

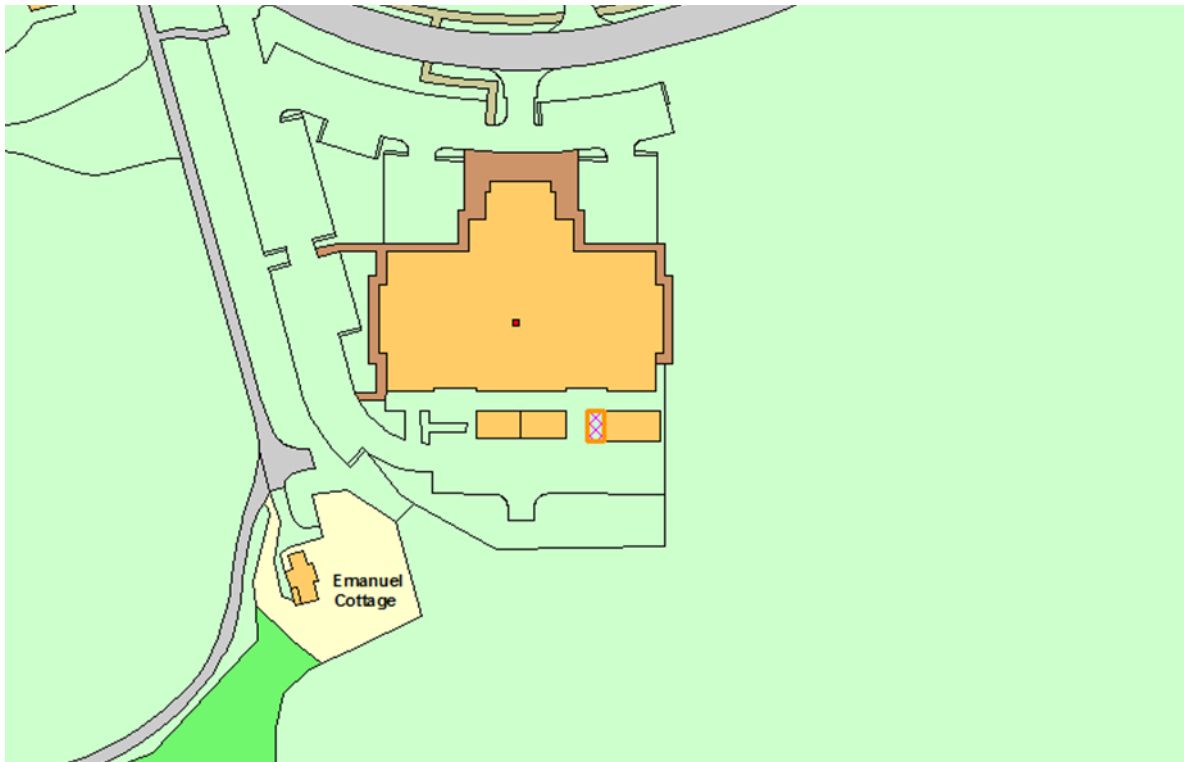
**ITEM NUMBER:** 6

**PLANNING COMMITTEE DATE:** 27 April 2022

**REFERENCE NUMBER:** UTT/22/0326/FUL

**LOCATION:** EMMANUEL BUILDING, CHESTERFORD PARK,  
LITTLE CHESTERFORD

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council. Date: 23<sup>rd</sup> March 2022

**PROPOSAL:** Proposed installation of FFN Generator and erection of louvered enclosure

**APPLICANT:** Mr David Greenwood (Illumina Cambridge Ltd)

**AGENT:** Mrs Lucy Palmer (Ingleton Wood LLP)

**EXPIRY DATE:** 5 April 2022

**EOT Expiry Date:** 29 April 2022

**CASE OFFICER:** Chris Tyler

**NOTATION:** Chesterford Park Boundary, Safeguarding Employment Land

**REASON THIS APPLICATION IS ON THE AGENDA:** Application site part owned by UDC

## 1. EXECUTIVE SUMMARY

1.1 This application is in regard to the installation of a backup generator and enclosure area. The generator will be located next to the existing outbuilding to the south of the main building and will include louvered screen enclosure. The enclosure is considered to compatible with the existing building and character of the site.

