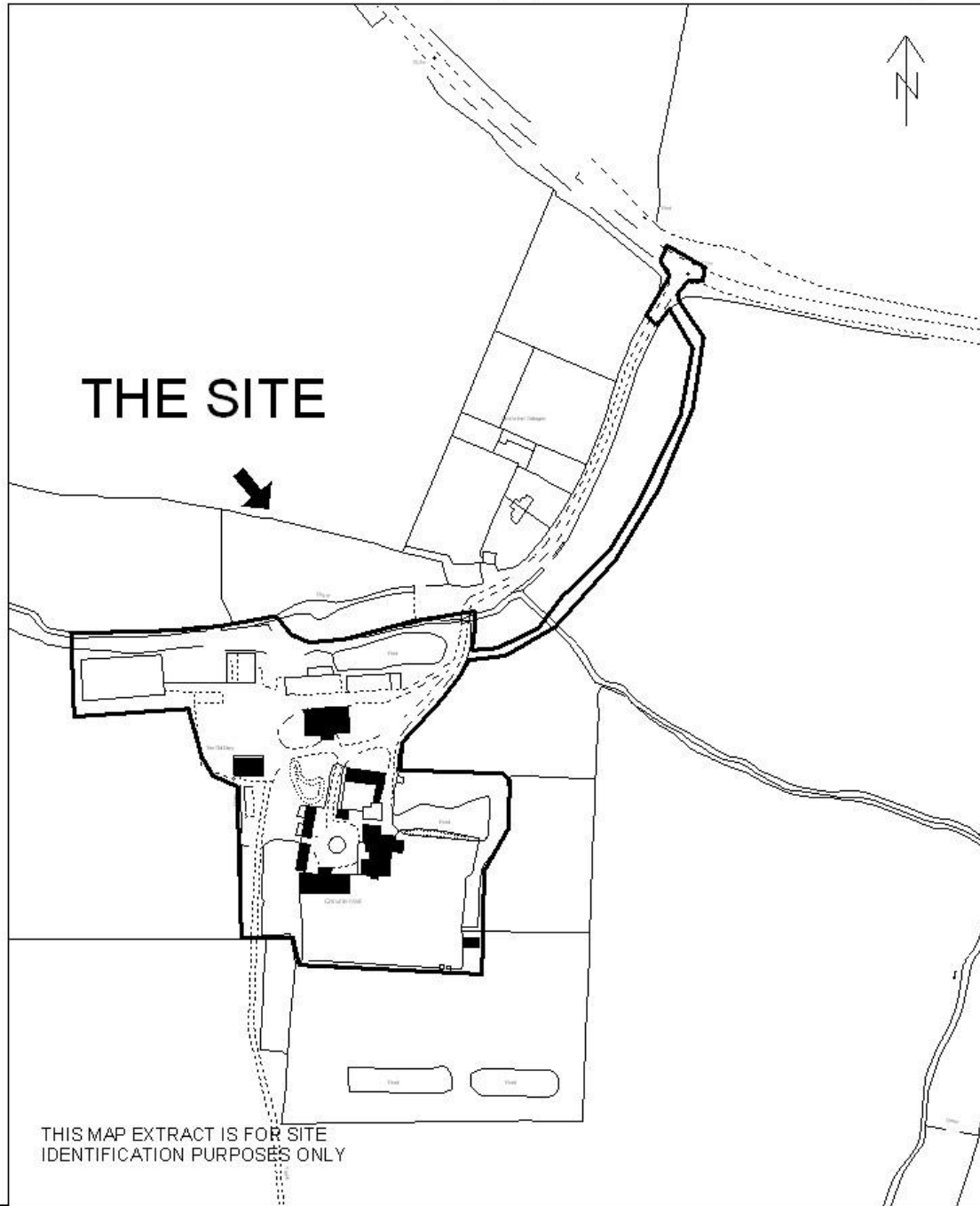
REASON: in the interests of highway safety and that appropriate parking is provided.

24. The public's rights and ease of passage over public bridleway no. 10, White Roding shall be maintained free and unobstructed at all times.

REASON: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policy DM11 Public Rights of Way contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Local Plan Policy GEN1 Access.

25. The development hereby permitted shall not be used until a scheme for a noise limiter and details of how it shall be operated and maintained is submitted to and agreed in writing by the local planning authority prior to the commencement of development.

REASON: To protect the amenities of neighbours in accordance with Uttlesford Local Plan policy GEN4.



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DATE 09/08/2012

MAP REFERENCE: TL5513NW

SCALE 1:2500