



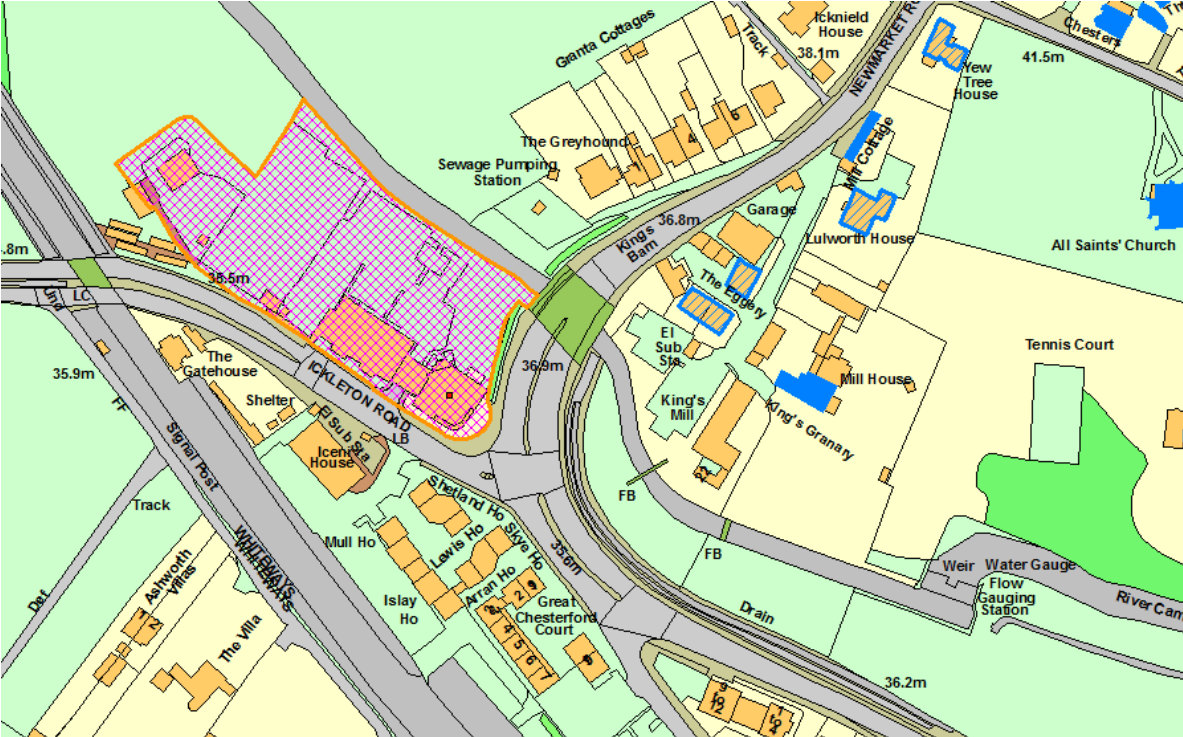
ITEM NUMBER: 13

PLANNING COMMITTEE DATE: 24 July 2024

REFERENCE NUMBER: UTT/22/3019/FUL

LOCATION: Plextek Ltd
London Road
Great Chesterford

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 16 November 2023

PROPOSAL: Proposed extensions and alterations to previously approved applications UTT/19/0804/FUL and UTT/16/0206/FUL.

APPLICANT: Mr I Murphy (Plextek Ltd)

AGENT: Mr R Albone (BBR Design Ltd)

EXPIRY DATE: 14 December 2023

EOT EXPIRY DATE: 02 August 2024

CASE OFFICER: Mr Avgerinos Vlachos

NOTATION: Within Development Limits (Proposed Extension).
Outside Development Limits (Part of the Site).
Setting of Ancient Monument (Roman Fort).
Within Archaeological Site.
Within Flood Zones 2 and 3.
Road Classification (Ickleton Road – Class III).
Road Classification (Newmarket Road – B Road).
Within 100m from Railway.
Within 250m of Local Wildlife Site (Great Chesterford Church).

REASON THIS APPLICATION IS ON THE AGENDA: Major application.

1. EXECUTIVE SUMMARY

- 1.1** This is a full planning application for proposed extensions and alterations to the previously approved applications UTT/19/0804/FUL and UTT/16/0206/FUL. The scheme was also approved as part of applications UTT/12/5634/REN and UTT/0603/09/FUL. This is not a proposal for housing development or affordable housing.
- 1.2** The proposal is materially identical to the ones previously approved under consecutive planning permissions and the reason for this application is because the latest planning permission (UTT/19/0804/FUL) expired on 16 October 2022 – this is an application to renew the approved scheme. As the proposals cannot be tested against a fully up-to-date Development Plan, paragraph 11(d) of the National Planning Policy Framework (NPPF) is engaged.

