

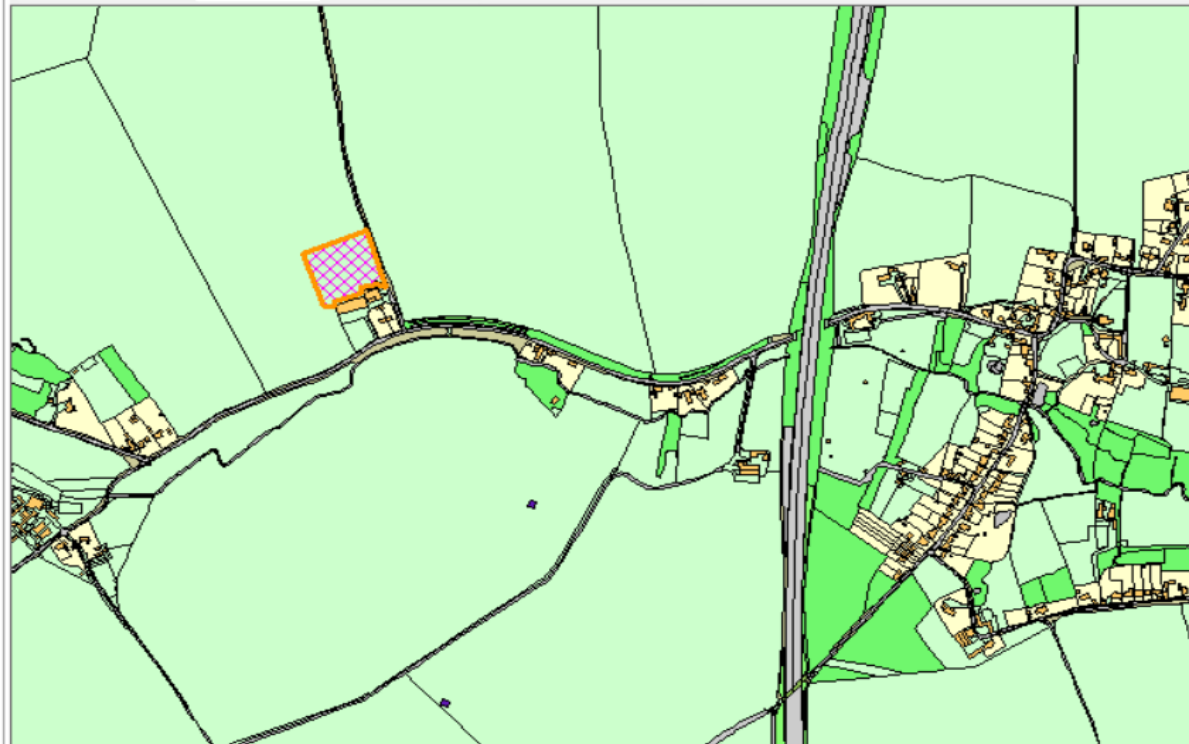
ITEM NUMBER: 13

PLANNING COMMITTEE DATE: 27 September 2023

REFERENCE NUMBER: UTT/23/0739/FUL

LOCATION: Rear Of Bromley Cottages, Royston Road,
Wendens Ambo,

SITE LOCATION PLAN:



© Crown copyright and database rights 2021 Ordnance Survey 0100018688
Organisation: Uttlesford District Council Date: 11th August 2023

PROPOSAL: Erection of an agricultural grain store with associated machinery.

APPLICANT: The Catherine Ruck 1987 Settlement

AGENT: Savills (UK) Ltd

EXPIRY DATE: 26th June 2023

EOT Expiry Date 3rd October 2023

CASE OFFICER: Jonathan Pavey-Smith

NOTATION: Outside development limits,
Site of Archaeological significance
Flood Zone 1

