

Application Summary Application Number: S62A/2023/0017  
Address: Land at Tile Kiln Green Start Hill Great Hallingbury CM22 7TA.  
Creation of an open logistics facility with associated new access and ancillary office with amenity facilities  
Case Officer: Major Casework Team  
Customer Details Name: Mr Roger Keys. PGCE, Head Lecturer (Engineering) LRA CCCG. (Resident) and Mrs T E Keys.

Address: [REDACTED]

Date : 16<sup>th</sup> May 2023

I am wholly against the application being granted and if the Planning Inspectorate was minded to have a hearing I would very much like to be able to speak at the hearing.

**Application Number: S62A/2023/0017**

**In reply to the Planning Application form and Planning Statement.**

**No 7.** Currently, the country is being urged to recycle and yet the applicant has no plans for storage and collection of recyclable waste.

**No 16.** It states if you have answered yes to either or both of the above you will need to provide a full tree survey. You have answered yes to one of the questions. Where is the new tree survey.? You did not adhere to the conditions in the previous description of trees to be felled. Why were so many trees removed over and above what was allowed within the document.



scan\_roger.keys\_20  
23-05-04-08-39-50.p

Operations Map. Shows Trees that  
can be removed



UTT\_22\_0267\_FUL-T  
REE\_REPORT-399651

Description of Trees allowed to be  
Felled



Site before Tree cutting



Site after tree cutting

**No 20.** It states no employees. Have they sacked their existing ones. They are transferring existing employees from one site to another so there is no benefit to the area through job gains.

**No 21.** They are seeking 24/7 365 days a year working hours. This is totally unacceptable being so close to residential properties.

**No 30.** They state the site is not visible from a public road, public footpath, or bridleway



Public Bridleway



Public Road



Public Footpath

The above pictures clearly show the visibility of the site from a Bridleway, Public Road, and a Public Footpath.

---

## Planning Statement

### Background

**2.3** The applicant states “The company is growing substantially”. This will mean even more vehicle movements. At present they estimate 500 a day. If they grow by 30% as predicted by the applicant, vehicle movements will increase to 650 a day on already congested roads. This would indicate the site will be too small for their estimated growth pattern and renders it unfit for purpose.

## **Proposed Development. Scheme Proposal.**

**3.1** They wish to claim Sui Generis use. Definition, in a class of its own, not B8. **This should not be allowed** as they are applying for an open logistics facility with associated new access, parking areas and ancillary office and amenity facilities. **Clearly an Industrial Site with Industrial usage and falls under B8 usage.**

**3.2.** The applicant states that **the proposals remain identical to those proposed in the most recent planning application 22/0267/FUL which was refused.** As nothing has changed, the application should be refused again as this is an appeal and not a new planning application.

**3.4.** The applicant states that the site has maximum potential for 80 HGV's. They have already stated they are going to grow by 30%. They will need another 24 HGV parking spaces. which according to the applicant, they do not have the room for. Therefore, the site is too small for them, and they need to look elsewhere for a bigger more suitable site that can accommodate them.

**3.5.** Decanting storage containers from larger vehicles onto smaller ones. There is no mention of the numbers of smaller vehicles needed on site and the parking facilities required. They only mention 80 HGV's maximum. The rest of the parking spaces are for staff vehicles. This again suggests that the site is too small to accommodate them, and they need to relocate to a more suitable site. Are we to assume the extra vehicles will come from elsewhere which will create even more traffic congestion on our overcrowded roads.

## **Planning Policy Considerations**

**4.3.** The applicant has stated that the Local Plan 2005 is out of date which maybe the case but, in 2020 Joanna Hill who was part of the Planning Policy Team Uttlesford District Council 2020 stated that the CPZ (Countryside Protection Zone) is not, therefore in the absence of a new plan the adopted Local Plan 2005 remains valid and the **CPZ should still be given weight.**

## Assessment of Proposed Development

5.5. The CPZ is still current and therefore carries weight.

5.6. The CPZ is still current and therefore carries weight.

5.7. The CPZ is still current and therefore carries weight.

5.11 The applicant states “the policy (S8) most important for determining the principle of development is out of date and therefore as a matter of principle sustainable development should be approved”. As stated above Policy S8 is not out of date and is still current. Therefore, the development should be refused.

## Transport and Access

5.28. The applicant states that the proposal would be unlikely to attract significant traffic levels during the weekday AM and PM peak hours. We already have severe tailbacks through the village and on the B1256 when there are problems on the M11 which are frequent. The added volume of another possible 650 vehicle movements will just exacerbate the problem.

## Archaeology

5.38. Why has a **desk-based** Archaeology assessment been submitted. Earlier this year and a very short distance away from the applicants site a Tile Kiln was found (hence the reason the area is known as Tile Kiln Green) dating back to the 1400's. Surely a more detailed archaeology report should be submitted.

