

UTT/20/0561/FUL

(Call-in request by Councillor Barker if recommended for approval – Reason: impact of the development on the setting of a listed building.

PROPOSAL: **Section 73A Retrospective application for the demolition of existing chicken shed, erection of new storage barn. Temporary removal of frame and cladding of existing storage barn. Construction of new access road and associated earth bunding, planting and timber screen fence.**

LOCATION: **Poplars Farm, Broad Bridge Road, Aythorpe Roding, CM6 1RY.**

APPLICANT: **Bedeck Products Ltd / Bedeck Investments Ltd.**

AGENT: **Anthony Jane Architecture and Interiors.**

EXPIRY DATE: **17.06.2020 (extension of time agreed to 06.11.2020).**

CASE OFFICER: **Clive Theobald**

1. NOTATION

1.1 Outside Development Limits / Affecting setting of Listed Buildings / Protected Lane / TPO's affecting perimeter of site.

2. DESCRIPTION OF SITE

2.1 The site lies in a rural position on the north-west side of Roundbush Green approximately halfway along Broad Bridge Road, an unclassified lane, at a pronounced right angle in the road and comprises a paint manufacturing factory premises (Bedeck Products Ltd).

2.2 The site consists of a range of converted farm buildings with newer building floorspace used by the applicant for paint manufacturing, research and development, hardstanding apron areas used for staff and visitor parking and external storage, a wider informal external storage area on rough ground to the north of the main building range, which includes the partially demolished remains of an old chicken building, and a long ridged roofed modern single storey building used for paint storage and mixing which stands to the south of the building range between the road frontage and the parking area. The site is screened from wider views to the south along the lane by a line of mature tree'd vegetation which runs along southern flank boundary of the site. An earth bund with planting which previously ran along the eastern side of the main building complex has been removed recently by the applicant.

2.2 Three residential properties lie to the immediate north of the site comprising Poplars Farm, a grade II listed dwelling, Poplars Barn, which is also grade II listed, and Little Poplars which are substantially screened from the site by a line of very tall poplar trees and other mature vegetation which runs along the site's northern flank boundary. A large tract of open rough grassland void of buildings lies to the east of the site, which is shown to be within the control and ownership of the applicant.

- 2.3 A section of compacted hardcore track has recently been laid (04/10/2019) from the rear end of the site car park extending round to run north parallel with the rear of the main building range adjacent to the open area of grassland to serve as a new vehicular access road to the existing external storage area to the north of the range and proposed location of a new paints storage building for the business, although work on this track has ceased as a result of subsequent enforcement investigations carried out (ENF/19/0294/B) and which now forms part of the current application.

3. PROPOSAL

- 3.1 This proposal, which is partly retrospective in nature, relates to the following development/works (as originally worded):
- demolition of existing dilapidated chicken shed building (sited at the northern end of the site);
 - erection of a new storage barn building (to be erected on footprint of chicken shed to be demolished);
 - retention of replacement cladding to an existing storage building (within the existing building range);
 - retention of the construction of new access road (already partly carried out);
 - formation of 3m high earth bunding (along the northern boundary of the site with outer return section)
 - new native planting (to run parallel with the inside of the proposed access road);
 - erection of 2m high timber screen fence (to run parallel with the outside of the proposed access road).
- 3.2 Since the submission of the application, discussions have taken place between Council Officers and the applicant's agent regarding the possible relocation of the proposed storage barn from the northern end of the site as originally shown to the southern end of the site with new car park area and new planting strip as now shown on revised drawing 10934/A1/06A.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The proposal is not EIA development and an environmental assessment is not required to assess the environmental impacts of the development whereby the site does not fall within a "sensitive area".