REASON THIS APPLICATION IS ON THE AGENDA: Major Planning Application

1. **EXECUTIVE SUMMARY**

- 1.1 The Audley End Estate comprises 6,500 acres in a rural setting near Saffron Walden, Essex. There are approximately 500 acres of amenity and woodland. The current capacity of the four existing stores is not sufficient to meet the storage demand of the crops grown on the estate, neither do they have the ability to dry or add value to the crop in any significant scale.
- 1.2 The proposed grain store would be a pitched-roofed unit with a lean-to element at the eastern end and grain handling machinery installed at the western end. The store would be 14m high to the ridge and 10m high to the eaves with a north-south span of 45m and a west-east span of 82m, including the lean to and reception. It would be built with concrete walls and cement roof and finished in olive green cladding.
- 1.3 In landscape terms there are no overriding landscape or visual effects that should prevent the development. In Highways terms, the average daily vehicle trips during the harvest period will be 24. This reduces to 2 vehicles trips for the rest of the year. Therefore, it is considered that the proposal would not give rise to a significant impact on the local highway network. As such, the proposed development is compliant with policy GEN1 (Access).

2. **RECOMMENDATION**

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

- A) Conditions
- B) Subject to the Lead Local Flood Authority (LLFA) lifting their holding objections.

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The site is open arable farmland located on the north side of Royston Road. It is bounded with agricultural barns (known as Bromley Barns) immediately to its south boundary and two residential houses beyond that. Arable farmland surrounds the north, east and west sides of the application site and the M11 runs to the east side of the site.

The surrounding area contains sporadic residential houses dotted around Royston Road. The closest settlement to the application site is Wendens Ambo which is approximately 1km away from the site. The site is located on undulated land with an elevated part to the north and a gentle slope down towards Royston Road. The application site falls within the designated Countryside. It sits within Flood Zone 1 (low flood risk). The application site does not fall within a Conservation Area and the closest listed building is located approximately 500m away from the site. The site does not have any other planning constraints

3.2 The closest settlement to the application site is Wendens Ambo which is approximately 1km away from the site. The site is located on undulated land with an elevated part to the north and a gentle slope down towards Royston Road.

3.3 The application site falls within the designated Countryside. It sits within Flood Zone 1 (low flood risk). According to the Surface Flood Risk Map, the site does not experience significant surface water overflow or standing water flooding.

3.4 The application site does not fall within a Conservation Area and the closest listed building is located approximately 500m away from the site. The site does not have any other planning constraints.

4. PROPOSAL

4.1 Planning permission is sought for the erection of an agricultural grain store with associated machinery and a reception area.

4.2 The proposed grain store would be a pitched-roofed unit with a lean-to element at the eastern end and grain handling machinery installed at the western end. The store would be 14m high to the ridge and 10m high to the eaves with a north-south span of 45m and a west-east span of 60m. It would be built with concrete walls and cement roof and finished in olive green cladding.

4.3 The Audley End Estate currently has four existing grain stores which include Bromley Barns that sits adjacent to the application site. As the current capacity of the four existing stores is not sufficient to meet the storage demand of the estate, grain is transported to a third party. The new grain store is proposed to resolve the issue and gather the storage of the estate at one place. After operation of the proposed grain store, the existing four grain stores would be no longer used for storage purpose.

- 4.4 The application includes a Design and Access Statement in support of the planning application to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way.

Also included with the application:
Application Form and Ownership Certificate
Relevant Plan and Drawings
Transport Statement
Vehicular Swept Path Analysis
Surface Water Drainage Plan
Flood Risk Assessment
Preliminary Ecology Appraisal
Landscape and Visual Impact Assessment
Landscape Strategy

5. **ENVIRONMENTAL IMPACT ASSESSMENT**

- 5.1 The proposed 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

Reference	Proposal	Decision
P/A/2/14/93	Mutlow Farms Bromley Barns Wendens Ambo Concrete pad and bund for two glassfibre tanks	Approved 09/12/1997
SWR/0071/48	Wenden Hall Farm Wendens Ambo Proposed pair of cottages	Approved Granted 1948

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

- 7.1 N/A

8. **SUMMARY OF STATUTORY CONSULTEE RESPONSES**

8.1 **Highway Authority**

- 8.1.1 A Transport Assessment has been provided that considers the impact of the development on the local highway network and additional drawings

have been submitted in support of the that. The Highway Authority is satisfied that the development will not result in a detrimental impact on the safety and efficiency of the local highway network, which is the criteria for refusing an application on highway grounds according to the National Planning Policy Framework and ECC Development Management Policies.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following measures:

1. Prior to first beneficial use of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose. Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

2. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary. Reason: To avoid displacement of loose material onto the highway in the interests of highway safety

3. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. vehicle routing,
- ii. the parking of vehicles of site operatives and visitors,
- iii. loading and unloading of plant and materials,
- iv. storage of plant and materials used in constructing the development,
- v. wheel and underbody washing facilities.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety

8.2 Local Flood Authority

8.2.1 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to issue a **holding objection** to the granting of planning permission based on the following:

- The LLFA do not consider trapped gullies as an appropriate form of pollution mitigation due to the high risk of remobilisation of pollutants. As the drainage scheme is infiltrating into chalk, it is vital the mitigation indices meet or exceed the pollution hazard indices. Please see: <https://www.essexdesignguide.co.uk/suds/water-quality/> for the types of features which can be provided.

- Where chalk is present, please ensure the sides of the infiltration tanks are lined with an impermeable material.

9. PARISH COUNCIL COMMENTS

9.1 Wendens Ambo Parish Council – Objection

Wendens Ambo Parish Council strongly objects to this planning application pending clarification of transport report, a highways inspection and a road safety assessment.

The Landscape and visual impact assessment does not show how this huge block of a building will sit in the environment. There are just dotted lines showing 'the extent' of the building, as there is no visual indication of height, (which at 14 m is 5 storeys high) the photographs are misleading.

The Transport Statement. This document is ambiguous!

There is mention of 14 tonne trailers going up to 18 tonne trailers. These, fully laden on the back of a large modern tractor take up a lot a road width and when traveling downhill may have significantly large stopping distance the stopping distance of an HGV travelling at 30 mph is 23m.

Table 4.2 from the applicant shows the proposed vehicle movements for the new store. BUT this table is EXACTLY the same as table 2.1 with the row taking grain to 'Camgrain' omitted! This is wrong, as the grain that currently goes to Camgrain would be going into the new store and then being moved from there to market, so a further 129 vehicle movements must be added to the bottom row, taking 345 up to 474.

The impact of increased traffic through the village of Wendens Ambo and in particular up or down Drayton Hill has not been considered. Neither has the impact of more vehicle movements through narrow rural roads been mentioned.

Impact on Rural roads and listed buildings

There has been no mention of the impact on local roads and buildings in any documentation from Audley End Estate or their agents.

Currently the main road past Bromley Barns is a 'B' road - B1039 Wendens Ambo to Royston. This road is a very poor state of repair, with edges broken away, large potholes and generally crumbly edges. The road is narrow and, in some places, only wide enough for one large vehicle to go through at a time, this results in drivers using the verge.

Question, who is liable for the damage to the road caused by heavy vehicles?

We would request that; Highways carry out a full and thorough inspection is made of the local roads on which these huge lorries will travel. That a survey to consider the impact of this type of traffic on the immediate listed buildings is completed. There has been no mention of the impact on road safety in any documentation from Audley End Estate or their agents.

There are no pavements on either side of the road from the village Hall car-park all the way round to the M11 Bridge (640m) where there is a short stretch of footpath immediately underneath the bridge a mere 40 m!! We would like a full road safety report to assess the increase in heavy vehicles for cyclists, horse riders and pedestrians, as it passes through the village.

10. CONSULTEE RESPONSES

10.1 Place Services (Ecology)

10.1.1 No objections- subject to condition for further surveys for mobile protected species prior to the commencement of the development.

10.2 Place Services (Archaeology)

10.2.1 The Historic Environment Advisor of Essex County Council has identified the above application from the weekly list as having significant archaeological implications.

The proposed development area has the potential to contain archaeological remains. It is located centrally to a number of cropmark sites indicating prehistoric and Roman features within the vicinity of the site. To the north a number of enclosures have been identified at the Redleg Plantation; to the northwest an occupation site with additional enclosures and pits have been identified and to the west excavations have identified an Iron Age rural settlement (EHER 253, 19880). A Roman farmstead has also been identified to the north and trial trenching to the east identified a Roman farmstead (EHER 6728, 16928). To the southeast of the proposed development is the Scheduled Monument of a Roman villa at Chinnel Barn (SAM1008894, EHER169). Early Mesolithic, Late Bronze Age and Iron Age settlement has also been found at this site (EHER16957, 170). There is the potential therefore for Roman and medieval archaeological remains being impacted on by the proposed development.