1.2 The proposed generator will provide backup power supply to the Emmanuel Building and will only be used in the event of power failure. The proposal will not result in any harm to occupiers of neighbouring buildings in terms of noise or disturbance and a condition is included for a post completion noise survey.

1.3 From the information submitted and observations during the case officers site visit the proposal will not result in any harm to protected sites, habitats or protected and priority species.

## 2. RECOMMENDATION

2.1 

That the Interim Director of Planning and Building Control be authorised to <b>GRANT</b> permission for the development subject to those items set out in section 17 of this report.
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**3. SITE LOCATION AND DESCRIPTION:**

3.1 The application relates to the Emmanuel Building located to the south of the cluster of buildings that are included within Chesterford Research Park. The building includes a number of existing out buildings to the south of the main building.

**4. PROPOSAL**

4.1 This application is in regard to the installation of a backup generator and enclosure area. The generator will be located next to the existing outbuilding to the south of the main building and will include louvered screen enclosure. The enclosure will include 2.12m high powdered coated steel panels and will have footprint of 6.4m by 4.5m

**5. ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

**6. RELEVANT SITE HISTORY**

6.1

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
UTT/1881/04/FUL	Proposed B1 research and development building	Approved
UTT/0214/06/FUL	Erection of lobbies to new building approved under reference UTT/1881/04/FUL	Approved
UTT/14/2495/CLP	Alterations to out buildings and use in association with existing B1 use of main building.	Approved

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

7.1 The application did not include any pre application advice from the Council or consultation exercise carried out by the applicant.

**8. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

8.1 N/A

**9. PARISH COUNCIL COMMENTS**

9.1 No comments received

**10. CONSULTEE RESPONSES**

10.1 **UDC Environmental Health**

10.1.1 No objections of further recommendations made.

11. **REPRESENTATIONS**

11.1 12 notifications letters were sent to nearby properties.

11.2 **Support**

11.2.1 N/A

11.3 **Object**

11.3.1 N/A

11.4 **Comment**

11.4.1 No representations received.

12. **MATERIAL CONSIDERATIONS**

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a)The provisions of the development plan, so far as material to the application:

(aza) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

12.3 **The Development Plan**

12.3.1 Essex Minerals Local Plan (adopted July 2014)  
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)  
Uttlesford District Local Plan (adopted 2005)  
Felsted Neighbourhood Plan (made Feb 2020)  
Great Dunmow Neighbourhood Plan (made December 2016)  
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)

Thaxted Neighbourhood Plan (made February 2019)

**13. POLICY**

**13.1 National Policies**

13.1.1 National Planning Policy Framework (2021)

**13.2 Uttlesford District Plan 2005**

13.2.1 Policy S5- Chesterford Park Boundary  
Policy E2 - Safeguarding Employment Land  
Policy GEN2 – Design  
Policy GEN4 – Good neighbourliness  
Policy ENV11 – Noise Generators

**13.3 Great and Little Chesterford Neighbourhood Plan**

13.3.1 Post Regulation 14 Publication- very limited weight attached.

**13.4 Supplementary Planning Document or Guidance**

13.4.1 Essex Design Guide  
Uttlesford Interim Climate Change Policy (2021)

**14. CONSIDERATIONS AND ASSESSMENT**

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

14.2 **A) Whether the development adversely impact the character and appearance of the locality and is acceptable in size, scale and design**

**B) Whether the development adversely impacts neighbouring residential amenity**

**C) Impact on biodiversity**

14.3 **A) Whether the development adversely impact the character and appearance of the locality and is acceptable in size, scale and design**

14.3.1 Policy S5 of the Uttlesford Local Plan states that Chesterford Park Research and Development is defined as a developed site in the countryside. Facilities for research and development will be permitted within these boundaries if they are in accordance with this Plan.