1.3 The are not any material changes in circumstances since the grant of the latest planning permission (UTT/19/0804/FUL) that would alter the view for the principle of the development. Despite the introduction of the Great & Little Chesterford Neighbourhood Plan (February 2022) in the Development Plan and the adoption of the Uttlesford Interim Climate Change Planning Policy (2021), the development would accord with the above policies subject to the same conditions as imposed in UTT/19/0804/FUL with the addition of new conditions that reflect the above policy context. In addition, following several consultation rounds, the proposal will not increase flood risk on site or elsewhere.

1.4 The planning and heritage balances under paragraph 11(d) of the NPPF are in favour of the proposal. The benefits of the development would significantly and demonstrably outweigh the adverse effects, and thereby the application should be approved.

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 is located on the western edge of the built-up core of Great Chesterford at the junction of Newmarket Road and Ickleton Road. The buildings on the corner of the site are 3-storey in height and a link is provided to a 2-storey block fronting Ickleton Road. The buildings are of a brick construction with slate roof. The northern boundary of the application site is adjacent to the River Cam and further north there is an ancient monument (Roman Fort). Part of the site is also within a designated archaeological site. To the south and south-east of the site there are predominantly commercial properties, whereas to the east residential properties.

4. **PROPOSAL**

4.1 This is a full planning application for proposed extensions and alterations to the previously approved applications UTT/19/0804/FUL and UTT/16/0206/FUL, as well as part of applications UTT/12/5634/REN and UTT/0603/09/FUL. This is not a proposal for housing development or affordable housing.

4.2 The application includes the following documents:

- Application form
- Biodiversity checklist

- Flood risk assessment 1
- Flood risk assessment 2
- Transport statement
- Updated preliminary ecological appraisal
- SUDS proforma
- Response to EA comments
- Response to LLFA comments
- Response to Environment Agency.

5. **ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 The 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/19/0804/FUL	Proposed extensions and alterations as previously approved under UTT/16/0206/FUL.	Approved with conditions (16.10.2019).
UTT/16/0206/FUL	Amendment to approved planning permission UTT/1364/95/FUL to include change of use from car parking to office space and changes to roof space of both Phases I and III offices with new basement area, total additional floor area 352m ² (renewal of UTT/0603/09/FUL)	Approved with conditions (18.03.2016).
UTT/12/5634/REN	Renewal of planning permission UTT/0603/09/FUL to include change of use of car parking to offices with changes to roof space of both phases 1 and 3 offices with new basement area, total additional floor area 352sqm.	Approved with conditions (21.12.2012).
UTT/0603/09/FUL	Amendment to approved planning permission UTT/1364/95FUL to include change of use from car parking to office space and changes to roof space of both Phases I and III offices	Approved with conditions (03.12.2009).

	with new basement area, total additional floor area 352sqm.	
UTT/1364/95/FUL	Erection of B1 office building with associated car parking.	Approved with conditions (02.02.1996).
UTT/0193/93/FUL	Development of land for small business units (B1) and construction of new access.	Approved with conditions (23.04.1993).
UTT/0618/81	Change of use from private dwelling to offices showroom and shop with ancillary storage and possible caretaker's accommodation for wholesale and retail wine merchant.	Approved with conditions (22.06.1981).

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.

7.2 No formal pre-application discussion has been held with officers of the LPA prior to the submission of this application and no details have been submitted of whether any community consultation with the public was undertaken. Given the nature of this application this would not raise any concerns.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

8.1.1 No objections subject to a condition (see full response in Appendix 1).

8.2 Lead Local Flood Authority (Essex County Council)

8.2.1 No objections subject to conditions (see full response in Appendix 2).

8.3 Railway

8.3.1 No objections unconditionally (see full response in Appendix 3).

8.4 Environment Agency

8.4.1 No objection subject to compliance with the floodplain compensation scheme (see full response in Appendix 4).

8.5 Historic England

8.5.1 No objections to the application on heritage grounds. We consider that the archaeological issues and safeguards need to be addressed for the application to meet the requirements of paragraphs 199, 200, 202 and 203 of the NPPF (see full response in Appendix 5).