10.3 Anglian Water

- 10.3.1** Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

11. REPRESENTATIONS

- 11.1** Site notice/s were displayed on site and 14 notifications letters were sent to nearby properties.

11.2 Support

- 11.2.1** N/A

11.3 Object

- 11.3.1** Road safety concerns,
Traffic increase,
Impact to pedestrian safety,
Cumulative impact due to the adjacent development site.
Impact from noise and dust pollution,
Lack of information provided to the public,
Impact to biodiversity
Landscape impact
Impact on Road Quality

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.

12.4 The Development Plan

- 12.4.1** Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made 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)
Stebbing Neighbourhood Plan (made 19 July 2022)
Saffron Walden Neighbourhood Plan (made 11 October 2022)
Ashdon Neighbourhood Plan (made 6 December 2022)
Great & Little Chesterford Neighbourhood Plan (made 2 February 2023)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2023)

13.2 Uttlesford District Plan 2005

- S7 – The countryside
- GEN1- Access
- GEN2 – Design
- GEN3 -Flood Protection
- GEN4- Good Neighbourliness
- GEN5 –Light Pollution

GEN6- Infrastructure Provision
GEN7 - Nature Conservation
ENV2- Development affecting Listed Buildings
ENV4- Ancient monuments and Sites of Archaeological Importance
ENV5- Protection of Agricultural Land
ENV10-Noise Sensitive Development,
ENV13- Exposure to Poor Air Quality
ENV14- Contaminated Land

13.3 Supplementary Planning Document or Guidance

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) Principle of Development/ Reason for Grain Storage**
 - B) Design and Landscape Impact**
 - C) Highways**
 - D) Neighbouring Amenity**
 - E) Ecology**
 - F) Drainage and Flood Risk**
 - G) Heritage/ Archaeology**
 - H) Gas Pipeline Health and Safety Executive.**

14.3 A) Principle of Development / Reason for Grain Storage

14.3.1 The application site lies within the designated Countryside and is currently in agriculture use. Policy S7 states planning permission will only be given for development that needs to take place there or is appropriate to a rural use. Development will only be permitted if its appearance protects or enhances the particular part of the countryside.

14.3.2 The estate currently has four existing grain barns. The current capacity of the four existing stores is not sufficient to meet the storage demand of the crops grown on the estate, neither do they have the ability to dry or add value to the crop in any significant scale. To try and secure such value a third-party cooperative store is therefore used off site, with all grain being moved to that facility at harvest (July-August), this process in itself requires double handling of grain at a busy time of year which is both inefficient and costly to the farming business.

- 14.3.3** The existing stores are now considered old, inefficient and do not have the capacity to support the modern agricultural machinery and practises employed on the estate. The estate is seeking to invest in this new facility to ensure the safe and secure storage of crops grown on the estate which are destined for the food chain.
- 14.3.4** The requirements of storing food grade produce are becoming ever more stringent and the new facility will safeguard the estates ability to do so in the long term. The new grain store is proposed to resolve the requirement for offsite third party storage and will gather the storage of the estate at one central location, further improving the businesses required efficiency gains. This will help to reduce the amount of vehicle trips being undertaken at harvest to store the harvested grain.
- 14.3.5** The existing stores would be no longer required for storage purpose.
- 14.3.6** As such, It is considered that the demand of the proposed grain store is appropriately justified for the existing agricultural use, and therefore, it is considered appropriate to take place at this location. As such, the principle of the proposed development is compliant with policy S7 subject to further assessment in relation to landscape impact on the countryside
- 14.3.7** In summary, there is no in principle objection to the erection of new agricultural buildings on this agricultural land, subject to all other matters being adequately addressed

14.4 B) Design and Landscape Impact

- 14.4.1** Policy GEN2 considers the design of the development to ensure the development is compatible with its surroundings.
- 14.4.2** The agricultural grain store is proposed to be 82m in total length and 45m in width, this is inclusive of the lean to building and reception area. The proposed floor area of the grain store is approximately 2,735sqm. The proposed grain store will be sited north of the existing two agricultural buildings at the site.
- 14.4.3** The new agricultural grain store will be approximately 14m in height and will be located at a slightly sloped area of rising land. Material of the proposed development would be matching the existing farmyard buildings to integrate with the existing farmyard cluster. The undulating topography of the surroundings means that the proposed development would be well

contained and only be visible from various public viewpoints in the local area.