5. APPLICANT'S CASE

- 5.1 (Extracted from applicant's agent's covering letter dated 28 February 2020 and subsequent emails to the Council with reference to current site use and proposed building):

Nature of commercial usage of site by applicant:

- Bedec have been manufacturing paint at Poplars Farm since 1988. The southern end of the site was owned originally by Mr T Seabrook who manufactured solvent based paints alongside Bedec up to approx. 1999 when Bedec stopped making solvent paint on this site and concentrated just on water based products. They purchased the southern part of the site from

Mr Seabrook in approx. 1999. Bedec have therefore held a commercial interest in the land since 1999 and were using the land for paint making in conjunction with Mr Seabrook in advance of that time;

- Bedec manufacture and store their products on this site as well as other satellite storage facilities around the nearby area. One of the main drivers behind the need for the new storage barn is the consolidation of both deliveries and the centralisation of the storage of their water-based products;
- Deliveries at the present time arrive at Aythorpe Roding and some lorries are part unloaded and then they need to traverse the countryside to the other barns and storage facilities as there is insufficient space on site for all the storage needs. The new barn will allow the same lorry to deliver a whole load and not part loads and all material will now be stored on this site. Presently once an order is received the materials must be collected from several locations around the district and assembled into the one order to a particular client. With all the stock on one site the vehicle can be loaded in one location and all at one time;
- The above will have a dramatic impact on the number of vehicles moving around the countryside to the various satellite locations and by using whole load rather than part loads it is hoped that vehicle numbers to this site will be reduced. This will also speed up loading and un-loading and by using a concrete apron to the front of the new barn these operations will be quieter and safer. Bedec have been on site for the last 30 years carrying out the same basic type of manufacturing and production operations and the vehicle sizes for deliveries to the site have not changed at all over that period.
- Bedec is a very important local employer with their products sold locally and nationally and through their large export market contribute greatly to the general UK Economy. Their expertise and knowledge is world class and unique and gives Essex and this area a very specific employment opportunity which must be assisted and allowed to flourish especially in the present COVID 19 times.

Proposed building:

- The proposed storage building is to provide long term storage for paint tins for the paint production process undertaken elsewhere on the site. Bedec is a very well established business over many years and prides itself on the use of only water based products on site, with waste water used being collected and treated before being re-used again;
- The original intention for the development was to demolish the chicken shed and replace the derelict building with a new storage barn. The proposed building has at additional cost now been relocated to the southern end of the site in view of comments received from adjoining properties to the north and is now some 100m+ away from these adjoining properties.
- The development activities will therefore be contained within the southern end of the site and the chicken sheds will now be left untouched in their present condition. The hardcore sub-base laid in readiness for a new access road to the north will also be removed and the hardcore used as part of the construction process for the new barn in its new location;
- No bund will be provided in view of the distance away and the topography of the site; this was originally proposed to provide acoustic shelter from the lorries turning adjacent to the chicken sheds. This turning will now be at the southern boundary and therefore with over 100m+ separation distance there is sufficient distance for sound degradation;

- Once this application has been determined, a certificate of lawfulness application will be lodged together with historic evidence of occupation of use of the land held by Bedec to rationalise and confirm the legal planning use class of the various land holdings.

6. RELEVANT SITE HISTORY

- 6.1 No recent planning history. Alterations and change of use of redundant agricultural buildings at Poplars Farm to light industrial use (paint factory - applicant - "Paintology") comprising 1,480sqm of floorspace approved in 1987 (UTT/1408/87).

7. POLICIES

National Policies

National Planning Policy Framework (NPPF)

Uttlesford Local Plan (2005)

ULP Policy S7 – The Countryside
 ULP Policy ENV2 – Development affecting Listed Buildings
 ULP Policy ENV3 – Open spaces and trees
 ULP Policy ENV11 – Noise generators
 ULP Policy GEN1 – Access
 ULP Policy GEN2 – Design
 ULP Policy GEN4 – Good Neighbourliness
 ULP Policy GEN7 – Nature Conservation
 ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

None

Other Material Considerations

ECC Parking Standards – "Design and Good Practice" (September 2009)
 UDC Parking Standards (adopted February 2013)

8. PARISH COUNCIL COMMENTS

- 8.1 Object - All residents' comments received have been against this application. A site visit is required to appreciate the rural nature of the site, the unsuitability of the local roads and impact on neighbouring properties.

