

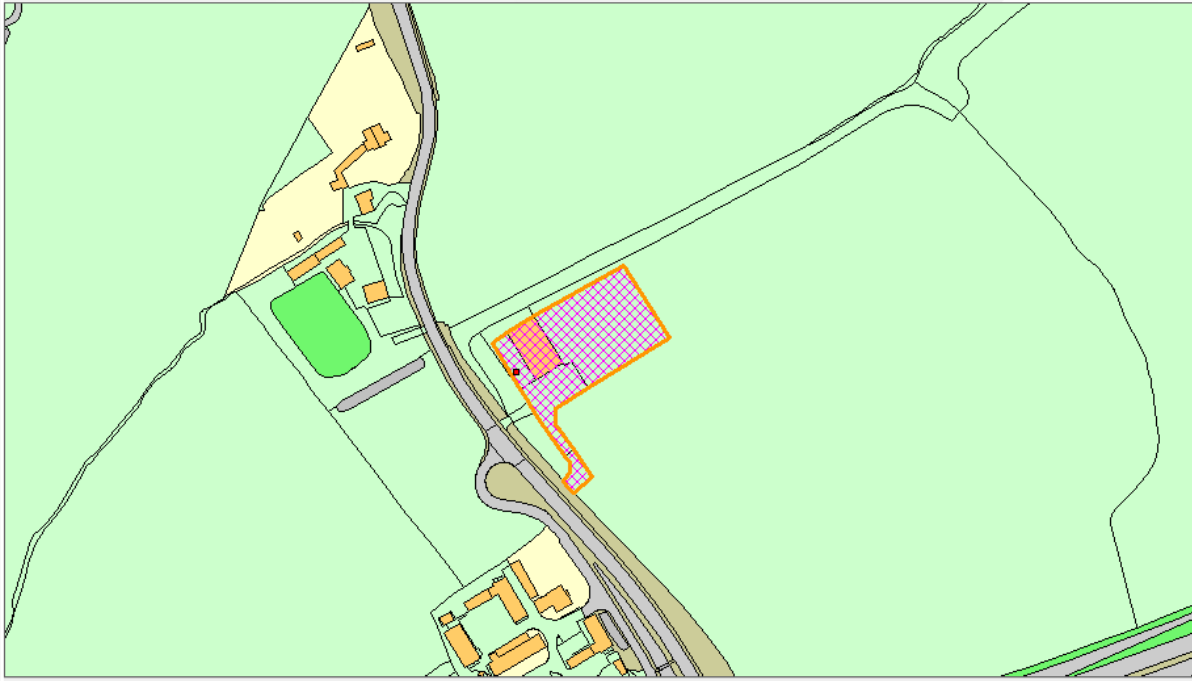
ITEM NUMBER: 9

PLANNING COMMITTEE DATE: 6 March 2024

REFERENCE NUMBER: UTT/23/1718/FUL

LOCATION: Old House, Parsonage Road, Takeley CM22 6PU

SITE LOCATION PLAN:



**© Crown copyright and database rights 2021 ordnance Survey 0100018688
Organisation: Uttlesford District Council Date: 19th February 2024**

PROPOSAL: Erection of two new agricultural buildings and a lean-to extension to an existing agricultural building

APPLICANT: GA Coleman & Partners

AGENT: Strutt & Parker

EXPIRY DATE: 16.10.2023

EOT Expiry Date N/A

CASE OFFICER: Jonathan Pavey-Smith

NOTATION: Outside development limits,
Stansted Airport (Aerodrome Direction)

REASON THIS APPLICATION IS ON THE AGENDA: Major Planning Application

1. **EXECUTIVE SUMMARY**

1.1 The application site lies within the designated Countryside and the Countryside Protection Zone (CPZ). It is currently in agriculture use. The applicant owns the land where the site is situated at Old House Barn. However, the business (GA Coleman & Partners) runs from Parkers Farm and Home Farm. The applicant may lose access to the main grain store at Home Farm. As a result, a need to create a replacement on their own land to give them security for future years has been created. .

