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Planning Statement to accompany a retrospective planning application, at Poplars Farm, Broad Bridge Road, Aythorpe Roding, CM6 1RY.

On behalf of: Mr Nick Horn

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Date: 09/09/2022

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Introduction

This planning statement accompanies a retrospective planning application for the demolition of a chicken shed and erection of a new storage barn, temporary removal of frame and cladding of existing storage barn. Construction of new access road and associated earth bonding, planting and timber screen fence. Change of use of portion of land from agricultural to Light Industrial. At Poplars Farm, Broad Bridge Road, Aythorpe Roding, CM6 1RY.

A similar application was approved under reference UTT/20/0561/FUL, however this application is unfortunately considered invalid due to a delay upon discharging one of the imposed conditions. Therefore, this application aims to provide a full details of the proposed development and any details that were previously requested as conditions – this is discussed in further depth later in this statement.

Planning Direct has been instructed to produce this statement on behalf of Mr Nick Horn of BEDEC Products Ltd, hereafter referred to as the applicant. BEDEC Products Ltd is a family run paint manufacturing business which has operated from the application site (Poplars Farm, Broad Bridge Road, Aythorpe Roding, CM6 1RY) for over 30 years. BEDEC has become well established at this site with a longstanding workforce, and is a very important local employer; they also have a longstanding local and national customer base, with their large export market contributing greatly to the local economy. BEDEC manufacture and store their products on this site as well as other storage facilities in the local area, however the application site is the main business site.

Poplars Farm was originally agricultural and horticultural land on which flowers were grown and sold at the farm shop on site. In 1988, permission was granted to use part of the site as light industrial, and this was when BEDEC Products began operating on the application site and have been ever since. The financial viability of the site slowly reduced, albeit it was a small agricultural parcel, therefore the land (which is inclusive of all of the application site) has not been farmed since 1995, with the 'agricultural land' on the west part of the application site has not been maintained as such since 2000.

Following the change of use of the west part of the application site and the ceased use of the east part of the site as agricultural land, the neighbouring properties have then changed their uses largely from agricultural dwellings, to stand alone dwellings forming

a more residential area opposed to the previous agricultural area; Little Poplars in 1996, Poplars Barn and Poplars in 2006.

The statement should be read in conjunction with the following documentation which has been submitted to accompany the application:

- Site Area Plan (**Appendix A**)
- Land Ownership Plan (**Appendix B**)
- Proposed Storage Building (**Appendix C**)
- Existing Site Plan (**Appendix D**)
- Proposed Site Plan (**Appendix E**)
- Bund Location Plan (**Appendix F**)
- Change of Use Location (**Appendix G**)
- Application UTT/20/0561/FUL Decision Notice (**Appendix H**)
- Application UTT/20/3255/DOC Decision Notice (**Appendix I**)
- Application UTT/20/3256/DOC Decision Notice (**Appendix J**)
- Application UTT/21/1438/DOC Decision Notice (**Appendix K**)
- Tree Plan (**Appendix L**)
- Noise Impact Assessment Technical Report 36833-R1 (**Appendix M**)
- Noise Impact Assessment Technical Report 37279-R1 (**Appendix N**)
- Proposed Hard and Soft Landscaping (**Appendix O**)
- Application UTT/20/0561/FUL Delegated Report (**Appendix P**)
- Tree Specialist Statement (**Appendix Q**)
- Tree Removal Plan (**Appendix R**)
- Lighting Design and Location of Bat Habitats (**Appendix S**)
- Lighting Design Parameters (**Appendix T**)
- Site Ecology Enhancements (**Appendix U**)
- Preliminary Ecological Appraisal (**Appendix V**)
- Photographs of Demolished Chicken Shed (**Appendix W**)

Location & Site Description

The application site comprises of two plots of land associated with BEDEC, which are identified on the Site Area Plan (**Appendix A**) and Land Ownership Plan (**Appendix B**). The land on the west of the site currently has a light industrial use, and the smaller parcel of land on the north of the site is the location of the proposed bund and will therefore require a change of use due to the current agricultural use class.

The site comprises of a range of converted agricultural buildings and a new building for the use of BEDEC Products for paint manufacturing, alongside hardstanding used for parking and storage.



Location of application site.

The site is located in a rural setting, surrounded by fields and open land. To the north of the site there are three residential properties situated within close proximity to the light industrial site, two of which are Grade II Listed Buildings according to the Historic England database, entry number 1141306 (Poplars Barn) and entry number 1328788 (Poplars Farmhouse); Little Poplars is not listed. Any further dwellings are located approximately 1 km away.