9. CONSULTATIONS

ECC Highways

- 9.1 The Highway Authority has no objections to make on this proposal from a highway and transportation perspective as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Informative:

i. Due to COVID-19 restrictions, no site visit was undertaken in conjunction with this planning application. As far as can be determined, no new access from the public highway has been constructed.

Place Services (Ecology)

(revised comments received 14 August 2020):

- 9.2 No objections subject to securing biodiversity mitigation and enhancement measures.

Summary

We have reviewed the new application documents submitted in support of the above scheme, including Revised Proposed Site Plan and Revised Tree Removal Plan (Anthony Jane Architecture & Interiors, February 2020), and re-reviewed the Preliminary Ecological Appraisal Report (Samsara Ecology, April 2020) relating to the likely impacts of the development on designated sites, protected & Priority species and habitats, and identification of proportionate mitigation and enhancement.

We are satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on protected and Priority species and, with appropriate mitigation measures and biodiversity enhancements secured, the development can be made acceptable.

Although the revised plans involve an amendment to the planned landscaping for the site, they do not appear to materially change the assessment of the ecological impacts of the development undertaken previously. Therefore, we recommend following the advice given in our response dated 12th May 2020, but also recommend the inclusion of a condition for the submission of a Biodiversity Enhancement Plan.

The mitigation and enhancement measures identified in the Preliminary Ecological Appraisal Report (Samsara Ecology, April 2020) should be secured and implemented in full. We also recommend that informatives are attached to any consent. This is necessary to conserve and enhance protected and Priority species, particularly, birds and mobile mammals. This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the recommended conditions based on BS42020:2013.

ECC Place Services (Heritage)

(revised comments received 25 August 2020):

- 9.3 Following on from previous advice, revised plans have been submitted. The proposed barn has increased in size and it is now proposed to be located to the south of the plot, which is an improvement. It is a greater distance from the heritage assets, and it will be screened by interposing development.

I have no objections to the proposed development as I do not consider it to detract from or harm the significance of the heritage assets affected.

10. REPRESENTATIONS

10.1 7 representations received. Neighbour notification period expires 22 April 2020 (re-notified 5 August 2020). Advertisement expires 21 May 2020, site notice expires 21 May 2020.

10.2 Summary of representations received as follows:

- The current applicant has expanded informally at the site over many years beyond the originally approved building footprint and has not been subject to the formal planning process;
- Gradual industrial creep;
- A landscaped bund which previously existed along the eastern side of the building complex which protected residential properties to the north of the site from noise from the commercial operations and which also acted as a visual screen has been removed and this should be reinstated with appropriate planting;
- Any further expansion of the business would bring further large HGV vehicles down the lane, which is a narrow, single track protected lane;
- Proposed storage building would be harmful to the setting of adjacent listed buildings;
- Noise pollution;
- Proposed storage building may be the pre-cursor for much more extensive development of the site and field beyond which the applicant purchased in 2019.
- Support – the business at the site employs local people.

Comments on submission of revised drawings

- Welcome re-location of the proposed storage building from the northern to southern end of the site, although this doesn't overcome the issue of the gradual intensification of the site and use of land by HGV's.

11. APPRAISAL

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

- A Promotion of the rural economy / present site usage / countryside impact / access considerations (NPPF, ULP Policies S7, GEN1 and GEN2);
- B Impact of development on heritage assets (ULP Policy ENV2);
- C Proposed vehicle parking arrangements (ULP Policies GEN1 and GEN8);
- D Impact on residential amenity (ULP Policy GEN4);
- E Impact on protected / priority species, trees (ULP Policies ENV3 and GEN7).

A Promotion of the rural economy / present site usage / countryside impact / access considerations (NPPF, ULP Policies S7, GEN1 and GEN2);

11.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the planning policies

set out in the Adopted Development Plan, unless material considerations indicate otherwise. The adopted development plan for Uttlesford comprises the Uttlesford Local Plan which was adopted in 2005.

