

UTT/13/1365/FUL (WHITE RODING)

(MAJOR APPLICATION)

PROPOSAL: Variation of condition 10 of planning permission UTT/0678/12/FUL (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) in order to allow opening hours between 7.30 hours and 00.30 hours except for overnight residents, and to allow events/functions to take place on no more than 180 days in one year

LOCATION: Colville Hall, Chelmsford Road, White Roding

APPLICANT: Mrs P Wisbey

AGENT: Mr D Jones, Alun Design Consultancy

EXPIRY DATE: 21 August 2013

CASE OFFICER: Madeleine Jones

1. NOTATION

1.1 Outside Development Limits, Metropolitan Green Belt, Grade I, 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 I 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 junction with the A1060 has been improved and works have commenced on the construction of an alternative access road. Modern agricultural buildings to the north of the site have been demolished. The site has several trees that are subject to Tree Preservation Orders.

3. PROPOSAL

3.1 The proposal is for the variation of condition 10 of planning permission UTT/0678/12/FUL. Condition 10 states; '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'. This application seeks permission to allow the opening hours between 7.30 hours and 00.30 hours except for overnight residents and to allow events/functions to take place no more than 180 days in one year.

4. APPLICANT'S CASE (summary)

4.1 The variation in the condition is sought because the condition as presently worded means the use is economically unviable. Condition 10 presently, in effect, gives the planning permission no value.

- 4.2 Aside from the main dwelling at the site, the buildings presently have no economic use and lay vacant.
- 4.3 It is the applicant's case that the present wording of condition 10 fails a number of the tests for conditions.
- 4.4 The reference to being "open to the public" fails the test of preciseness, as this does not accurately reflect the character of the use. It could be argued that the condition is wholly unenforceable because the premises will never be "open to the public" as such. The applicant reserves their position on this point, and the making of this variation to condition application in no way undermines any other legal consideration of this condition. The limitation on the hours the "public" can visit the site is both unreasonable and not necessary as presently framed. The limitation to the premises not being for more than 80 days in one year is also both unreasonable and not necessary. The phrase "open to the public" infers that any person can attend the site without prior invitation or appointment. It is clearly not the intention of the operator of the site of it to be "open to the public". All visitors to the site will be way of prior invitation. No person holding a wedding or other similar event would make that wedding or event "open to the public" in the normal usage of that phrase. In that sense therefore it is considered that the condition is unenforceable as well as being imprecise.
- 4.5 Planning Conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The condition is unreasonable because it effectively nullifies the benefit of the planning permission by making the use economically wholly unviable. No other wedding venue that we are aware of this similar such restrictions on operating hours. Indeed, the nearby Reid Rooms at Margaret Roding have 00:30 am limitation.
- 4.6 The condition is therefore directly contrary to the advice in Circular 11/95. Furthermore, having had regard to all the circumstances at the site, it is also considered that the hours of use restriction is unnecessary in planning terms. In imposing the condition, the local planning authority stated that the reason for the condition was "in the interests of the amenity of the area in accordance with policies GEN2 and GEN 4 of the Uttlesford Local Plan (2005)". The reason for the condition gives no indication as to whether it was highway amenity, residential amenity or visual amenity. The wholly imprecise wording of this reason strongly supports a conclusion that the condition is unnecessary, because there is no clear and specific reason for it. The Council's Environmental Health Officer raised no objection to the development and made no recommendation about the hours of use of the premises. No limitation on the hours of operation was put forward by the applicant in the supporting documentation. During pre- application discussion, no mention was made of any proposed restriction on operating hours for the premises. Furthermore, the original application form for UTT/0678/12/FUL explicitly stated that the hours of use were unknown. To support the application a noise assessment was submitted. A number of mitigation measures were proposed, however none of those included any restriction on the hours of operation of the premises. Indeed an on-site survey was carried out to midnight.
- 4.7 80 days in one year. This restriction is also unreasonable in that restricting events to 80 days in one year means the use is not economically viable. A business case for the wedding venue with profit and loss projections has been submitted. Although in the short term, some work has commenced on site, now that the detailed business plan has been prepared it is clear the economics of the activity are such that it would not result in a sustainable long term use of the property and therefore would not secure, in itself, the longevity of the various important listed buildings at the site. The site should be able to hold events in 180 days in each year; this is the minimum necessary to secure a reasonable return on the investment needed at this site.

- 4.8 It is unclear why the local planning authority chose to restrict the numbers of events to precisely 80 in the first place. No limitation was put forward by the applicant and the only reference to a number of events is in the officer report to committee which indicates “80-90 events” and a later reference to “a maximum of two event per week”

Even if these restrictions were put forward on behalf of the applicant, that no more makes them reasonable restrictions than if they were not put forward by the applicant. As circular 11/95 advises at paragraph 42:

An unreasonable condition does not become reasonable because an applicant suggests it or consents to it terms. The condition will normally run with the land and may therefore still be operative long after the applicant has moved on, it must always be justified on its planning merits.

