



UTTLESFORD DISTRICT COUNCIL

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

The Planning Inspectorate
3rd Floor
Temple Quay House
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Bristol
BS1 6PN

8th June 2023

Your ref: S62A/2023/0017

Our ref: UTT/23/0950/PINS

Please ask for: Mrs M Jones

Dear Mr Boulton

Re: Town and Country Planning Act 1990 (Section 62A applications)

Appeal by: FKY Ltd

Site Address: Land at Tilekiln Green, Start Hill, Great Hallingbury, CM22 7TA

Re: Development of the site to create an open logistics facility with associated new access and ancillary office and amenity facilities

Thank you for your letter dated 24th April 2023, advising of the receipt of a valid planning application for the development outlined above. Thank you also for agreeing to an extension of time of the timetable to allow our need to report this application to the Planning Committee for their views.

The council, as Local Planning authority considered a report in relation to this submission at their Planning committee on the 7th June 2023. The report is attached for information.

In addition to the comments within the officer's report and late list presented to committee members (attached to email), the Council wishes also to make the following comments:

- Based on the submitted information there is a high level of uncertainty as to whether the noise rating levels are robust and reliable. Evidence submitted is not robust. Please refer to Environmental Health Officers comments dated 26th May 2023
- Please can you seek clarity as to the statutory status of the woodland (In relation to Cllr Reeves comments)
- Concerns regarding the highway network capacity including whether the recent legislation that has come into force from 31st May allowing the use of articulated vehicles of up to 18.55m long (2.05m longer than the 16.5m vehicles previously allowed)
- Councillors considered that the application would have a neutral impact on employment and therefore should not be regarded as a benefit. (The business will likely relocate to an alternative location)
- Application UTT/20/1098/FUL (for residential development) to the rear of Old Elms does not the same impact on the setting and character of the Listed building as an industrial site or on the characteristics of the Country Protection zone.



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- The site lies outside development limits within an area designated as a Countryside Protection Zone (CPZ) within the Uttlesford Local Plan (adopted 2005). Policy S8 of the adopted local plan states that planning permission will only be granted for development within the CPZ that is required to be there or is appropriate to a rural area, adding that there will be strict control on new development. In particular, the policy states that development will not be permitted if either
 - a) new buildings or uses would promote coalescence between the airport and existing development in the surrounding countryside,
 - or b) it would adversely affect the open characteristics of the zone.

The site constitutes an integral part of the Countryside Protection Zone (CPZ) falling within CPZ Parcel 1 (Tilekiln Green) for the purposes of evaluation for the 'Uttlesford Countryside Protection Zone Study' (LUC, 2016) whereby the landscape value of the site is considered intrinsic to the maintenance of the function and integrity of the Countryside Protection Zone.

The proposed development by reason of its nature and magnitude would have a significant adverse impact on the existing open character and appearance of the site by filling an open gap.

The proposed development would therefore be contrary to Policy S8 and S7 of the Uttlesford Local Plan (adopted 2005).

- The proposed development would cause less than substantial harm to the setting and significance of the listed building, The Old Elm, by encroaching upon the last remaining section of its original setting, paragraph 20 of the NPPF being relevant. The harm is considered on the low end of the scale. The proposals would fail to preserve the special interest of the listed buildings, contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, because of excessive development within their setting. These proposals are therefore considered contrary to Policy ENV2 of the adopted Uttlesford Local Plan 2005 and the NPPF.
- The development would result in unacceptable material disturbance to occupiers of surrounding properties contrary to Uttlesford Local Plan policy GEN4.
- The development fails to provide the necessary mechanism to secure the required provision of appropriate infrastructure to mitigate the development by way of lack of travel plan and associated monitoring fee £6,132, lack of financial contribution of £40,500 for the upgrade of the Flitch Way, and monitoring fee of £426, contrary to Policy GEN6 of the Adopted Local Plan 2005.

Having regard to the above, the Planning committee wishes to formally record that the Council **objects** to the proposed development.

Documents enclosed:

The following documentation is provided as part of the Council's response to the consultation



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- Committee report and late list
- Minutes of the Planning committee Meeting 7th June 2023 (to follow)
- Comments from Essex County Council- Highways (2nd June 2023)
- Comments from Essex County Council Place Services: Ecology (10th May 2023)
- Comments from Essex County Council Place Services: Archaeology (26th April 2023)
- Comments from Place Services Essex County Council Built: Heritage (16th May 2023)
- Comments from Uttlesford District Council Environmental Health Officer (26th May 2023)
- Comments from Uttlesford District Council Environmental Health Officer (10th May 2023)
- Comments from Essex Police (26th April 2023)
- Comments from Birchanger Parish Council
- Comments from ward member Cllr Reeve (dated 25th May 2023)
- Comments from Cllr Wilson (26th May 2023)
- 14 neighbour representations

Summary: The council as Local Planning authority **Objects** to the above-mentioned development.

Yours sincerely

MJones

Madeleine Jones
Principal Planning Officer

E: [REDACTED]
T: [REDACTED]



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