- 11.2 The revised National Planning Policy Framework (NPPF) was published in July 2018 and updated in February 2019. It provides the statutory guidance for determining planning applications at a national level. It represents the most up to date central government planning policy guidance and as such is a material consideration for the determination of planning applications.
- 11.3 The NPPF stresses that the purpose of the planning system is to contribute to the achievement of sustainable development. The Framework also sets out objectives for achieving this aim. Paragraph 8 of the NPPF confirms the 'presumption in favour of sustainable development' and explains that there are three dimensions to sustainable development, namely, economic; social; and environmental.
- 11.4 Paragraph 11d) of the NPPF states that where there are no relevant development plan policies, or the policies which are the most important for determining the application are out of date, the LPA should grant planning permission unless (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.
- 11.5 Paragraph 83 of the NPPF states that planning policies and decisions should enable...a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings... Paragraph 84 goes onto state that;
- "Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist".*
- 11.6 ULP Policy S7 of the Council's adopted Local Plan states that the countryside will be protected for its own sake and that planning permission will only be given for development that needs to take place there, or is appropriate to a rural area, adding that there will be strict controls on new building. Policy S7 also states that development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.
- 11.7 Policy S7 has been found to be partially consistent with the provisions of the NPPF following an independent policy review of the adopted local plan against the NPPF (Ann Skippers) whereby its restrictive stance towards development in the countryside contrasts with the more proactive stance taken by the NPPF towards sustainable development within the rural areas. Policy S7 is a saved local plan policy and carries material weight depending on the nature of the application proposal.

- 11.8 ULP Policy GEN1 states amongst other things that a) Access to the main road network must be capable of carrying the traffic generated by the development safely, and b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network.
- 11.9 It is clear from the applicant's supporting statement that the commercial operations carried out by the applicant at the site (combined B1/B2/B8 use) have expanded since the late 1980's whereby external storage activities associated with the applicant's paint manufacturing operations have spread to the northern and southern boundaries of the site as evidenced on the site today. It would appear that the gradual spread of the operations across the site from the original 1987 permission have not been with the grant of subsequent permission, although there would appear to be a strong case on the evidence available for the applicant to successfully claim a lawful existing use were a lawful use certificate application to be subsequently submitted to the Council. The removal as reported on an earth bund at the site which previously protected nearby residential properties from noise from the commercial operations would not have required planning permission.
- 11.10 The proposed building and works the subject of the current application, some of which are of a retrospective nature, are as a result of the applicant's stated desire to rationalise and consolidate its commercial operations at the site with regard to the established paint manufacturing and storage process, which employs a number of local people. The applicant has made the case that this consolidation and rationalisation of its activities will improve the way in which it operates at the site both in terms of noise generated and HGV movements.
- 11.11 In this regard, the comments expressed by third parties concerning increased numbers of large HGV movements along Broad Bridge Road to and from the site, which is an unclassified rural protected lane, are noted, although this claim cannot presently be substantiated whereby the applicant has stated that the frequency of visiting vehicles has not changed. Indeed, the applicant has stated that the proposed additional paint can storage building at the site would reduce the need for such vehicles to visit the site so often where it is remarked that; *"The above will have a dramatic impact on the number of vehicles moving around the countryside to the various satellite locations and by using whole load rather than part loads it is hoped that vehicle numbers to this site will be reduced. This will also speed up loading and un-loading and by using a concrete apron to the front of the new barn these operations will be quieter and safer"*.
- 11.12 ECC Highways have been consulted on the application and have not raised any highway objections, although this is more to do with the fact that the established access point is not proposed to be altered through the current application. However, as noted above, an improvement to the on-site turning area for visiting HGV vehicles as proposed in the current application through the introduction of an improved car park area should prevent some of the HGV traffic difficulties currently being experienced by local residents at the site entrance. No objections are therefore raised to the proposal under ULP Policy GEN1.
- 11.13 The design of the storage building, which would take the form of an A frame building clad in dark green profiled sheeting, is considered appropriate for the site in terms of scale, form and external appearance and given the function it would serve and no design objections are raised under ULP Policy GEN2. The proposed building and new car park would be screened by existing tree vegetation which