9. PARISH COUNCIL COMMENTS

9.1 No comments received.

10. CONSULTEE RESPONSES

10.1 UDC Environmental Health

10.1.1 No objections subject to conditions.

10.2 Place Services (Conservation and Heritage)

10.2.1 No objections unconditionally.

10.3 Place Services (Ecology)

10.3.1 No objections subject to conditions.

10.4 Place Services (Archaeology)

10.4.1 No objections subject to conditions.

10.5 Affinity Water

10.5.1 Refrained from commenting.

10.6 Anglian Water

10.6.1 No objections.

11. REPRESENTATIONS

11.1 A site notice was displayed on site and notification letters were sent to nearby properties. The application has also been the subject of a press notice in the local newspaper. No representation letters have been submitted by any interested third parties.

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.
- 12.3** Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.
- 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 February 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport, Quendon & Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)
Stebbing Neighbourhood Plan (made July 2022)
Saffron Walden Neighbourhood Plan (made October 2022)
Ashdon Neighbourhood Plan (made December 2022)
Great & Little Chesterford Neighbourhood Plan (made February 2023)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (December 2023)

13.2 Uttlesford District Local Plan (2005)

13.2.1

S3	Other Development Limits
GEN1	Access
GEN2	Design
GEN3	Flood Protection
GEN4	Good Neighbourliness
GEN5	Light Pollution
GEN7	Nature Conservation
GEN8	Vehicle Parking Standards
E2	Safeguarding Employment Land
GCHLP1	Safeguarding of Existing Employment Area
ENV1	Design of Development Within Conservation Area
ENV2	Development Affecting Listed Building
ENV3	Open Space and Trees
ENV4	Ancient Monuments and Sites of Archaeological Importance
ENV8	Other Landscape Elements of Importance for Nature Conservation
ENV10	Noise Sensitive Development
ENV11	Noise Generators
ENV12	Groundwater Protection
ENV13	Exposure To Poor Air Quality
ENV14	Contaminated Land
RS1	Access To Retailing and Services

13.3 Great & Little Chesterford Neighbourhood Plan

13.3.1 The Neighbourhood Plan was ‘made’ on 02 February 2023 and the relevant policies are:

GLCNP/1	Overall Spatial Strategy
GLCNP/2	Settlement Patter and Separation
GLCNP/3	Getting Around
GLCNP/4a	Landscape Character
GLCNP/4b	Views
GLCNP/5	Historic Environment
GLCNP/8	Employment

13.4 Supplementary Planning Document or Guidance

13.4.1 Essex County Council Parking Standards (2009)
 Supplementary Planning Document – Developer’s contributions
 Essex Design Guide
 Uttlesford Interim Climate Change Planning 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 / Character and appearance

- B Climate change**
- C Residential amenity**
- D Access and parking**
- E Ecology**
- F Contamination**
- G Archaeology**
- H Flood risk and drainage**
- I Planning balance**

- 14.2.1** The proposed development seeks to renew the scheme that was granted permission on 16 October 2019 and expired on 16 October 2022.
- 14.2.2** The proposed extension would be materially **identical** to the ones previously approved under consecutive planning permissions (LPA references UTT/19/0804/FUL, UTT/16/0206/FUL, UTT/12/5634/REN, UTT/0603/09/FUL).
- 14.2.3** The sole consideration of this application would be whether there have been any material changes in circumstances (including the application site, the Development Plan and the planning regime) since the grant of the latest planning permission under UTT/19/0804/FUL that would justify a different approach and alter the view for the principle of the development.
- 14.2.4** The Great & Little Chesterford Neighbourhood Plan was 'made' on 02 February 2023, and as such, it is now part of the Development Plan. The Uttlesford Interim Climate Change Planning Policy (2021) was also approved as non-statutory development management guidance for decision-making purposes to contribute to climate change mitigation. These documents are new material considerations for the current planning application and the scheme's compliance with their relevant policies will be tested below.
- 14.2.5** Additional supplementary planning documents (SPD) and other guidance were introduced as part of, or in parallel with, the Development Plan since the last application was decided, such as the SPD Developer Contributions (March 2023), the SPD Essex Coast Recreational Disturbance Avoidance & Mitigation Strategy RAMS (September 2020), the SPD Shopfront Design Guide for Uttlesford (February 2022) and guidance on Solar Farms (July 2021), as well as some other Neighbourhood Plans. Notwithstanding this, the above documents are not relevant to the application due to its nature and merits.
- 14.2.6** The local planning authority (LPA) adopted a Climate Crisis Strategy 2021-30 and an Interim Climate Change Planning Policy, which prioritises energy performance. The development would need to bring forward energy efficiency measures and construction techniques (to be conditioned) to ensure compliance with the above policies, as well as section 14 of the NPPF. However, as the proposal does not refer to residential development, water efficiency measures would not need to

comply with the 110 litres per person per day per unit set out in policy 3 of the Interim Climate Change Planning Policy, and policy GEN2(e) of the Local Plan.