## Noise

5.46. The applicant states that the noise assessment addendum concludes that with the proposed mitigation in place the predicted levels would be marginally above UDC's target levels for 2-3 hours of the night but below these target levels at all other times. The applicant has never asked neighbours to place microphones around their residencies. How will they know what the actual sound is like. The applicant states the information has been gathered from a **DESKTOP** model. How can a desk top model be a true reflection. The applicant states that they intend to decant their HGV lorries onto smaller lorries at 4am and the noise will be the same. I can assure them there is no noise at 4am apart from animals and birds. Therefore, residents would not welcome a 4am or previous time, wake up call. This would cause a massive intrusion upon their health and mental wellbeing via sleep deprivation.

## **Air Quality**

**5.64.** The applicant states that the change in pollutant concentrations at the Old Stables and Willow House as a result of the operation of the Proposed Development will be negligible. How on earth can they state negligible when there will be so many vehicle movements. Has the assessment been arrived at via a Desk top survey, once again?

## **Lighting**

**5.67.** The applicant states that KTA have calculated the vertical spill on the adjacent properties and can confirm that the only building affected is The Old Stables; the impact on which is very low equivalent to a clear moonlight night. At present the area does not have any lighting not even street lighting. Therefore, with their plans it will create a daylight feel at night. This will again be a massive intrusion and cause more mental health and wellbeing issues due to sleep deprivation. And is clearly not acceptable.

## **Reasons for Refusal**

**6.3, 6.4, 6.5 and 6.6.** The applicant has stated that the Local Plan 2005 is out of date which maybe the case but, in 2020 Joanna Hill who was part of the Planning Policy Team Uttlesford District Council 2020 stated that the CPZ (Countryside Protection Zone) is not, therefore in the absence of a new plan the adopted Local Plan 2005 remains valid and the **CPZ should still be given weight.**

### **Reason for Refusal1: Countryside Protection Zone. Policy S8**

**6.7.** The applicant refers to. **APP/C1570/W/19/3243727** which was granted but this application is for **residential use.**

The applicant also refers to **APP/C1570/W22/3291524** which was **refused**, this application was mainly for **Industrial use.**

**6.10.** No suitable sites. The applicant by admission in his statement (background 2.3) has rendered the site too small for their use due to the lack of room for expansion, and the capacity to only accommodate 80HGV's

**6.13.** The applicant states **APP/C1570/W/19/3243744**. This application was allowed but it is for **residential use** and not Industrial.

**6.15.** The applicant states that **Policy S8 (CPZ) is out of date. This is not the case as already stated under 6.3, 6.4, 6.5 and 6.6. Therefore, policy S8 carries weight.**

#### **Reason for Refusal 2: Heritage.**

**6.19.** The applicant states that the proposal is primarily for hardstanding. That is not the case as they have applied for an **Industrial Logistic Site operational for 24 hours a day 7 days a week 365 days of the year.**

#### **Reason for Refusal 3: Residential Amenity**

**6.25.** Policy GEN4 states that: 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. The applicant admits that noise, air quality and light will be a problem (see 5.46, 5.67, 5.64) Apart from the electromagnetic radiation all the above under 6.25 will affect me and my neighbours. **Therefore, the development and uses cannot be permitted and the application must be refused.**

**6.26.** The applicant states the site is subject to existing high levels of transportation noise and the predicted noise levels would be below the background level at all times of day and night. I am amazed at how they have come to this conclusion. I hope that the inspector will arrange a site visit to prove the applicant is wrong.

**6.28.** The applicant states it is considered that the scheme is entirely acceptable with relation to Policy GEN4 and this reason for refusal is not justified.

**It is quite clear that the applicant has been economical with the truth for large parts of this application and therefore the reason for refusal is fully justified.**

#### Reasons for Refusal 4: Planning Obligations. Summary.

**7.4. The local plan may be out of date but as previously mentioned the CPZ is not and therefore still carries weight.**

**7.5. The local plan may be out of date but as previously mentioned the CPZ is not and therefore still carries weight. As such permission should be refused.**

#### Conclusions

**8.4. The applicant states that, this planning statement demonstrates that the proposed development accords with all relevant local and national planning policy, delivers significant benefits and represents sustainable development in social, environmental, and economic terms and therefore planning permission should be granted without delay. There are numerous anomalies within this application that when read must lead to the planning permission being refused without delay.**

**8.6. The CPZ is still valid and accordingly planning permission should be refused for the development.**

---

If for some inexplicable reason you should allow this application to be granted, I would like to refer you to **UTT/20/1098/FUL**. As stated by the applicant

**UTT/20/1098/FUL schedule of conditions number 30. " Demolition or construction works shall only take place on weekdays between 08:00 - 18:00hours and Saturday's 0800-13.30 hours and shall not take place at any time on Sunday's or on Bank or Public Holidays.**

**These times must also apply to the working hours of the applicant due to the proximity of residential properties to the Industrial Open Logistics site.**

---