Surrounding listed buildings.

The site is located within Flood Zone 1, according to the Environment Agency's flood mapping database, which represents the lowest probability of a flooding event occurring.

Proposed Development

There are various aspects to this application, as it aims to tackle any concerns and conditions that arose as part of application UTT/20/0561/FUL previously granted in 2020.

Similar to application UTT/20/0561/FUL, this application is a retrospective one, seeking permission for the demolition of a pre-existing chicken shed, the erection of a new storage barn, and the temporary removal of the frame and cladding of an existing storage barn – the details of which are shown in **Appendix C** and **Appendix D** and will be discussed further, later in this statement. This application will also seek permission for the construction of a new access road and associated earth bunding, planting and timber screen fence as shown in **Appendix E** and **Appendix F**.

Furthermore, this application also seeks the change the use of a small parcel of land on the northern boundary of the site as identified in **Appendix G** from agricultural land to light industrial like the rest of the application site owned by BEDEC Products Ltd. This change in use is proposed as this will be the location of a proposed sound bund shown in **Appendix F**.

The operating hours of the current commercial operations will remain as they have done for the last 30 years. The operating hours are as follows: Monday-Friday 07:00-17:00, Saturday 07:00-13:00, and no times Sundays, Bank or Public Holidays.

Planning History

Reference no.	Description	Decision	Date
UTT/21/3700/ FUL	Application to vary condition 9 (operating hours) attached to planning application UTT/20/0561/FUL - Manufacturing hours to be 07:00 - 17:00 Monday to Friday, 07:00 - 13:00 Saturday, and no manufacturing on Sundays, Bank and Public Holidays.	Refused	10/02/2022
UTT/21/1438/ DOC	Application to discharge condition 11 (provision of new landscaped earth bund) attached to UTT/20/0561/FUL	Refused	08/02/2022
UTT/20/3259/ FUL	Application to vary condition 9 (hours of operation) of application UTT/20/0561/FUL - change of manufacturing hours to 7:00am to 5:00pm Monday to Friday, 7:00am to 1:00pm Saturday and no manufacturing on Sundays, Bank or Public Holidays.	Refused	04/06/2021
UTT/20/3256/ DOC	Application to discharge condition 6 (mitigation and enhancement), 7 (Biodiversity enhancement layout) and 8 (lighting design scheme for Biodiversity) attached to UTT/20/0561/FUL	Discharge in Full	22/03/2021
UTT/20/3255/ DOC	Application to discharge condition 2 (landscaping) of application UTT/20/0561/FUL.	Discharged in Full	16/03/2021
UTT/20/0561/ FUL	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.	Approved	03/11/2020
UTT/1598/09/ DOC	Discharge of conditions C.5.1., C.5.5., C.5.7. & C.8.28. for UTT/0759/08/FUI & UTT/0760/08/LB	Discharge in Full	12/01/2010
UTT/0759/08/ FUL	Single storey side extension with pergola. Glazed rear link. New chimney and 3 replacement windows on rear elevation. Replace existing flat roof with pitched plain clay tile roof	Approved	20/06/2008

Reference no.	Description	Decision	Date
UTT/0760/08/LB	Demolition of porch and replace with single storey side extension with pergola. Glazed rear link. New chimney and 3 replacement windows on rear elevation. Replace existing flat roof with pitched plain clay tile roof. The insertion of staircase to replace the existing ladder. The opening up of an existing concealed fireplace and internal alterations	Approved	20/06/2008
UTT/2037/07/FUL	Replace flat roof to east elevation with pitched roof and single storey link extension. Replacement porch and windows, new pergola and chimney stack	Withdrawn	07/01/2008
UTT/2039/07/LB	Replace flat roof to east elevation with pitched roof and single storey link extension. Replacement porch and windows, new pergola and chimney stack	Withdrawn	07/01/2008
UTT/1423/05/FUL	Conversion of barns to dwelling, roof reduction and erection of extension	Withdrawn	06/12/2005
UTT/1424/05/LB	Conversion of barns to dwelling, roof reduction and erection of extension and associated works	Withdrawn	06/12/2005
UTT/0587/03/FUL	Construction of garage and vehicular access	Approved	18/06/2003
P/A/2/14/167	Alteration to two farm buildings involving reduction in height from 5.8m to 3.7m	Unknown	28/01/2002
UTT/0983/01/FUL	Conversion of barn to residential use	Approved	01/11/2001
UTT/0984/01/LB	Conversion of barn to residential use	Approved	01/11/2001
UTT/1280/96/FUL	Removal of agricultural occupancy condition (imposed on UTT/0805/74)	Approved	28/07/1997
UTT/0742/89	Change of use from bullock yard to B1 Business and construction of a new access	Approved	27/07/1989
UTT/1456/88/OHL	Erecting 415/240 volt overhead line on wood poles	Unknown	04/10/1988
UTT/1244/88/OHL	Erection of 11 000 volt overhead power line on wooden poles	Withdrawn	06/09/1988