- 14.2.7** The proposal would be within development limits, in accordance with policy GLCNP/1 of the Great & Little Chesterford Neighbourhood Plan. The proposed extension would also be compatible with the local pattern of development and of an appropriate architectural style that would visually blend in with its surroundings, complying with policy GEN2 of the Local Plan, policy GLCNP2(2) of the Great & Little Chesterford Neighbourhood Plan, and paragraph 135 of the NPPF. In addition, the proposal would not harm the wider landscape character of the area and would maintain the Important View no. 11, in compliance with policies GLCNP/4a and GLCNP/4b(a) of the Great & Little Chesterford Neighbourhood Plan.
- 14.2.8** Historic England and Place Services Conservation raised **no objections** on heritage impacts as the proposal is unlikely to change the significance of the adjacent heritage asset¹ and “*any harm would therefore be low. The site for example already contains an existing unit, there is a commercial estate to the west and housing along the frontage of the monument to the east*”. The proposal would also preserve the setting and significance of the nearby listed buildings² and the character or appearance of the Great Chesterford Conservation Area.
- 14.2.9** The economic benefits of the scheme would outweigh the low level ‘less than substantial harm’ to the setting of the ancient monument due to the emphasis of the NPPF on economic growth (see paragraphs 85 and 88). There is no clear reason for refusing the development, as per paragraph 11(d)(i) of the NPPF. The proposal would comply with paragraphs 206 and 208 of the NPPF, policies GEN2, ENV1, ENV2, ENV4 of the Local Plan, and policies GLCNP/1(b) and GLCNP/5 of the Great & Little Chesterford Neighbourhood Plan.
- 14.2.10** The design, scale and layout of the development has not been amended and remains acceptable without any material impact on the residential amenity of neighbouring occupiers. Place Services Archaeology and Ecology, and the LPA’s Environmental Health, raised **no objections** subject to conditions – the proposal would remain acceptable in terms of protecting biodiversity and ensuring no compromise in highway safety or human health and the environment. Potential archaeological remains would also be safeguarded. Parking provision would remain the same as previously approved and implemented. Anglian Water and Network Rail raised **no objections** and Affinity Water refrained from commenting.
- 14.2.11** Footnote 59 in paragraph 173 of the NPPF requires a site-specific Flood Risk Assessment (FRA) as the site falls within Flood Zones 2 and 3. Essex

¹ Roman Fort (Scheduled Ancient Monument).

² Mill Cottage (Grade II listed).
Mill House (Grade II listed).

County Council (as the Lead Local Flood Authority, LLFA) and the Environment Agency have been consulted. The application has been accompanied by an FRA, drainage strategy and flood compensation plan. Following several rounds of consultation and the submission of additional information, the LLFA and the Environment Agency raised **no objections** subject to conditions. The proposal would comply with paragraph 173 of the NPPF, and policy GEN3 of the Local Plan. The conditions refer to compliance with the drawings submitted, as well as to flood risk mitigation measures, a maintenance plan, and yearly maintenance logs. Another condition suggested for the existing pipes within the site to be cleared of any blockage and restored to fully working condition would not be necessary, as it would be covered by the condition for the maintenance plan. The following images show the extent of flooding from rivers (fluvial flooding) and from surface water (pluvial flooding).



- 14.2.12** Anglian Water raised **no objections** unconditionally and reported that the foul drainage of this development is in the catchment of the Great Chesterford Water Recycling Centre that will have available capacity for these flows. Anglian Water also reported that there are assets owned by them or those subject to an adoption agreement within or close to the site that may affect the layout. Affinity Water **refrained** from commenting.
- 14.2.13** The Highway Authority raised **no objections** subject to a condition for a 5-year travel plan (including a monitoring fee); however, this condition was previously avoided in UTT/16/0206/FUL and was not used in UTT/12/5634/REN and UTT/0603/09/FUL, as it failed the necessity test of paragraph 56 of the NPPF. The proposal would comply with policy GLCNP/3(1) of the Great & Little Chesterford Neighbourhood Plan. Notwithstanding the above, a condition for electric vehicle charging points would be necessary to improve air quality as per interim policy 14 of the Uttlesford Interim Climate Change Planning Policies, which requires that at least 20% of parking spaces in new developments should be provided with installed fast charging points, increasing in accordance with the Road to Zero Strategy in page 50 of the above document.
- 14.2.14** The proposal would also comply with policy GLCNP/8(1) of the Great & Little Chesterford Neighbourhood Plan, as the site falls within an allocated employment site.
- 14.2.15** Consequently, following the planning and heritage balances and when assessed against the policies in the NPPF taken as a whole, and as there