1.2 The two new agricultural buildings are the same height as the existing agricultural building. They will each measure 501.37m² in floorspace respectively and the lean-to will measure 262.75m² in floorspace. The total new floor space proposed is 1265.49m².

1.3 In landscape terms there are no overriding landscape or visual effects that should prevent the development. 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

3. **SITE LOCATION AND DESCRIPTION:**

3.1 The application site comprises an existing agricultural building and its associated hardstanding plus a small portion of farmland. The site also has an existing access off Parsonage Road, which was consented as part of the planning application associated with the existing agricultural building at the site (Reference UTT/19/2525/FUL).

3.2 The existing building measures approximately 500m². It has a grey fibre cement sheeting roof and walls clad with green plasticol coated steel sheeting and pre-stressed concrete panels.

- 3.3** The remaining areas of the site comprise agricultural land owned and farmed by the applicant. The proposed site is well screened to the north of the site on the road frontage, by existing hedgerow and trees. The site is located in the north-west corner of a wider parcel of agricultural land, owned by the applicant.
- 3.4** The application site is situated on Parsonage Road which connects to the B183, separate from Parkers Farm. The site location allows for HGVs to access land farmed on both sides of the A120, without using local village routes.
- 3.5** The site is situated within the 'Countryside Protection Zone' and falls on a 'Route of New Road to be Safeguarded'. The site falls within Flood Zone 1 whereby it has a low probability risk of flooding. There is a Grade II listed building; Old House Farmhouse, located to the south of the site.

4. PROPOSAL

- 4.1** The application seeks planning permission for the erection of two agricultural buildings and a lean-to on an existing agricultural building on land at Old House Barn
- 4.2** The two new agricultural buildings are the same as the existing agricultural building. They will each measure 501.37m² in floorspace respectively and the lean-to will measure 262.75m² in floorspace. The total new floor space proposed is 1265.49m².
- 4.3** The new agricultural buildings will measure a ridge height of 8.57m which is the same as the existing building. The lean-to will form an extension from the existing buildings eaves and will form a new eaves to the building of 3.65m.
- 4.4** The buildings are conjoined but are separate in all other respects and there is no internal access between them. The new buildings will comprise the same materials as the existing building and will therefore have Juniper Green plastisol coated steel walls with concrete panels and a Natural Grey big six fibre cement sheet roof. The buildings will also contain roller shutter doors including two on each of the agricultural buildings and one on the lean-to spray store. All three buildings will contain a door respectively.
- 4.5** An area of hardstanding will be provided to the south entrance of the proposed grain stores extending to the east of the existing hardstanding

to sufficiently provide for the turning of large vehicles for loading and unloading.

4.6 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.

4.7 Also included with the application:
Application Form and Ownership Certificate
Relevant Plan and Drawings
Transport Statement
Vehicular Swept Path Analysis
Preliminary Ecology Appraisal
Landscape and Visual Impact Assessment

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
UTT/19/2525/FUL	Proposed new agricultural building to be used as a grain store.	Approved 10.12.2019
UTT/17/3353/FUL	Proposed Grain Store	Refused Appeal Dismissed.

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 N/A

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

8.1.1 From a highway and transportation perspective the Highway Authority has no objections to make on this proposal 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.

9. PARISH COUNCIL COMMENTS

9.1 Takeley Parish Council – No Objections

10. CONSULTEE RESPONSES

10.1 Safeguarding Authority for Stansted Airport

10.1.1 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no objection to this development subject to the following Conditions:

1. During construction and operation, robust measures to be taken to prevent species of birds that are hazardous to aircraft being attracted to the site. No pools of water should occur and measures must be taken to prevent scavenging of any grain detritus.

Reason: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.

2. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

Reason: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport.

3. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no reflective materials other than clear or obscure glass, including solar PV panels, shall be added to the building without the express consent of the local planning authority in consultation with Stansted Airport.