Reference no.	Description	Decision	Date
UTT/1805/87/LB	Demolition of existing air-raid shelter and replace with kitchen extension minor internal alterations and replacement of 4 metal casements with softwood windows	Approved	05/02/1988
UTT/1408/87	Alterations and change of use of redundant agricultural building to light industry Class III	Approved	02/02/1988
UTT/0400/87	Conversion of agricultural barn to light industrial Class III Revoked by Order dated 23.11.87	Approved	06/05/1987
DUN/0117/72	Extension to bullock yard etc	Approved	08/05/1972
DUN/0300/71	Formation of additional vehicular access	Approved	08/10/1971
DUN/0056/68	Addition of porch and cloakroom	Approved	17/04/1968
DUN/0192/63	Conversion of garden room to agricultural workers bungalow	Withdrawn	21/08/1963
DUN/0322/60	Site for agricultural dwelling	Refused	03/10/1960

Policy Justification

National

NPPF (2021)

Paragraph 11 - Plans and decisions should apply a presumption in favour of sustainable development.

Paragraph 84 - 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;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Local

Uttlesford Local Plan (2005)

Policy S7 - Countryside:

The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. 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.

Policy GEN1 - Access:

Development will only be permitted if it meets all of the following criteria:

- a) Access to the main road network must be capable of carrying the traffic generated by the development safely.
- b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network.
- c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.
- d) It must be designed to meet the needs of people with disabilities if it is development to which the general public expect to have access.
- e) The development encourages movement by means other than driving a car.

Policy GE2 - Design:

Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents.

- a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;
- b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;
- c) It provides an environment, which meets the reasonable needs of all potential users.
- d) It helps to reduce the potential for crime; e) It helps to minimise water and energy consumption;
- e) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.
- f) It helps to reduce waste production and encourages recycling and reuse.
- g) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.
- h) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

Policy GEN4 - Good neighbourliness:

Development and uses, whether they involve the installation of plant or machinery or

not, will not be permitted where:

- a) noise or vibrations generated, or
- b) smell, dust, light, fumes, electro magnetic radiation, exposure to other pollutants; would cause material disturbance or nuisance to occupiers of surrounding properties

Policy GEN5 - Light Pollution:

Development that includes a lighting scheme will not be permitted unless:

- a) The level of lighting and its period of use is the minimum necessary to achieve its purpose, and
- b) Glare and light spillage from the site is minimised.

Policy GEN7 – Nature Conservation

Development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation. Where the site includes protected species or habitats suitable for protected species, a nature conservation survey will be required. Measures to mitigate and/or compensate for the potential impacts of development, secured by planning obligation or condition, will be required. The enhancement of biodiversity through the creation of appropriate new habitats will be sought.

Policy GEN8 – Vehicle Parking Standards

Development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location, as set out in Supplementary Planning Guidance “Vehicle Parking Standards”, a summary extract of which is reproduced in Appendix 1 to this Plan.

Policy ENV2 - Development affecting Listed Buildings

Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting.

Policy ENV3 - Open Spaces and Trees

The loss of traditional open spaces, other visually important spaces, groups of trees and fine individual tree specimens through development proposals will not be permitted unless the need for the development outweighs their amenity value.

Policy ENV11 - Noise Generators

Noise generating development will not be permitted if it would be liable to affect adversely the reasonable occupation of existing or proposed noise sensitive development nearby, unless the need for the development outweighs the degree of noise generated.

Commentary

Application History

Prior to this application, a similar application was approved and the applicant had applied to discharge the various conditions attached; these appropriate applications are as follows.

Application UTT/20/0561/FUL

Application UTT/20/0561/FUL was a 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. This application is not dissimilar to the application at hand. On 3/11/2020 application UTT/20/0561/FUL was approved (**Appendix H**) with conditions attached which the applicant attempted to discharge in the applications discussed below.