are no other material considerations indicating otherwise, the adverse impacts of the proposal would **not** significantly and demonstrably outweigh the benefits. The proposal would be sustainable development for which paragraph 11(d) of the NPPF indicates a presumption in favour.

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 The planning balance in paragraph 11 of the NPPF was found to tilt in favour of the scheme as the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits.

16.2 Overall, for the reasons given in this report, the proposal would not conflict with the development plan as a whole, and there are no material considerations, including the provisions in the NPPF, which would indicate otherwise.

16.3 It is therefore recommended that the application be approved subject to the conditions specified in section 17 of this report.

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** (a) Prior to commencement of the development hereby approved, a Written Scheme of Investigation (WSI), to secure a programme of archaeological investigation, shall be submitted to and approved in writing by the local planning authority. Thereafter, the programme of archaeological investigation shall be undertaken in accordance with the approved WSI.

(b) Within three (3) months from the completion of the programme of archaeological trial trenching, a mitigation strategy detailing the excavation/preservation strategy shall be submitted to and approved in writing by the local planning authority.

(c) Prior to commencement of the development hereby approved on those areas containing archaeological deposits, the fieldwork (open area excavation) shall be completed as detailed in the approved mitigation strategy.

(d) Within six (6) months from the completion of the fieldwork (open area excavation), a post excavation assessment shall be submitted to the Local Planning Authority. The post excavation assessment shall be completed when a full site archive and report are deposited at the local museum and a publication report is submitted.

REASON: To preserve potential archaeological remains, in accordance with the adopted Uttlesford Local Plan Policy ENV4, and the National Planning Policy Framework (2023).

- 4** Prior to any works above slab level, a schedule of the types and colours of the materials (including photographs) to be used in the external finishes shall be submitted to and approved in writing by the local planning

authority. Thereafter, the development shall be implemented in full accordance with the approved materials.

REASON: To preserve the character and appearance of the area, to preserve the significance of heritage assets, and to ensure the development is visually attractive, in accordance with policies S3, GEN2, ENV1, ENV2, ENV4 of the adopted Uttlesford Local Plan (2005), the Essex Design Guide, and the National Planning Policy Framework (2023).

- 5** Prior to any works above slab level, details of all hard and soft landscaping shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in full accordance with the approved details prior to occupation of the development hereby approved.

The landscaping details to be submitted shall include:

- a) proposed finished levels (earthworks to be carried out);
- b) means of enclosure of the land (boundary treatments);
- c) hard surfacing and other hard landscape features and materials;
- d) existing trees, hedges or other soft features to be retained;
- e) details of planting or features, including specifications of species, sizes, planting centres, number and percentage mix;
- f) details of siting and timing of all construction activities to avoid harm to all nature conservation features;
- g) management and maintenance 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: To preserve the character and appearance of the area, to preserve the significance of heritage assets, and to safeguard residential amenities, in accordance with the adopted Uttlesford Local Plan Policies S3, GEN2, GEN4, ENV1, ENV2, the Essex Design Guide, and the National Planning Policy Framework (2023).

- 6** Prior to any works above slab level, a Construction Method Statement (CMS) shall be submitted to and approved in writing by the local planning

authority. The statement shall specify the provisions to be made for the control of noise and dust emanating from the site and shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice. Thereafter, the approved CMS shall be adhered to throughout the construction period.

REASON: To safeguard residential amenities, in accordance with the adopted Uttlesford Local Plan Policies GEN2, GEN4, ENV10, ENV11, and the National Planning Policy Framework (2023).

- 7** Prior to any works above slab level, a Biodiversity Enhancement Strategy for bespoke biodiversity enhancements, in line with the recommendations of the Update Preliminary Ecological Appraisal Including a Protected Species Assessment (Skilled Ecology Consultancy, September 2023), shall be submitted to and approved in writing by the local planning authority.

