



UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
Telephone (01799) 510510, Fax (01799) 510550
Textphone Users 18001
Email uconnect@uttlesford.gov.uk Website www.uttlesford.gov.uk

Mrs Fiona Cannon
Cannon Consulting
Hyde Hall Farm
Sandon
Buntingford
SG9 0RU

Dated:9 June 2023

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

Application Number: UTT/22/0863/FUL

Applicant: Mr & Mrs R Duke

Uttlesford District Council **Grants Permission** for:

Change of use of former farm buildings from Use Class E to suis generis short-term lets and events venue with associated building works at New Farm Arkesden Road Wendens Ambo Essex CB11 4UL

The approved plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
101	Other	05/04/2022
P429 BP REV A	Block Plan	05/04/2022
P429 P1 REV D	Floor Plan (proposed)	05/04/2022
P429 P2 REV C	Floor Plan (proposed)	05/04/2022
P429-P3	Elevations (proposed)	05/04/2022
P429-P4	Elevations (proposed)	05/04/2022
P429-P5 REV A	Elevations (proposed)	05/04/2022
P429-P6 REV C	Elevations (proposed)	05/04/2022
EXISITING SITE PLAN	Other	13/03/2023



UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
Telephone (01799) 510510, Fax (01799) 510550
Textphone Users 18001
Email uconnect@uttlesford.gov.uk Website www.uttlesford.gov.uk

REVISED LOCATION PLAN	Location Plan	20/03/2023
PARKING PLAN	Parking Layout	13/03/2023

Permission is granted with the following 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 Prior to the operational use of the development hereby approved a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the Local Planning Authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

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

- 4 Prior to the operational use of the development here by approved details of a noise limiter system (Electronic Sound Level Attenuation System) and installation details shall be submitted and approved by the Local Planning Authority.

The Electronic Sound Level Attenuation System otherwise known as an Automatic Gain Control (AGC) device or noise limiter should be set so that the maximum music level player is 92dB in accordance with the findings of the acoustic assessment reference LR01-22280-R0 completed by Cass Allen 23 May 2022.

The AGC shall be fitted before the amplifier in the signal chain with the thresholds of the limiter set on both the Left and Right stereo channels. The sound attenuation device shall be set by a suitably qualified acoustician/sound engineer and secured so that it cannot be overridden by persons other than the appointed sound system engineers/acoustic consultant. The sound attenuation device shall be retained in its approved form thereafter and shall not be altered without prior written approval with the Local Planning Authority.

REASON: To protect the amenities of nearby noise sensitive development in accordance with Policies ENV11, GEN4, Uttlesford Local Plan 2005 and the National Planning Policy Framework 2021.

- 5 Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 193.1 metres to the north and 2.4 metres by 167.5 metres to the south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety and in accordance with ULP Policy GEN1.

- 6 Prior to operational use of the development hereby approved details of all hard and soft landscaping (including planting, hard surfaces and boundary treatment) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

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

REASON: The use of this pre commencement condition is required to ensure compatibility with the character of the area in accordance with Policy S7 of the Uttlesford Local Plan (adopted 2005)

- 7 Prior to the operation use of the development hereby approve the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any

purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: in the interests of highway safety and that appropriate parking is provided and in accordance with ULP Policy GEN1.

- 8 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Survey and Assessment (Essex Mammal Surveys, January 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

- 9 The cottages (1 and 2 New Farm Cottages) located within the ownership of the applicant are to be occupied in association with and ancillary to the venue and site as a whole and shall not be a separate entity from the venue, shop, cafe and other uses on site.

REASON: To ensure the occupiers of the cottages will not result in any harmful impact due to noise and disturbance from the proposed use of the site and in accordance with ULP Policy GEN4, and ENV11

- 10 The development hereby approved shall be constructed entirely of the materials details of which are shown on the approved elevation plans and as shown on the schedule of materials on the planning application form unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 11 No additional fixed lighting other than approved in this planning application shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting is designed in such a way to minimise any potential impacts to neighbouring residential properties. The additional lighting shall thereafter be erected, installed and operated in accordance with these approved details.

REASON: To minimise any potential impacts to neighbouring properties from light pollution and its compatibility with the character of the rural area in accordance with Policies GEN4, GEN5 and S7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 12 No removal of hedgerows or trees shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the local planning authority.

REASON: To protect roosting birds which use the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 13 The public's rights and ease of passage over public bridleway no. 12, Elmdon shall be maintained free and unobstructed at all times.

REASON: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policy DM11 Public Rights of Way contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Local Plan Policy GEN1.