Application UTT/20/3255/DOC

This application was to discharge pre-commencement condition 2.

Condition 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"

The application was approved and the condition was discharged on 19/03/2021.

The full landscaping details approved under application UTT/20/3255/DOC have been submitted alongside this application and are seen in **Appendix I** and **Appendix O**.

Application UTT/20/3256/DOC

This application was to discharge and pre-commencement conditions 7 and 8.

Condition 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."

Condition 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."

The application was approved and the conditions were discharged on 22/03/2021.

The full landscaping details approved under application UTT/20/3256/DOC have been submitted alongside this application and are seen in **Appendix J**.

Application UTT/21/1438/DOC

This application was to discharge and pre-commencement conditions 11.

Condition 11: *"A scheme of site restoration works, to include the provision of a new landscaped earth bund, the precise positioning, height and planting specification to be agreed, and also seeking the removal of the unauthorised access roadway laid down the eastern side of the site shall be submitted to the local planning authority for written approval within 3 months of the date of this decision notice. Subsequently, the site restoration scheme as approved shall be fully implemented within 6 months of the date of this decision notice."*

This application was refused on 08/02/2022, nearly 10 months after it was validated on 27/04/2021; the decision notice has been submitted along side this application under **Appendix K**.

This application is the key reason that this application has been submitted, firstly because it was submitted 5 months after application UTT/20/0561/FUL was approved and the condition stated it needed to be submitted within 3 months of approval, and secondly because this was the final condition to be discharged and it was refused, therefore halting any development on site.

Late Submission of Application

After application UTT/20/0561/FUL was approved, the applicant and his agent were in discussion with the case officer Clive Theobald regarding condition 11 and the location of the proposed bund. Between the approval of the original application approval and submission of the discharge of conditions application there were site visit(s) discussing the appropriate location of the bund, which the case officer then finally approved of before submission. Due to the back and forth discussion of bund placement and multiple site visits, the submission of the discharge of conditions application was therefore delayed and did not meet the required 3 months time frame.

Further to this, the LPA then took 10 months to decide on the application, completely eliminating the possibility of any works to be complete after 6 months of application UTT/20/0561/FUL approval.

Reasons for Refusal

As seen in **Appendix K**, application UTT/21/1438/DOC was refused for two reasons,

neither of which are due to late submission:

1. The proposed siting of the bund is on land that has not formally been changed to light industrial use and remains as agricultural land and does not benefit from being in curtilage of Poplars Farm.

"The indicated siting position for the proposed replacement landscaped earth bund, namely onto the northern boundary of Poplars Farm (BEDEC) as shown on submitted drawing 'SITE LOCATION PLAN - PROPOSED NEW SCREEN BUND' (Anthony Jane, drwg. ref. 10934/A1/24 dated APR 2021), does not appear from the planning history records the Local Planning Authority holds for Poplars Farm to enjoy the benefit of light industrial curtilage as a result of the original grants of planning permission by the Local Planning Authority for the conversion/change of use of redundant agricultural buildings at Poplars Farm to light industrial use under refs; UTT/0400/87 and UTT/1408/87 (applicant: Tivendale) or as a result of the subsequent grant of planning permission for the change of use of a bullock yard at Poplars Farm to light industrial use under ref; UTT/0742/89 (applicant: Paintology Colours Ltd). Furthermore, the indicated siting position for the proposed replacement bund does not alternatively benefit from any Established Use Certificate or Certificate of Lawfulness for an Existing Use or Development for light industrial use for Poplars Farm as light industrial curtilage."

Since it is now apparent from documentation from historic applications UTT/0400/87 and UTT/1408/87 that the proposed location of the bund is classed as agricultural land, this application seeks to change the use of this small portion of land to light industrial use. The division of the land and use classes were not apparent to the applicant as to this date, the documentation associated with these application is not available for public viewing.

2. The height of the proposed bund, associated planting and sacrificial fencing would be oppressive and overbearing on the occupants of Little Poplars having a detrimental impact on their amenities.

"In addition, the proposed replacement landscaped earth bund at a stated overall length of 28m running along the aforementioned northern boundary of Poplars Farm at a stated height of 1.8m to be formed on sloping ground falling towards the north with a 1.8m high sacrificial close-boarded fence to be erected on top with tree/hedge planting set behind would at a resulting overall indicated height of 3.6m as measured from natural ground level represent an oppressive and overbearing engineering operation

feature to be experienced by the occupants of Little Poplars lying to the immediate north. As such, the proposed replacement bund as shown for this siting position on the submitted plan would have a detrimental impact on the residential amenities of this residential property to a material and significant degree contrary to Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (revised 2021)."