- 14.4.4** The application is supported by a Landscape Visual Impact Assessment (LVIA) which provides an assessment of the impact of the proposed development on the landscape character of the area. It also assessed the impact of the proposed development on the visual amenity of the area.
- 14.4.5** The (LVIA) concludes that 'Although the land use of the Site will remain as agricultural, the land itself will change from arable land to built form, and hence the character, will alter as a direct result of development of the Site. However, the Site itself sits within an agricultural landscape and is well contained by existing agricultural buildings, mature trees and hedgerow vegetation to the south. The majority of the residual landscape effects are considered to be Negligible.'
- 14.4.6** The visual amenity impact is stated as 'The greatest level of visual effects will be experienced by those receptors within the near distance at Public Right of Ways. Such effects will be mitigated by the design of the proposed development in terms of the material choice in conjunction with new strategic banking and hedgerow planting, the long-term visual amenity effects is identified as None.'
- 14.4.7** The Council's Landscape Officer states *that the findings of the LVIA (Landscape Visual Impact Assessment) undertaken by the landscape architects James Blake Associates (dated February 2023) are considered soundly based. It is acknowledged that the proposed development will impact on the character of the arable site. The introduction of the proposed grain store would have a visual impact on the wider landscape by reason of the scale of the building and associated plant, with the roof height of the main shed being 14m, but in the context of the broad landscape it is considered that this can be accommodated. The industrial/agricultural nature of the building would not be out of place and would be associated with existing agricultural buildings.*
- 14.4.8** In the circumstances of an approval being granted this should be made subject to conditions including the requirement for a fully detailed scheme of landscaping to be submitted for approval.
- 14.4.9** It is considered necessary to impose a condition, removing agricultural permitted rights, from the new farmstead, to avoid subsequent extensions and alterations which could extend beyond this site and result in an

unacceptable impact upon the countryside. It is also considered necessary to impose a landscaping condition.

- 14.4.10** The design and appearance of the proposed farm building use proportions and finishes which are considered common in the construction of modern farm buildings in agricultural settings. In respect of the store and the walls are divided into two materials of concrete panels to the lower portion and powder coated steel grey sheet cladding to the upper portion or and the roof would consist of fibre cement roof sheets, also in a grey colour finish.
- 14.4.11** In summary, although the proposed development would result in localised visual and landscape effects, the designed layout and existing building will ensure that the building is acceptable with the wider landscape. The site is well situated in a predominantly agricultural landscape contained by undulating topography and vegetation, and visual effects are localised, with no impact upon the wider landscape. In conclusion, in landscape terms there are no overriding landscape or visual effects that should prevent the development.
- 14.4.12** As such taking into consideration the details above it is considered the landscaping details are appropriate in the context of the character of the site and accords with ULP Policies S7, GEN2, ENV3, and the NPPF.

14.5 C) Highways

- 14.5.1** The site currently takes access from an existing agricultural road that forms a priority T junction with Royston Road (B1039). This road connects the villages of Wendens Ambo and Littlebury Green. Highways subject to conditions have no objections regarding the access.
- 14.5.2** The Audley End Estate covers a large area of farmland and includes a network of agricultural tracks used to transport crops and machinery through the estate with minimal impact on the highway network.
- 14.5.3** The existing transport of the crop is collected using harvest trailers (capacity of 14 tonnes) and taken to one of the four existing barns. The current capacity of the four barns is not sufficient to meet the storage demand, resulting in the use of a third-party, off-site storage facility operated by Camgrain. The total tonnage of grain harvested is estimated at 10,000 tonnes per annum and includes cereals, oilseed, rapeseed and beans. At present approximately 3,750 tonnes per harvest are taken to the Camgrain site. When grain is stored at Camgrain, it is hauled to one

of the farm yards during the harvest, reloaded into lorries and then transport to the third party store.