5 RELEVANT SITE HISTORY

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

UTT 0687/12/FUL 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. Conditional Approval 31st August 2012.

6 POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 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

7 PARISH/TOWN COUNCIL COMMENTS

- 7.1 White Roding Parish Council objects in the strongest possible terms to this latest planning application from the developers of Colville Hall. We can only surmise why the applicants have resubmitted this application having previously withdrawn it, but it looks like a deliberate attempt to weaken the resolve of the village to oppose it because people do not realise that they have to object again to the same application. Our reasons are as follows:
- 7.2 The original planning application submitted in March 2012 was for the change of use of four historic barns from agricultural use to form a wedding venue. The application was approved by a very small majority of the UDC Planning Committee, despite very strong opposition from the villagers of White Roding, but with conditions to protect the local environment and to go some way to mitigate the effect on local residents. One of the most important of these conditions was Condition 10, which controls the hours of use of the proposed wedding venue, so that it can be used on average for at most twice a week. This application completely changes the nature of the venue by more than doubling the days of use and extending the hours until after midnight, effectively turning the venue into a full time operation. It is not a request for a minor amendment to an unimportant condition, but is really a completely new planning application and should be treated as such. Looking at the application in more detail we would comment as follows.
1. The applicants state that with the current condition the venue is not viable. It is inconceivable that the applicants did not have a detailed business plan before they made the original application and therefore knew that 80 days was insufficient to make the venue viable. Yet the figure of 80-90 days was requested by the applicants in response to an email dated 18th July 2012 from the case officer. One can only assume therefore that they were worried that to ask for more than this in the first place might not succeed, but had every intention to ask for this amendment if the initial application was successful. If this application is granted there will no doubt be further applications chipping away at the original planning consent until the applicants have achieved their long term objective of establishing a venue for any kind of event on any day of the year, not just for wedding functions on a limited number of days.
 2. The extension of the hours of operation simply exacerbates the late night disturbance caused by the venue. Even with wedding functions finishing at 11.30 it is likely to be well after midnight before all guests have left.
 3. Increasing the number of days of operation to 180 is an average of well over three a week, which at peak times could mean every day, which would generate intolerable levels of noise and disturbance.
 4. The volume of traffic (including service traffic, not just wedding guests) generated by this level of usage would make it even more likely that there will be a serious accident at the junction with the A1060. There would inevitably be more occasions when those leaving one wedding would meet those setting up and attending the next, resulting in chaos. The junction is simply not designed to carry this volume of traffic. Essex Highways have already failed to carry out the necessary safety audit as specified by UDC Planning Committee and should be asked again to do so.
 5. The applicants naively suggest that the current condition is unreasonable because it is not clear what amenity it is designed to protect. Quite clearly the venue will affect both the residential amenity of the village due to noise and disturbance and the

highway amenity due to the volume of traffic using the junction. Arguably it will also affect the visual amenity of those using the public bridleway alongside the site.

6. The proposed new wording of the condition uses the words "events/functions" rather than "weddings", which looks like a deliberate attempt to slip in an extension to other types of events such as birthday parties and dances.

7. In the original application it was suggested that a major reason, if not the major reason, for applying for planning permission was to preserve the historic barns. It would appear that this objective is now subservient to securing a return on investment. In their submission the applicants claim that just because a condition is suggested by an applicant does not make it reasonable. They will no doubt use this same excuse to apply for other variations at a later date.

- 7.3 In her original report to the Planning Committee the case officer said:
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. We submit that the proposal to vary Condition 10 changes this balance and should therefore be refused.

8 CONSULTATIONS

Assistant Chief Executive - Finance

- 8.1 Regarding viability of the proposed scheme and business case submitted, the figures within Scenario 3 or 4 (10 to 120 functions) (subject to further information being provided) would be reasonable; however a final decision will be made on receipt of further information and the comments reported verbally at the meeting.

Environmental Health

- 8.2 No comments, subject to the previous comments made on (UTT/13/1365/FUL) that the recommendations of the acoustic report are implemented.

9 REPRESENTATIONS

- 9.1 This application has been advertised and 30 letters of representation have been received. Expiry date: 27 June 2013.
Within the representation letters received objecting to the proposal a summary of the main concerns relating to this application are as follows:
- Unacceptable noise and light pollution and disturbance
 - The venue will be busiest when residents are entitled to expect peace and quiet at the weekend
 - Application seems to indicate an intension to use the house as a hotel
 - Greater use of the dangerous junction at the A1060
 - No justification for extra hours
 - Unacceptable in Metropolitan Green Belt
 - The car park near the bridleway will be intrusive and intensity of the use will be detrimental to the Metropolitan Green Belt
 - The proposal is a new application not a variance as the site becomes a full time business
 - Effect on wildlife
 - The noise reports are fanciful and naïve. They are not likely to be able to contain noise within the buildings. Outside noise of people and vehicles in the grounds
 - Lowers property values
 - Lack of public consultation

- Why did the applicant start the project and incur such costs when they knew the venue was not viable.