- 14 Apart from the overnight accommodation, the premises shall only be open to the public between the hours to 08:00 until 23.59 hours (Monday to Saturday) and 09:00 until 21:00 (Sunday and Bank Holidays)

REASON: In the interests of the amenity of the area in accordance with Policies GEN2 and GEN4 of the Uttlesford Local plan (adopted 2005)

- 15 No more than 100 people shall attend any function at one time.

REASON: In order to safeguard the amenities of local residents in accordance with Uttlesford Local Plan Policies GEN2 and GEN4.

- 16 Any boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

reason:: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety

Prior to occupation of the development, the existing access to the north-east of the site shall be suitably and permanently closed incorporating the reinstatement to full height of the highway verge / kerbing. Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety and in accordance with ULP Policy GEN1.

- 17 Any music associated with the events venue (Unit 2) shall not shall not played outside the building.

REASON: In order to safeguard the amenities of local residents in accordance with Uttlesford Local Plan Policies GEN2 and GEN4

In determining this application, the Local Planning Authority had regard to the following Development Plan Policies:

Policy

Local Plan

Local Plan Phase

NPPF4 - National Planning Policy Framework July 2021		
S7 - The Countryside	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN1 - Access	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN2 - Design	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN3 - Flood Protection	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN4 - Good Neighbours	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN5 - Light Pollution	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN7 - Nature Conservation	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN8 - Vehicle Parking Standards	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV4 - Ancient Monuments and Site of Archaeological Importance	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV5 - Protection of agricultural land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
E5 - Re-Use of Rural Buildings	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV10 - Noise sensitive development and disturbance from aircraft	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV13 - Exposure to poor air quality	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV14 - Contaminated land	Newport and Quendon & Rickling	Uttlesford Local Plan Adopted 2005
Uttlesford Local Parking Standards		
ECP - ECC Parking Standards (Design & Good Practice) September 2009		
EDG - Essex Design Guide		

Notes:

- 1 -This permission does not incorporate Listed Building Consent unless specifically stated.
- The alterations permitted by this consent are restricted to those specified and detailed in the application. Any alteration, demolition or re-building not so specified, even if this

should become necessary during the course of the work, must be subject of a further application. It is an offence to carry out unauthorised work to the interior or exterior of a Listed Building in any way, which would affect its character.

-The proposal has been considered against Development Plan policies shown in the schedule of policies. Material planning considerations do not justify a decision contrary to the Development Plan.

-The Development Plan comprises the saved policies of the Uttlesford Local Plan (2005).

- It is the responsibility of the owner to ensure that any conditions attached to an approval are complied with. Failure to do so can result in enforcement action being taken. Where conditions require the submission of matters to and approval by the local planning authority these must be submitted on form "Application for approval of details reserved by condition" available from the Council's web site www.uttlesford.gov.uk and accompanied by the correct fee.

-Your attention is drawn to the need to check with the Council's Building Surveying Section regarding fire-fighting access and the requirements of Section 13 of the Essex Act 1987.

-Your attention is drawn to the Equality Act 2010. The Act makes it unlawful for service providers (those providing goods, facilities or services to the public), landlords and other persons to discriminate against certain groups of people.

-If you intend to pipe, bridge or fill in a watercourse, as part of this development or otherwise, you need to contact the County Highways Authority.

-Under the terms of the Water Resources Act 1991 and Environment Agency Byelaws, the prior written consent of the agency is required for any proposed works or structures in, under, over or within 9 metres of the top of the bank of any main river.

-If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

-Working in close proximity to live overhead lines:

The law requires that work may be carried out in close proximity to electricity overhead lines (usually recognised by a yellow and black "Danger of Death" label on the pole or pylon although this may be missing or have been vandalised) only when there is no alternative and only when the risks are acceptable and can be properly controlled. Further information can be viewed at <http://www.ukpowernetnetworks.co.uk/internet/en/help-and-advice/help-sheets/> then click on "Keeping Safe" then "Working safely near power lines" UK Power Networks will also visit sites and provide safety advice with regard to work near electricity overhead lines and a statement of clearances to the overhead lines. A call to UK Power Networks general enquiries line on 0845 601 4516 will be required to request a visit. Lines open Monday to Friday 9.00am to 5.00pm.

Appeals to the Secretary of State

-If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning

authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

-The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

-The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

2.
 - i. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.
 - ii. There shall be no discharge of surface water onto the Highway.
 - iii. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.
 - iv. Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site. No vehicles associated with the development shall affect the ease of passage along the PROW.
 - v. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public bridleway no. 24 (Elmdon) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway

user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

- 3 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Dean Hermitage
Director Planning