Reason: Flight safety - to prevent ocular hazard and distraction to pilots using STN.

Informatives:

No lighting directly beneath the roof lights that will emit light upwards – only downward facing ambient lighting to spill from the roof lights upwards – ideally, automatic blinds to be fitted that close at dusk. Reason: Flight safety - to prevent distraction or confusion to pilots using STN. Given the location of this property the applicant should be aware that the airport will take action against anyone found in contravention of the Air Navigation Order (“Order”). In particular in contravention of the following provisions under that Order:- Part 10: 240: A person must not recklessly or negligently act in a manner likely to endanger an aircraft, or any person in an aircraft. Part 10: 241: A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property.

11. REPRESENTATIONS

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

11.2 One letter of support has been received *‘it’s nice to see some rural structures go up in the area that farmers are able to benefit from considering how difficult the industry has become. It would be nice to see an agricultural building go up to keep an authentic feel to the area instead the village being dictated by the airport’.*

11.2.1 No letters of objections have been 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.

12.4 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
- S8- Countryside protection zone
- 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/Impact on Countryside Protection Zone (CPZ)**
 - C) Highways**
 - D) Neighbouring Amenity**
 - E) Ecology**
 - F) Drainage and Flood Risk**

14.3 A) Principle of Development / Reason for Grain Storage

14.3.1 The application site lies within the designated Countryside and Countryside Protection Zone (CPZ) 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.

14.3.2 The applicant owns the land where the site is situated at Old House Barn, however the business (GA Coleman & Partners) runs from Parkers Farm and Warren Farm, which are owned by Essex County Council (ECC). The applicant is a tenant on that land and has been for over 100 years.

14.3.3 G A Coleman & Partners are currently in the process of negotiating two new FBT agreements. One of these is likely to result in them losing one of their main grain stores at Home Farm after the upcoming harvest due to the landlord requesting this back for other purposes.

14.3.4 This has created uncertainty regarding the business's future operations and agricultural storage capacity. G. A. Coleman & Partners as a result need to create a replacement farmyard on their own land to give them security for future years.

14.3.5 In addition, G. A. Coleman & Partners also lease grain storage off Camgrain which is a commercial storage facility with sites in East Anglia. G A Coleman & Partners intend to keep the grain under their own control for marketing and sale, particularly as farming enters an uncertain time with the removal of the Basic Payment Scheme (BPS). The business is therefore seeking to leave Camgrain in order to reduce transport costs and sell and market their own crops.

14.3.6 As such, it is considered that the demand of the new buildings 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/Impact on Countryside Protection Zone (CPZ)

14.4.1 The site lies within the Countryside Protection Zone (CPZ) which seeks to retain a "green" buffer around Stansted Airport to prevent undesirable forms of development and urban sprawl. The Countryside Protection Zone (CPZ) has four aims:

1. To protect the open characteristics of the CPZ
2. To restrict the spread of development from the airport
3. To protect the rural character of the countryside (including settlement) around the airport
4. To prevent changes to the rural settlement pattern of the area by restricting coalescence.

14.4.2 The two new agricultural buildings are the same height as the existing agricultural building. They will each measure 501.37m² in floorspace respectively and the lean-to will measure 262.75m² in floorspace. The total new floor space proposed is 1265.49m². The new agricultural buildings will measure a ridge height of 8.57m which is the same as the existing building. The lean-to will form an extension from the existing buildings eaves and will form a new eaves to the building of 3.65m.

14.4.3 The new buildings will comprise the same materials as the existing building and will therefore have Juniper Green plastisol coated steel walls with concrete panels and a Natural Grey big six fibre cement sheet roof.