10.0 APPRAISAL

The main issue to consider in the determination of the application is:

A Whether it is acceptable to vary the condition to in order to allow opening hours between 7.30 hours and 00.30 hours except for overnight residents and to allow events/functions to take place no more than 180 days in one year.

10.1 The sole consideration of this application is **only** whether it is acceptable to vary the condition to in order to allow opening hours between 7.30 hours and 00.30 hours except for overnight residents and to allow events/functions to take place no more than 180 days in one year. It is not for the Council (as part of this application) to revisit the other concerns raised in the previous application.

10.2 Consent was granted in August 2012 under planning application UTT/0678/12/FUL for:

- 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.

10.3 Under planning application UTT/0678/12/FUL Condition 10 was attached to that approval which stated;

'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).'

10.4 The applicant states that the variation to the condition is sought because the condition as presently worded means the use is economically unviable. A business case has been submitted with six scenarios ranging from the wedding venue opening for 40 functions up to 180 functions in one year.

10.5 As part of the previous approved application an email from the agent stated that "The applicants will need to allow for the following times of opening and working hours: 80-90 weddings a year and table dressing starts around 9.30am, wedding receptions finish at 11.30pm".

Within the appraisal of whether the proposed use was acceptable, the intensity of the use or the site, its impact on the character of the Metropolitan Green Belt and setting of the Listed Buildings, and also its impact on neighbours amenity in respect of noise, whether the development would cause material disturbance or nuisance and also whether it would generate more traffic that would affect their reasonable enjoyment were considered.

The surrounding area is open farmland where noise and light pollution can easily be heard over large distances. The development and access road is in close proximity to residential housing 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. A new access road was also required to be constructed to move the traffic away from the residential properties adjacent to the existing access road.

As a result of the above, to protect amenity, both residential and visual (although only stated as in respect of amenity), Condition 10 and other conditions were imposed.

It is necessary to consider the impact on the increase in the opening times and the increase in functions would have on the residential and visual amenity in respect of nuisance, noise and light pollution and character of the area.

- 10.6 Advice on the figures quoted within the business case submitted was sought from the Councils Assistant Chief Executive – Finance and on his advice further information has been sought. He has stated that subject to further information being provided, somewhere between Scenarios 3 to 4 would be reasonable (i.e. 100 – 120 functions per year), however a final judgement will be made once the further information is provided. His final comments will be reported at the meeting. However, it is considered, even without this advice; the business is unviable if it is restricted to 80 days in one year.
- 10.7 It is considered, however, despite whether the economic justification is disputed between the Scenario 3 or Scenario 6, that it would still be reasonable to allow for the wedding venue to be open for 180 days in any one year and open to the public between the hours of 7.30 to 00.30 hours and that the variation of the condition should be approved.

11 CONCLUSIONS

The following is a summary of the main reasons for the recommendation:

- A It is considered that the increase in open times and number of functions would not result in an unacceptable material detrimental impact to neighbours amenity or visual amenity and therefore the proposal is acceptable.

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. All archaeological investigation work shall be carried in accordance with the details submitted and approved under reference UTT/12/6047/DOC.

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 of 7.30 hours to 00.30 hours (except for overnight residents) and to allow the approved use under planning application (UTT/0678/12/FUL) to take place on no more than 180 days in any 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. The development hereby permitted shall be constructed in accordance with details that have been submitted and approved by the Local Planning Authority under reference UTT/12/6040/DOC related to revised submissions regarding bridge crossing and window details. These details shall be thereafter retained

REASON: To ensure a higher quality of development this 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. The development hereby permitted shall be constructed in accordance with details that have been submitted and approved by the Local Planning Authority under

reference UTT/12/6043/DOC, related licenses issued under regulation 53 (1) in respect of certain European Species

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

19. 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

20. 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.

21. The development hereby permitted shall be constructed in accordance with details that have been submitted and approved by the Local Planning

Authority under reference UTT/12/6043/DOC with respect of surface water drainage of the highway. These details should be thereafter retained.

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.

22. 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.

23. 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.

24. The development permitted shall be constructed in accordance with details that have been submitted and approved by the Local Highway Authority under reference UTT/12/6045/DOC with respect of the access road and associated car parking. These details shall be thereafter retained.

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

25. 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.

26. 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.