14.5.4 In peak periods a harvester will combine in the region of 4-500 tonnes per day which may be as much as 35 harvest trailer movements into store in any one 12-hour period. The grain will leave the store between September and the following July. The grain is distributed from the four barns and the Camgrain site throughout the year to meet demand from mills, feed compounders and merchants. The grain is distributed to market in 29 tonne HGVs.

14.5.5 Third party storage at Camgrain will no longer be required once the new grain store is operational, reducing the number of offsite trips.

14.5.6 The proposal will reduce the number of vehicle trips during the harvest period as all grain can be stored in one location and will not require the double handling of grain to a third-party store. The average daily vehicle trips during the harvest period will be 24. This reduces to 2 vehicles trips for the rest of the year. Rather than visit all four locations for storage, all vehicles will drop off at the proposed grain store, using a combination of internal estate tracks and public highway, as per the existing situation.

14.5.7 The objections from the Parish and third-party objections concerning the increase in traffic in Wendens Ambo have been noted. Nonetheless, the Highway Authority is satisfied that the proposed development will not result in a detrimental impact on the safety and efficiency of the local highway network, which is the criteria for refusing an application on highway grounds according to the National Planning Policy Framework and ECC Development Management Policies.

14.5.8 Overall subject to the imposition of conditions, the highway safety aspects of the scheme are considered acceptable. The proposal is considered acceptable and accords with ULP Policies GEN1 and the NPPF.

14.6 D) Neighbouring Amenity

14.6.1 As the proposed development is associated with grain handling equipment which would generate noise and vibration, and there are two farm cottages located in the close vicinity, which are owned by the estate, policy GEN4 is applicable to assess the impact of the proposed development on the adjacent cottages to the south.

14.6.2 Bromley Barns contains an existing grain store with a grain handling equipment. After the operation of the proposed grain store, the use of the existing store would be redundant. Therefore, the noise and vibration impact from the agricultural machinery has existed in the area. Although the proposed grain store would process more grain than the existing store (the new store would replace the use of existing four store within the estate), and give rise to prolonged operation of the machinery, the operation would only concentrate in the harvest season (generally July to August) which lasts at most 60 days It is considered that the proposed development would not result in significant adverse impact on the residential amenity of the adjacent farm cottages, through noise and vibration. Therefore, it is considered that the proposed development is compliant with policy GEN4.

14.6.3 Environmental Health have stated no objections, nonetheless they state that this development has the potential to cause noise and dust impacts on the existing surrounding residential properties. A Construction/ Demolition Management Plan is recommended to protect the amenity of existing residential properties close to the site. This has been added as part of any approval. Therefore, it is considered that the proposed development is compliant with policy GEN4.

14.7 E) Ecology

14.7.1 Two Sites of Special Scientific Interest (SSSI) were identified within 7km of the site. The proposed development site is within the Impact Risk Zones (IRZ) for Debden Water SSSI. There were four non-statutory designated wildlife sites identified within 2km of the site; all of which are Local Wildlife Sites. There are no ponds within 200m of the site. A Preliminary Ecology Appraisal has been prepared by James Black Associates to identify the presence, or potential presence, of any protected or notable species or habitats on, or adjacent to the site. It is concluded in the survey that the site and the adjacent area do not have presence of any protected wildlife or priority habitats, and therefore, it is considered that the proposed development is unlikely to give rise to adverse detrimental impacts on designated areas, protected species or habitats.

14.7.2 Place Services Ecologist have reviewed the Landscape and Green Infrastructure Strategy Plan, drawing no. JBA 22/441 (James Blake Associates, February 2023), Biodiversity Checklist (James Blake Associates, March 2023) and Preliminary Ecological Appraisal (James Blake Associates, January 2023) relating to the likely

impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures. Place services also note the email from Savills on 13th June 2023 in relation to Skylark.

14.7.3 Place Services Ecologist are now satisfied that there is sufficient ecological information available for determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

14.7.4 Place Services Ecologist consider it possible that the proposals may cause displacement of potential Skylark territories. However, they consider that this be compensated for by enhancing the surrounding area for Skylark by implementing schemes such as Skylark plots in surrounding suitable arable habitat under the applicant's ownership. A farmland bird mitigation strategy informed by breeding bird surveys, or an estimate of Skylark territories impacted by the loss of arable habitat as a result of the proposed works, should be secured by a condition of any consent.