runs along the site's southern boundary, by a mature hedge line which runs along the road frontage boundary and also by a new native planting strip with post and rail fencing behind along the outer edge of the new car park. As such the building and new surface works would be framed and protected by this natural screening and proposed planting line and would not be visibly apparent either from the road or from wider public views into the site. No rural amenity objections are therefore raised under ULP Policy S7 which seeks to protect the countryside for its own sake whereby it has been demonstrated by the applicant that the development needs to take place there and where the development would chime with relevant NPPF advice on rural business growth.

- 11.14 In light of the revised and acceptable re-siting of the proposed storage building from the northern end of the site to the southern end of the site, there is no continuing need for the unauthorised new access roadway which has been partially formed to the eastern side of the main building complex by the applicant to serve the northern informal storage area whereby it presently consolidates unwarranted commercial groundworks at the site that are considered harmful to the countryside. The applicant has agreed through his planning agent to remove this roadway, which is welcomed, and this can be conditioned through any planning permission granted for this application whereby a compliance period of three months is considered reasonable and realistic to both parties to achieve compliance with any planning condition, particularly if the removed roadway rubble is to be incorporated into the base of the new car park as suggested by the applicant it probably would be, which would represent a sustainable solution.
- 11.15 It is not considered necessary given the proposed re-siting of the storage building as shown on revised drawing 10934/A1/06A for the proposed earth bund originally shown to be formed onto the northern boundary of the site to be now included, nor is there any requirement for the previous earth bund which existed to be re-created along the eastern site boundary as requested by local residents.

B Impact of development on heritage assets (ULP Policy ENV2)

- 11.16 S66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that LPA's must have due regard to the impacts of development on designated heritage assets, including the setting of listed buildings. Two grade II listed buildings, namely Poplars Farmhouse (late c16 with later additions) and Poplars Barn (c16) lie to the immediate north of the site. The originally submitted plans for the current application showed the proposed paint can storage building sited on the footprint of the dilapidated chicken sheds to be demolished close to the northern boundary of the site with Poplars Farmhouse and Poplars Barn.
- 11.17 Place Services (Heritage) in their original consultation response commented that the proposed storage building would read as an agricultural storage barn as opposed to an overly domesticated form of building which otherwise would be inappropriate with the setting of the listed buildings, adding that, whilst sizeable, the building would not detract or harm the significance of the designated heritage assets and that other associated works proposed by the application would equally have no impact. In raising no objections, Place Services recommended that the external faces of the building be finished in black and permanently maintained as such.
- 11.18 Place Services (Heritage) have since commented on the submission of the revised drawings now showing the relocation of the proposed storage building to the southern boundary of the site whereby the bay size of the building has increased

by two bays given that it would no longer be on the base of the chicken sheds to be demolished (see revised comments dated 25.08.2020). In their response, Place Services have stated that the re-siting position of the building from the northern to the southern boundary of the site represents an improvement by being a greater distance from the heritage assets and “*would be screened by interposing development*”. As such, they have not raised any heritage objections to the building in its revised position whereby they conclude that the development would not detract from or harm the significance of the aforementioned listed buildings as heritage assets and do not recommend any heritage type conditions.

- 11.19 Given the above heritage assessment, the proposal would not be contrary to paragraph 196 of the NPPF and would not be contrary to ULP Policy ENV2 of the adopted Local Plan.

C Proposed vehicle parking arrangements (ULP Policies GEN1 and GEN8)

- 11.20 Staff and visitor parking at the site for Bedec Products Ltd currently takes the form of informal parking on compacted material to the south of the established vehicular access into the site extending halfway down to the screened southern boundary. The new parking arrangements as shown on revised site layout drawing 10934/A1/06A for this application would involve the provision of a new hardstanding apron whereby two rows of parking consisting of 25 no. bays are shown for the eastern side of the apron and where the remaining area of concrete apron would be used as an improved turning area for the manoeuvring, loading and offloading of delivery vehicles for both the existing paint can storage building located on the road frontage boundary and the proposed paint storage building.
- 11.21 The proposed formalised parking arrangements as shown for the submitted scheme are considered acceptable whereby they would represent a parking layout improvement on the current site arrangement both in terms of parking and site access/egress and no objections are raised under ULP Policies GEN1 and GEN8.