The Biodiversity Enhancement Strategy shall include the following:

- a) purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) location of the enhancement measures by appropriate drawing(s);
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

Thereafter, the ecological works shall be implemented in accordance with the approved details.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species), s17 of the Crime and Disorder Act 1998, in accordance with the adopted Uttlesford Local Plan Policies GEN7, ENV8, and the National Planning Policy Framework (2023).

- 8** Prior to any works above slab level, the energy efficiency measures associated with the development shall be submitted to and approved in writing by the local planning authority. Thereafter, the development hereby approved shall not be used until all the approved energy efficiency measures have been implemented.

REASON: To ensure the development is sustainable and makes efficient use of energy and materials and has an acceptable appearance to comply with the adopted Uttlesford Local Plan Policy GEN2, as well as Uttlesford District Council's Interim Climate Change Planning Policy (2023) and the Uttlesford Climate Change Strategy 2021-2030.

- 9** Prior to occupation of the development hereby approved, a lighting design scheme for biodiversity in accordance with General Note: 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority.

The scheme shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Thereafter, all external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and shall be maintained in accordance with the scheme at all times. Under no circumstances should any other external lighting be installed without prior consent in writing from the local planning authority.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species) as updated by the Environment Act 2021, section 17 of the Crime and Disorder Act 1998, in accordance with the adopted Uttlesford Local Plan Policies GEN7, ENV8, and the National Planning Policy Framework (2023).

- 10** Prior to occupation of the development hereby approved, fully wired and connected electric vehicle charging points shall be provided on site for at least 20% of the total parking spaces provided within the application site. Thereafter, the charging points shall be maintained as such at all times.

REASON: To encourage the use of electric vehicles for better air quality, in accordance with paragraph 107 of the National Planning Policy Framework (2023).

- 11** Prior to occupation of the development hereby approved, the following flood mitigation measures shall be implemented:
- Infiltration testing in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 0.7l/s.
 - Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change.

Thereafter, the mitigation measures shall remain as such at all times.

REASON: To prevent flooding on site or elsewhere by ensuring a satisfactory storage/disposal of surface water from the site and to ensure the effective treatment of surface water runoff to prevent pollution, in accordance with policy GEN3 of the adopted Uttlesford Local Plan (2005), and the National Planning Policy Framework (2023).

- 12** Prior to occupation of the development hereby approved, a maintenance plan detailing the maintenance arrangements, including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies on each plot, shall be submitted to and agreed in writing by the Local Planning Authority.

If any part of the site will be maintainable by a maintenance company, details of long-term funding arrangements should be provided to the Local Planning Authority prior to the occupation of the development hereby approved.

REASON: To prevent flooding on site or elsewhere, in accordance with policy GEN3 of the adopted Uttlesford Local Plan (2005), and the National Planning Policy Framework (2023).

- 13** The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with the approved Maintenance Plan. These yearly logs must be available for inspection upon request by the Local Planning Authority.

REASON: To prevent flooding on site or elsewhere, in accordance with policy GEN3 of the adopted Uttlesford Local Plan (2005), and the National Planning Policy Framework (2023).

- 14** If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the developer shall notify immediately and in writing the Local Planning Authority. Any land contamination identified shall be remediated to the satisfaction of the local planning authority prior to occupation of the development hereby approved to ensure that the site is made suitable for its end use.

REASON: To ensure the development will not harm human health, the water environment and other receptors, in accordance with the adopted Uttlesford Local Plan Policies GEN2, ENV14, and the National Planning Policy Framework (2023).

- 15** All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Update Preliminary Ecological Appraisal Including a Protected Species Assessment (Skilled Ecology Consultancy, September 2023). The enhancement measures and/or works shall be carried out in full

accordance with the approved details and shall be maintained as such at all times.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species) as updated by the Environment Act 2021, s17 of the Crime and Disorder Act 1998, in accordance with the adopted Uttlesford Local Plan Policies GEN7, ENV8, and the National Planning Policy Framework (2023).

APPENDIX 1 – ESSEX COUNTY COUNCIL HIGHWAYS

Your Ref: UTT/22/3019/FUL
Our Ref: 24311
Date: 17th November 2023



Essex County Council

Director for Highways
and Transportation

To: Uttlesford District Council
Assistant Director Planning & Building Control
Council Offices
London Road
SAFFRON WALDEN CB11 4ER

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No. UTT/22/3019/FUL
Applicant Mr Ian Murphy
Site Location Plextek Ltd London Road Great Chesterford Essex CB10 1NY
Proposal Proposed extensions and alterations to previously approved applications UTT/19/0804/FUL and UTT/16/0206/FUL.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following measures:

1. Prior to first occupation of the proposed development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £6,760 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period. **Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Informative:

- 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. 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.