14.7.5 As such, it is considered that that the proposed development is compliant with policy GEN7 (Nature Conservation).

14.8 F) Drainage and Flood Risk

14.8.1 The application site is located within Flood Zone 1 with a low risk of fluvial or pluvial flooding and low risk from groundwater flooding. The existing surface water drainage provisions of the site are surface flows and natural infiltration. Surface water flows are to the south and east following the topography and are intercepted by the access road perpendicular to Royston Road. This access road then drains to Royston Road and its associated highway drainage.

14.8.2 A Surface Water Drainage Strategy has been prepared by Paul Basham Associates which recommends drainage provisions for the development consisting of soakaway trenches along Royston Road that have been designed to accommodate the 100-year storm (1% AEP) with an uplift of 40% to accommodate future climate change.

14.8.3 The Lead Local Flood Authority (LLFA) has issued a holding objection to the granting of planning permission based on the following:

- 14.8.4** The LLFA do not consider trapped gullies as an appropriate form of pollution mitigation due to the high risk of remobilisation of pollutants. As the drainage scheme is infiltrating into chalk, it is vital the mitigation indices meet or exceed the pollution hazard indices.
- Where chalk is present, please ensure the sides of the infiltration tanks are lined with an impermeable material.
 - There should be no surcharging for the 1 in 1yr RP.

14.8.5 At the time of writing the report, further infiltration calculations and mitigations have been sent from the applicants to the lead local flood authority. It is considered that given the site is in Flood Zone 1 subject to the lifting of the holding objection the proposed development would not give rise to increase of flood risk through surface water subject to compliance with the recommended surface water drainage strategy. Therefore, the proposed development is compliant with policy GEN3 (Flood Protection).

14.9 G) Heritage/Archaeology

14.9.1 Policy ENV2 (Development affecting Listed Buildings) seeks to protect the historical significance, preserve and enhance the setting of heritage assets. The guidance contained within Section 16 of the NPPF, 'Conserving and enhancing the historic environment', relates to the historic environment, and developments which may have an effect upon it.

14.9.2 The proposed development area has the potential to contain archaeological remains. It is located centrally to a number of cropmark sites indicating prehistoric and Roman features within the vicinity of the site. To the north a number of enclosures have been identified at the Redleg Plantation; to the northwest an occupation site with additional enclosures and pits have been identified and to the west excavations have identified an Iron Age rural settlement (EHER 253, 19880). A Roman farmstead has also been identified to the north and trial trenching to the east identified a Roman farmstead (EHER 6728, 16928). To the southeast of the proposed development is the Scheduled Monument of a Roman villa at Chinnel Barn (SAM1008894, EHER169). Early Mesolithic, Late Bronze Age and Iron Age settlement has also been found at this site (EHER16957, 170). There is the potential therefore for Roman and medieval archaeological remains being impacted on by the proposed development.

14.9.3 In accordance with Policy ENV4 of the adopted Local Plan, the preservation of locally important archaeological remains will be sought unless the need for development outweighs the importance of the archaeology. It further highlights that in situations where there are grounds for believing that a site would be affected, applicants would be required to provide an archaeological field assessment to be carried out before a planning application can be determined, thus allowing and enabling informed and reasonable planning decisions to be made.

14.9.4 A recommendation of trial trenching has been made by the Council's archaeology consultant, it is confirmed these matters are proposed to be secured by condition on the grant of planning permission and therefore their proposal is in accordance with ULP Policy ENV4.

14.10.1 H) Gas Pipeline Health and Safety Executive.

14.10.2 As the proposed development is within the Consultation Distance of a major hazard pipeline the Health and Safety Executive (HSE) is a statutory consultee. The HSE does not advise on safety grounds, against the granting of planning permission in this case.

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** In conclusion, the NPPF supports the development and diversification of agricultural and other land-based businesses. It is considered that the principle of a new granary store in this location is considered to be acceptable. The siting of the building is not considered to be to the detriment of the character and appearance of this countryside setting. The scheme does not give rise to any significant material impacts upon the occupiers of neighbouring dwellings, or highway safety, archaeology or ecology.