D Impact on residential amenity (ULP Policy GEN4)

- 11.22 The relocation of the proposed storage building as provided for within the scope of the current application from the northern end of the site closest to residential properties to the southern end of the site as now shown on revised drawing 10934/A1/06A has been suggested by Officers as it was felt that the opening up of the northern end of the site as a formalised storage area with associated vehicle and forklift manoeuvring and the loading and offloading of goods and the building itself would have caused a potential unacceptable level of residential amenity nuisance through additional noise and disturbance, notwithstanding the original inclusion in the application as part of the scheme of an earth bund along part of the northern boundary and a return section to mitigate against some of these adverse effects as well as providing a visual screen to the proposed building.
- 11.23 The proposed re-siting of the storage building some 130m to the south as negotiated would, as a result, have a much lessened impact on the residential amenities of these nearby properties whereby any amenity impacts arising would be absorbed by the day to day noise of the existing commercial operations experienced in the middle of the site. It should be noted that the applicant has informed the Council that less noisy forklifts are to be introduced at the site in the near future, which would also improve residential amenity and no amenity objections are therefore raised under ULP Policy GEN2.

E Impact on protected / priority species, trees (ULP Policies ENV3 and GEN7).

- 11.24 The revised siting of the proposed storage building would be on an area of grassland to the south of the current car park area. The submitted Preliminary Ecological Appraisal (Samsara Ecology, April 2020) found no ecological constraints to the proposed development during a walkover survey of the site and states that no further species surveys are required, although as a precaution, recommendations have been made in the report to protect badgers during construction as a badger sett has been found to be present along the southern boundary of the site approximately 120m from the development area, whilst recommendations for the biological enhancement of the site have also been made.
- 11.25 Place Services (Ecology) have been consulted on the proposal for the revised siting of the storage building and have not raised any ecology objections based upon the survey and additional documents submitted subject to ecology conditions and no objections are raised under ULP Policy GEN7 on this basis.
- 11.26 The proposed re-siting of the storage building to the southern end of the site would not affect any notable trees given its recessed position in from the southern boundary (ULP Policy ENV3).

12. CONCLUSION

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

- A The applicant has demonstrated a commercial need for the proposal for its continuing B1/B2/B8 operations at the site whereby this need would accord with paragraphs 83 and 84 of the NPPF which seeks to support a prosperous and diverse rural economy and as the proposal would be acceptable on accessibility and countryside protection grounds. The removal of the unlawful roadway works can be conditioned.
- B The proposal would not have a harmful impact upon heritage assets.
- C The proposed parking arrangements are considered acceptable
- D The proposal would not have a significantly harmful impact on residential amenity.
- E The proposal would not have a harmful effect on protected or priority species.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

2. Prior to commencement of development 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 [
b) means of enclosure

- c) car parking layout
- d) vehicle and pedestrian access and circulation areas
- e) hard surfacing, other hard landscape features and materials
- f) existing trees, hedges or other soft features to be retained
- g) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- j) location of service runs
- k) management and maintenance details

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 ULP Policies GEN2, GEN7 and ENV3 of the Uttlesford Local Plan (adopted 2005).

Pre-commencement condition justification: To ensure that the resulting development can be properly assimilated into its localised environment.

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

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with ULP Policies GEN2, GEN7 and ENV3 of the Uttlesford Local Plan (adopted 2005).