- iii. There shall be no discharge of surface water onto the Highway.
- iv. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.
- v. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.



.....
pp. Director for Highways and Transportation
Enquiries to Eirini Spyratou
Email: eirini.spyratou@essex.gov.uk

APPENDIX 2 – LEAD LOCAL FLOOD AUTHORITY (ESSEX COUNTY COUNCIL)

From: Suds
Sent: Friday, July 5, 2024 2:55 PM
To: Avgerinos Vlachos
Cc: Anna Murphy - Development and Flood Risk Officer
Subject: [External] >> RE: Update - UTT/22/3019/FUL (Plextek Ltd) SUDS-007040

Dear Avgerinos,

Thank you for your email.

Having reviewed the Environment Agency's latest response, the email chain below and the previous SuDS responses, I can confirm that the SuDS response issued on the 02/05/24 (no objection subject to conditions) remains our formal position for application UTT/22/3019/FUL.

Kind regards,

Gemma

Gemma Parson (she/her)
Development and Flood Risk Officer
Environment Climate Action | Climate & Adaptation | GI & SuDS

Adr: E1 County Hall, Chelmsford, Essex, CM1 1QH



<https://flood.essex.gov.uk>
<https://www.essexdesignguide.co.uk/suds>
www.essex.gov.uk



Essex County Council
**Development and Flood Risk
Environment and Climate Action,**
C426 County Hall
Chelmsford
Essex CM1 1QH



Avgerinos Vlachos
Uttlesford District Council
Planning Services

Date: 2nd May 2024
Our Ref: SUDS-007040
Your Ref: UTT/22/3019/FUL

Dear Sir/Madam,

**Consultation Response – UTT/22/3019/FUL - Plextek Ltd London Road Great
Chesterford Essex CB10 1NY**

Thank you for your email received on 22/04/2024 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position:

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we **do not object** to the granting of planning permission based on the following:

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the FRA:

- Infiltration testing in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 0.7l/s.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or

within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective treatment of surface water runoff to prevent pollution.

Condition 2

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies on each parcel, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 3

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

Condition 4

The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

Reason

To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.

Failure to carry out the required maintenance before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.
<https://www.essex.gov.uk/protecting-environment>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. Planning applications with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures
Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)
- Please note that where discharge is to a public sewer, consent from the relevant authority will be required. The links can be found below.
<https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/>
<https://www.thameswater.co.uk/developers>
- Any works to a ditch may require a S23 Ordinary Watercourse Consent. Please see the below link for more information and how to apply.
<https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/>

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the

emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Yours sincerely,

Anna Murphy

Development and Flood Risk Officer

Team: Green Infrastructure and Sustainable Drainage

Service: Climate Action and Mitigation

Essex County Council

Internet: www.essex.gov.uk

Email: suds@essex.gov.uk

Appendix 1 - Flood Risk responsibilities for your Council

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

- Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- Flood recovery measures (including flood proofing and other building level resistance and resilience measures)

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications '[Preparing for Floods](#)' and '[Improving the flood performance of new buildings](#)'.

- Sustainability of the development

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

APPENDIX 3 – RAILWAY

From: Dalia Alghoul
Sent: Monday, November 20, 2023 5:51 PM
To: Avgerinos Vlachos
Subject: [External] >> Network Rail Consultation Response - UTT/22/3019/FUL

OFFICIAL

Dear Sir/Madam,

Thank you for consulting Network Rail regarding the above application.
After reviewing the associated information, I would like to inform you that Network Rail have no objections to the proposals.

Should you have any further questions, please do not hesitate to contact Network rail.

Kind Regards,



Dalia Alghoul MSc
Town Planning Technician
Network Rail Property – Eastern - Anglia
1 Stratford Place | London | E15 1AZ
www.networkrail.co.uk/property

APPENDIX 4 – ENVIRONMENT AGENCY



Avgerinos Vlachos
Uttlesford District Council
Council Offices London Road
Saffron Walden
Essex
CB11 4ER

Our ref: AC/2023/131834/03-L01
Your ref: UTT/22/3019/FUL
Date: 05 July 2024

Dear Avgerinos

PROPOSED EXTENSIONS AND ALTERATIONS TO PREVIOUSLY APPROVED APPLICATIONS UTT/19/0804/FUL AND UTT/16/0206/FUL.