14.3.2 The proposal relates to the installation of the generator to be, located next to the existing outbuildings to the south of the main building. The external appearance of the enclosure is considered to be compatible

with the existing buildings, whilst the scale of the enclosure will make a modest introduction that would be appropriate for this location and therefore in accordance with the relevant Local Plan Policies and the NPPF regarding good design.

#### **14.4 B) Whether the development adversely impacts neighbouring residential amenity**

**14.4.1** ULP Policy ENV11 advises noise generated from development will not be permitted if it is liable to affect adversely the reasonable occupation of existing noise sensitive development nearby, this is also consistent with the aims of ULP Policies GEN2 and GEN4.

**14.4.2** The Council's Environmental Health Officer has been consulted as part of the planning application and does not make any objection to the proposed development, specifically the noise generated by the generator unit. A condition has been recommended for the submission of post completion noise survey should be undertaken. If the noise levels are predicted to be in excess of 10 dB(A) above background noise levels a noise mitigation shall be implemented.

**14.4.3** As such with the imposition of the recommended noise condition the proposal is considered appropriate in this location and would not adversely impact the neighbouring businesses. The proposed development is therefore in accordance with Local Plan Policies GEN2, GEN4 and ENV11.

#### **14.5 C) Impact on biodiversity**

**14.5.1** Policy GEN7 and Paragraph 179 of the NPPF seeks to ensure that development would not have a harmful effect on wildlife and Biodiversity. Appropriate mitigation measures must be implemented to secure the long-term protection of protected species.

**14.5.2** The applicant has completed the Biodiversity Validation Checklist and confirmed that no protected sites and habitats or protected and priority species will be harmed by the development. The site includes hardstanding serving the existing main building and the outbuildings. From the case officer's site visit the proposal does not trigger the requirement of further ecology surveys and as such the development is in accordance with ULP Policy GEN7 and the NPPF.

### **15. ADDITIONAL DUTIES**

#### **15.1 Public Sector Equalities Duties**

**15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have

due regard to the advancement of equality in the exercise of its powers including planning powers.

**15.1.2** The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

## **15.2 Human Rights**

**15.2.1** There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

## **16. CONCLUSION**

**16.1** The proposed development and retrospective development is acceptable in terms of size, scale and design and would not adversely impact the character and appearance of the locality therefore comply with ULP Policies S5, E2 and GEN2 and the NPPF.

**16.2** The development would not adversely impact the amenity of neighbouring occupiers, subject to a condition on noise therefore complying with ULP GEN2, GEN4, and ENV11.

**16.3** The development will not result in any harm to protected sites, habitats or protected and priority species, therefore in accordance with ULP Policy GEN7 and the NPPF.

**16.4** As such taking into consideration the assessment of the proposed development the application is recommended for approval subject to conditions.

## **17. 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 the first operation of generator hereby approved a post completion noise survey must be submitted to and approved in writing by the Local Planning Authority. This assessment shall be undertaken by a suitably competent person.

Where the proposed or actual plant and equipment noise levels are predicted to be in excess of 10 dB(A) above background noise levels a noise mitigation scheme shall be implemented.

The development shall thereafter be carried out as approved unless agreed in writing with the Local Planning Authority

REASON: To ensure the development does not have any harmful impact to the surrounding properties with regards to noise and disturbance in accordance with ULP Policies GEN4 and ENV11.

- 3** The development hereby permitted shall be carried out in accordance with the following approved plans, unless otherwise agreed in writing by the local planning authority:

- Location Plan - 112011-IW-ZZ-ZZ-DR-A-2001 P01
- Enclosure Plan- 112011-IW-ZZ-ZZ-DR-A-2050

REASON: To provide further certainty and clarity that the development should be constructed in accordance with the plans assessed as part of the application, and to allow the plans to be later varied if needed in order to facilitate the delivery of the development, in accordance with the provisions of s96a of the Town and Country Planning Act 1990, as amended.