4. The storage building hereby approved shall be external clad in accordance with the materials specification as stated in the application and as stated on revised drawing 10934/A1/07A.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

5. The staff and visitor parking spaces within the newly created car park area as shown on revised drawing 10934/A1/06A shall be properly marked out on the ground and have individual bay sizes of 5.5m x 2.9m and shall be made available prior to first use of the storage building hereby approved. The parking spaces shall not thereafter be used for any other purpose(s) without the prior written consent of the local planning authority.

REASON: To ensure that an appropriate level of on-site parking is afforded and maintained in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

6. All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Samsara Ecology, April 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination, including, but not limited to, the creation of a wildflower grassland area, installation of bird boxes, and bat boxes.

REASON: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

7. Prior to slab level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal Report (Samsara Ecology, April 2020) including location of bird and bat boxes, details of native/wildlife friendly planting in wildflower grassland and landscaping, shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

REASON: To enhance protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

8. A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

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

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

9. Commercial operations within the proposed storage building hereby approved as shown on revised drawings 10934/A1/06A and 10934/A1/07A shall not be carried out other than between the hours of 8.00am to 6.00pm Mondays to Fridays, 8.00am to 1.00pm on Saturdays and at no times on Sundays, Bank or Public Holidays.

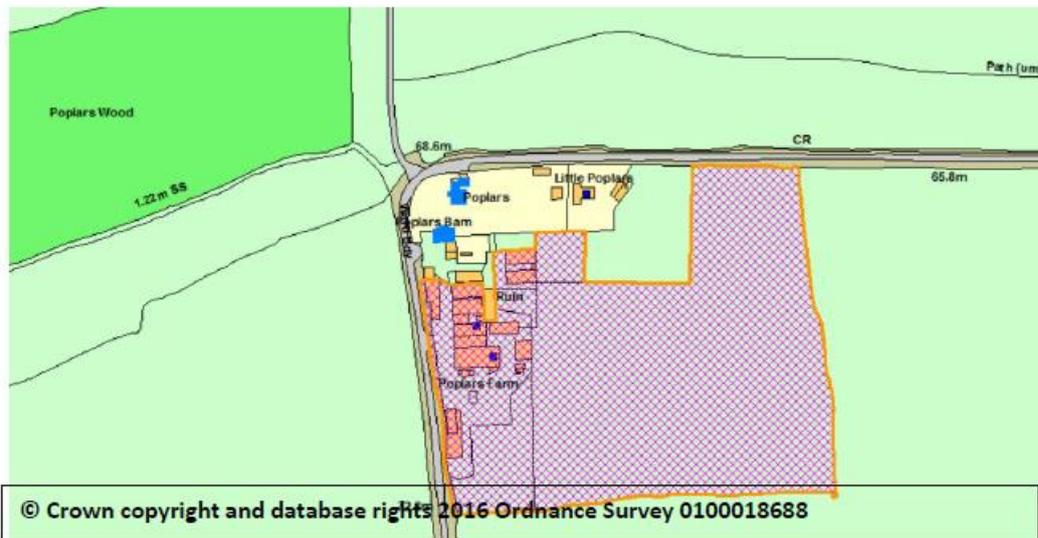
REASON: In the interests of residential amenity protection in accordance with ULP Policy GEN4 of the Uttlesford Local Plan (adopted 2005).

10. The proposed storage building hereby approved as shown on revised drawings 10934/A1/06A and 10934/A1/07A shall be used for storage purposes only in association with the existing paint manufacturing operations conducted at the site by the applicant and shall not be used for any other purpose(s), including manufacturing.

REASON: In the interests of residential amenity protection in accordance with ULP Policy GEN4 of the Uttlesford Local Plan (adopted 2005).

11. The newly laid unauthorised access roadway and associated hardcore deposits leading down the eastern side of the building complex to the old chicken sheds shall be either permanently removed from the site or incorporated within the approved development for the new storage building or new car park hereby approved within 3 months of the date of this decision notice.

REASON: To protect the visual and residential amenities of the area in accordance with ULP Policies S7 and GEN4 of the Uttlesford Local Plan (adopted 2005).



Organisation: Uttlesford District Council

Department: Planning

Date: 12 OCTOBER 2020