PLEXTEK LTD LONDON ROAD GREAT CHESTERFORD ESSEX CB10 1NY

Thank you for the consultation dated 26 June 2024. We have reviewed the documents as submitted and have no objection to this proposal. We have provided further Flood Risk information below.

Flood Risk

Review of Flood Risk Assessment (FRA)

We have no objection to the proposed development, but strongly recommend that the floodplain compensation scheme as detailed within Appendix A and Appendix B of the document reference *ST-3385/2406-EA Response* is adhered to, providing compensation on a level for level, volume for volume basis and ensuring no loss in floodplain.

Flood Risk Activity Permit (FRAP)

In reference to the suggested condition of the requirement for a Flood Risk Activity Permit (FRAP), we have the following advice.

Obtaining a Flood Risk Activity Permit for a flood risk activity within 8m of a main river is the law under the Environmental Permitting Regulations 2016 and anyone carrying out a flood risk activity without a permit where one is required, is breaking the law. Since it will be covered under these regulations, we aren't recommending that condition.

Information on how to apply for a permit and application forms can be found on our website at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>
Any application for a permit should be submitted to the following email address: PSO.EastAnglia@environment-agency.gov.uk.

Environment Agency
Bromholme Lane, Bampton, Huntingdon, PE28 4NE.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
Cont/d..

We trust this advice is useful.

Yours sincerely

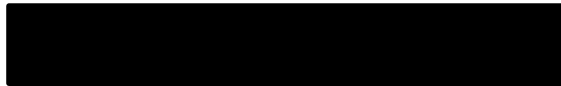


Mr Jack Saunders
Sustainable Places - Planning Advisor

Direct e-mail:

Team email:

Team phone number:



End

2

APPENDIX 5 – HISTORIC ENGLAND



Mr Avgerinos Vlachos
Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

Direct Dial: 01223 582710

Our ref: P01567544

3 November 2023

Dear Mr Vlachos

T&CP (Development Management Procedure) (England) Order 2015 & Planning (Listed Buildings & Conservation Areas) Regulations 1990

PLEXTEK LTD, LONDON ROAD, GREAT CHESTERFORD, ESSEX Application No. UTT/22/3019/FUL

Thank you for your letter of 17 October 2023 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Significance and impact

The site is adjacent to an important scheduled monument of an early Roman Fort which then went on to develop into a small Roman town. The site includes cemeteries of both Roman date and Anglo-Saxon. The monument is protected within three separate areas, divided by a rectangular quarry across the central part of the site and by Newmarket Road at its eastern end.

The main fort and town site are just to the east of the proposed development area, on the opposite side of the river.

We note the comments with regards to the development sites archaeological potential from your archaeological advisors. We support the view that the development would potentially have a direct impact on non-designated heritage assets associated with the Roman Fort which is designated. A change to the setting of the monument could be anticipated.



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.

Policy

The National Planning Policy Framework sets out the desirability of sustaining and enhancing the significance of heritage assets, paragraph 199. It continues that great weight should be given to their conservation and that any harm requires clear and convincing justification, paragraphs 199 and 200. Where a proposal will lead to less than substantial harm, this should be weighed against the public benefits of the proposal, paragraph 202 and 203. Footnote 68 may also be of relevance.

Historic England Position

We have considered the potential impact of the development upon the setting of the monument and accept it is unlikely to result in any change to its significance and any harm would therefore be low. The site for example already contains an existing unit, there is a commercial estate to the west and housing along the frontage of the monument to the east.

We therefore defer to your conservation and planning team with regards to the appropriateness of the site for this development and the design of the proposal.

We do however support the view that the site has considerable potential for the surviving archaeology, which if could relate to the Roman and later period town. If archaeology is recovered, it would potentially trigger the clause in Footnote 68 of the NPPF with regards to equivalence.

Due regard should therefore be given to an appropriate archaeological strategy, however, would defer to your archaeological advisors with regards to the details.

Recommendation

Historic England has no objection to the application on heritage grounds. We consider that the archaeological issues and safeguards need to be addressed in order for the application to meet the requirements of paragraphs 199, 200, 202 and 203 of the NPPF. Footnote 68 may also appropriate in this case.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Yours sincerely



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk





Will Fletcher

Development Advice Team Leader

E-mail: will.fletcher@HistoricEngland.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



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