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** 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 development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
- i. vehicle routing,
 - ii. the parking of vehicles of site operatives and visitors,
 - iii. loading and unloading of plant and materials,
 - iv. storage of plant and materials used in constructing the development,
 - v. wheel and underbody washing facilities.

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety. In accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 4** Prior to commencement a Farmland Bird Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of compensation measures in nearby agricultural land, prior to commencement.
- The content of the Farmland Bird Mitigation Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark plots;
 - b) detailed methodology for the compensation measures e.g. Skylark plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots';
 - c) locations of the compensation measures by appropriate maps and/or plans;
 - d) persons responsible for implementing the compensation measure.
 - e) The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years."

REASON: To allow the Local Planning Authority to discharge its duties under the NERC Act 2006 (Priority habitats & species)

- 5** Prior to any works above slab level a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (James

Blake Associates, January 2023), shall be submitted to and approved in writing by the local planning authority. This is to include the height and aspect the products will be installed at. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.”

REASON: To enhance Protected and Priority Species and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 6** No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

REASON: A Roman farmstead has also been identified to the north and trial trenching to the east identified a Roman farmstead (EHER 6728, 16928). To the southeast of the proposed development is the Scheduled Monument of a Roman villa at Chinnel Barn (SAM1008894, EHER169). Early Mesolithic, Late Bronze Age and Iron Age settlement has also been found at this site (EHER16957, 170). There is the potential therefore for Roman and medieval archaeological remains being impacted on by the proposed development

- 7** Prior to any works above slab level a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (James Blake Associates, January 2023), shall be submitted to and approved in writing by the local planning authority. This is to include the height and aspect the products will be installed at. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.”

REASON: To enhance Protected and Priority Species and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 8** A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority within three months of the completion of the trial trenching.

REASON: A Roman farmstead has also been identified to the north and trial trenching to the east identified a Roman farmstead (EHER 6728, 16928). To the southeast of the proposed development is the Scheduled Monument of a Roman villa at Chinnel Barn (SAM1008894, EHER169). Early Mesolithic, Late Bronze Age and Iron Age settlement has also been found at this site (EHER16957, 170). There is the potential therefore for Roman and medieval archaeological remains being impacted on by the proposed development.

- 9** If, archaeological deposits are found no development or preliminary groundworks can commence until the satisfactory completion of fieldwork as detailed in the mitigation strategy has been submitted by the applicant and approved by the planning authority.

REASON: A Roman farmstead has also been identified to the north and trial trenching to the east identified a Roman farmstead (EHER 6728, 16928). To the southeast of the proposed development is the Scheduled Monument of a Roman villa at Chinnel Barn (SAM1008894, EHER169). Early Mesolithic, Late Bronze Age and Iron Age settlement has also been found at this site (EHER16957, 170). There is the potential therefore for Roman and medieval archaeological remains being impacted on by the proposed development.

- 10** If, archaeological deposits are found within three months of the trial trenching the applicant shall submit to the local planning authority a post excavation assessment. This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: A Roman farmstead has also been identified to the north and trial trenching to the east identified a Roman farmstead (EHER 6728, 16928). To the southeast of the proposed development is the Scheduled Monument of a Roman villa at Chinnel Barn (SAM1008894, EHER169). Early Mesolithic, Late Bronze Age and Iron Age settlement has also been found at this site (EHER16957, 170). There is the potential therefore for Roman and medieval archaeological remains being impacted on by the proposed development.

- 11** Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-

- i. proposed finished levels or contours;
- ii. means of enclosure;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports.); retained historic landscape features and proposals for restoration, where relevant.
- viii. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

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 Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 12** The developer should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:
- a) No waste materials should be burnt on the site, instead being removed by licensed waste contractors
 - b) No dust emissions should leave the boundary of the site
 - c) Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site
 - d) Hours of works: works should only be undertaken between 0800 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays

REASON: In the interests of the amenity of surrounding locality residential/business premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 13** Prior to first beneficial use of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall

be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

REASON: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 14** No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 15** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting that Order with or without modification, no development within Schedule 2, Part 6 Classes A to E inclusive shall be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

REASON: To ensure that existing standards of visual amenity are maintained.