Although it is understood that the proposed bund and temporary fence/permanent hedge is high (standing at approx. 3.6m), it is not believed that it will have such an overbearing affect on the neighbouring occupants of Little Poplars as they currently have 5 trees located between the proposed bund location and Little Poplars reaching up to 27.4m in height. The location of these trees are shown in **Appendix F** and **Appendix L**.

Removal of the Chicken Shed and Temporary Removal of Frame and Cladding of Existing Storage Barn

Before demolition, the chicken shed had become dilapidated and was beyond repair as it had already partially collapsed and therefore the applicant was attempting to make the site safer by removing this redundant chicken shed. An existing storage barn, clad in metal sheeting was also temporarily removed to allow for access, however this was then set aside to be rebuilt.

At the point of removal, the applicant did not realise that formal planning permission would be required given the rural location and state the chicken shed structure was in.

Erection of New Storage Barn

Before application UTT/20/0561/FUL was submitted, the proposed storage barn was situated in the place of the chicken shed, however, discussions with the LPA led to a relocation of the proposed storage barn toward the south of the application site which is the furthest location (100m+) from neighbouring properties (**Appendix E**). The location of this storage barn was previously approved by the LPA.

The proposed storage barn will be used to provide long term storage for paint tins used during the production process elsewhere on site.

At present, there is insufficient space on site for the storage needs of the business. A new storage barn would allow for lorries to deliver a whole load opposed to part of a load and travel through the countryside to other storage facilities. Currently, once an order is placed, materials are collected from BEDEC's various storage sites across the district; one of the key drivers for this development is the consolidation of deliveries and to construct one storage space for the stock. Consequently, having all stock in one place at all times means that the delivery vehicles only have to make one delivery to the application site, reducing vehicle movements.

Change of Use - Light Industrial

Due to a portion of land involved in this application being classed as agricultural land, a change of use is required so that the proposed bund can be implemented.

Previously, application UTT/21/1438/DOC sited the proposed bund on the North boundary of the site as this location was agreed with the previous case officer, as this was considered the most appropriate place in terms of mitigating noise (see **Appendix M**). However as previously discussed, this application was refused partially due to the fact that the land remained as agricultural land and did not benefit from being within the curtilage of Poplars farm. This application therefore requests that this portion of land is formally changed to the same use class as the rest of the application site — light industrial — merely to site a bund with planting and temporary fence as will be described further in this statement and is seen in **Appendix F**.

Although this portion of the application site is considered agricultural, as previously mentioned in this statement, this part of the application site alongside the end on the east of the site have not been farmed since 1995 or maintained in any way since 2000. Accordingly, it would be reasonable to allow for a change of use on land that has remained vacant for over 20 years.

Access, Parking and Highways

The proposed concrete apron located directly to the north of the proposed storage barn will be used as a turning circle and to provide on site parking as shown in **Appendix O**.

Over the last 30 years, BEDEC have carried out the same type of manufacturing and production operations, and the vehicle sizes for their deliveries have not changed over

the years. As discussed, the erection of a new storage barn would mean overall fewer vehicle movements within the district and to the application site, as materials can be delivered to site in only one delivery opposed to being delivered to one site and moved to another. The surrounding concrete apron will allow for the loading and unloading process to be sped up alongside these operations being quieter and safer.

Earth Bund

Original Bund

The original earth bund was located on the north east boundary of the application site shown in **Appendix D** and was a result of temporary fly tipping of an adjacent owner prior to BEDEC Investments Ltd purchasing the land to the east of the application site. The original earth bund contained rubble and other materials from the excavations of foundations local to the site. This bund was merely a dumping of waste materials and did not offer an effective acoustic barrier.

Proposed Bund

The proposed scheme will seek to replace and relocate the original bund which offered very little in terms of visual amenity and acoustic protection (**Appendix F**). The proposed bund will be 28m long, 7m wide and 1.8m tall, formed using relocated hardcore from the site, and topped with 300mm of topsoil. Atop the bund, there will be 4 native trees and a native evergreen hedge planted; the hedge will grow to a height of 1.8m-2m additional to the 1.8m bund. Whilst the hedge is growing, a sacrificial 1.8m close boarded fence will be installed and maintained for five years before the new hedge reaches the required 1.8m. The heights of the bund, fence and hedge alongside the materials proposed have been decided based on the noise impact assessment recommendations (**Appendix M**) as they allow for a more effective acoustic barrier to the preexisting bund, alongside the planting offering a softer finish.