- 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.
- 14.4.5** The most sensitive receptors were identified as residents within properties along Parsonage Road to the north, as well as users of the Public Rights of Way. The proposed development will be visible from one cluster of properties situated at Stansted Guest House along Parsonage Road. However, the proposal will be partially screened by the existing vegetation on the northern boundary.
- 14.4.6** It is accepted that the new buildings will be large. However, it is not considered that it would be excessive given the overall size of the farm and the operational requirements of the business. Agricultural buildings are a common characteristic of the countryside and an essential requirement of modern-day farming. Although the proposed new buildings will increase the size of the existing structure, it will be in keeping with the functional agricultural character that currently exists on site.
- 14.4.7** 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.
- 14.4.8** As such the new buildings would not adversely affect the character and appearance of the countryside and in my view, it would not conflict with any of the four purposes of the Countryside Protection Zone (CPZ)
- 14.4.9** 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, S8, GEN2, ENV3, and the NPPF.

14.5 C) Highways

- 14.5.1** The site has existing access. The site access is 6m in width with 6m radii. Visibility splays of 2.4m x 120m to the north and 2.4m x 160m to the south, in line with recorded 85th percentile speeds as set out in the Transport Statement prepared for application UTT/19/2525/FUL. No notable change to Parsonage Road in the vicinity of the site have been identified, and as such it is reasoned that the access as provided through consent UTT/19/2525/FUL would remain appropriate for the proposed buildings.

- 14.5.2** The access serving the existing building was installed in 2022 which would serve the proposed agricultural buildings, and these would generate very limited vehicle movements.
- 14.5.3** As the buildings on the site will mostly be used as grain store. The busiest period of the year will be around 4 weeks of harvest for Traffic movements. The applicant has not stipulated exact numbers of trips; however, this would only be limited to the 4 weeks in harvest and limited by the size of the grain storage area.
- 14.5.4** The Highway Authority are satisfied that the proposed development will not result in a detrimental impact on the safety and efficiency of the local highway network.
- 14.5.5** 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** There are no residential properties within close proximity of the site, whilst a B1 commercial site exists to the south (Stansted Courtyard). Therefore, the proposal would not have any detrimental impact upon residential amenity. As such, the proposal would not be contrary to ULP Policies GEN2 and GEN4.

14.7 E) Ecology

- 14.7.1** Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated. The application site itself is not subject of any statutory nature conservation designation being largely an open field used for agriculture and hedgerows scattered throughout.
- 14.7.2** 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 development site lies within Flood Zone 1 (low probability of flooding) as defined by the Environmental Agency and is less than 1 hectare in size. The Framework indicates that all types of development are appropriate in

this zone and hence there is no requirement for sequential or exemption testing or for the applicant to provide a flood risk assessment. It is not foreseen that the proposal would result in the risk of increase flooding within and further beyond the site.

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 It is considered that the principle of the new buildings in this location is acceptable. The siting of the two buildings are not considered to be to detriment of the character and appearance of this countryside setting or

the Countryside Protection Zone (CPZ). The scheme does not give rise to any significant material impacts upon the occupiers of neighbouring dwellings, or highway safety 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 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).

- 5** 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).

6 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.

7 During construction and operation, robust measures to be taken to prevent species of birds that are hazardous to aircraft being attracted to the site. No pools of water should occur and measures must be taken to prevent scavenging of any grain detritus.

REASON: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.

8 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport.

9 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no reflective materials other than clear or obscure glass, including solar PV panels, shall be added to the building without the express consent of the local planning authority in consultation with Stansted Airport.

REASON: Flight safety to prevent ocular hazard and distraction to pilots using STN.

Informative

No lighting directly beneath the roof lights that will emit light upwards – only downward facing ambient lighting to spill from the roof lights upwards

ideally, automatic blinds to be fitted that close at dusk. Reason: Flight safety - to prevent distraction or confusion to pilots using STN.

Given the location of this property the applicant should be aware that the airport will act against anyone found in contravention of the Air Navigation Order ("Order"). In contravention of the following provisions under that Order: -

Part 10: 240: A person must not recklessly or negligently act in a manner likely to endanger an aircraft, or any person in an aircraft.

Part 10: 241: A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property.