The bund, shown in **Appendix F**, is proposed to be located on land north of the site where a change of use is also proposed. The bund location was established after discussions with the LPA prior to the submission of application UTT/21/1438/DOC as previously discussed, and based on recommendations within the noise impact assessment (**Appendix M** and **Appendix N**).

One of the reasons for refusal of application UTT/21/1438/DOC was due to the height of the proposed bund, associated planting and sacrificial fencing being oppressive and

overbearing on the occupants of Little Poplars having a detrimental impact on their amenities. However, Paragraph 2.2 of application UTT/20/0561/FUL Delegated Report (**Appendix P**) states *"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"*. From this, alongside the tree plan (**Appendix L**) which show mature tall trees screening the properties from the application site, it can be concluded that in fact, the proposed bund and location of which will not have a detrimental impact on the neighbouring properties as previously thought.

Impact on Heritage Asset(s)

As discussed, there are two Grade II listed buildings within close proximity to the application site (Poplars Barn, and Poplars Farmhouse). The development proposed is thought to have minimal impact on these assets due to its locations at a great distance from the listed buildings, alongside the screening by existing development. In 2020, ECC Place Services (Heritage) concluded based on development proposed in application UTT/20/0561/FUL, *"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"*.

Noise Impact

As previously discussed, the proposed new storage barn is being built to be for additional storage on site so that fewer trips are needed to bring materials to site; therefore, this aspect of the application will not create more traffic and on site noise, as it is hoped this will in fact be reduced.

To mitigate any noise generated on site from the industrial use, a bund alongside temporary fence and landscaping have been proposed as recommended within the noise impact assessment (**Appendix M**). Since this was conducted, a second noise impact assessment (**Appendix N**) was conducted, further demonstrating the impact the site currently has on the surrounding area and what the proposed changes and measures will achieve in terms of restricting noise pollution. Since these noise impact assessments were conducted, noise from the trucks on site have been suppressed so therefore, noise levels have actually been reduced further.

With regard to noise impact on neighbouring properties, it is worth noting that BEDEC Products' existing business on site predated the residential use of Little Poplars, as Little Poplars was previously agricultural with ancillary dwelling, whilst Poplars Farm has always been commercial whether that be agriculture or paint manufacturing – never residential. This is relevant as the inhabitation of Little Poplars was done with the understanding that it neighbours a commercial site so therefore there will likely be increased noise levels compared to other rural residential clusters.

Operating Hours

As mentioned, the operating hours will remain as they have done for the last 30 years - Monday-Friday 07:00-17:00, Saturday 07:00-13:00, and no times Sundays, Bank or Public Holidays. This allows the staff to continue with their established working hours, allowing them to start and finish working early. In the time that BEDEC Products has been operating from this site, they have not received any formal complaint from any neighbouring properties or any department from Uttlesford District Council regarding inappropriate noise levels at unsociable hours.

Further to this, **Appendix N** states *"It has been established that industrial sound resulting from the established business would be largely unnoticeable, or, just perceptible during the morning hour of assessment, where absolute sound levels have been reviewed as being as, or more relevant than comparative metrics, in accordance with BS 4142. The likely acoustic effects have been established about the LOAEL threshold of the NPSE, such that it may be occasionally audible within periods of low residual sound, but in context, the activity sound is not expected to cause any change in behaviour or attitude"*.

Other Matters

For completeness, other details and plans have been provided as part of this application.

- Details of tree works (**Appendix Q** and **Appendix R**);
- Lighting design (**Appendix S** and **Appendix T**); and
- Ecological mitigation measures (**Appendix U** and **Appendix V**).

Conclusion

It is the professional opinion of Planning Direct that this application should be viewed favourably by the LPA, as the development is compliant with policies set out in Uttlesford's Local Plan; furthermore, most of the aspects set out within this application have been previously approved by the LPA under application UTT/20/0561/FUL and subsequent discharge of conditions applications.

The applicant expects the LPA to bring any potential issues arising with the proposal to the attention of Planning Direct at the earliest opportunity, in order that clarifications can be provided and/or solutions agreed where appropriate.