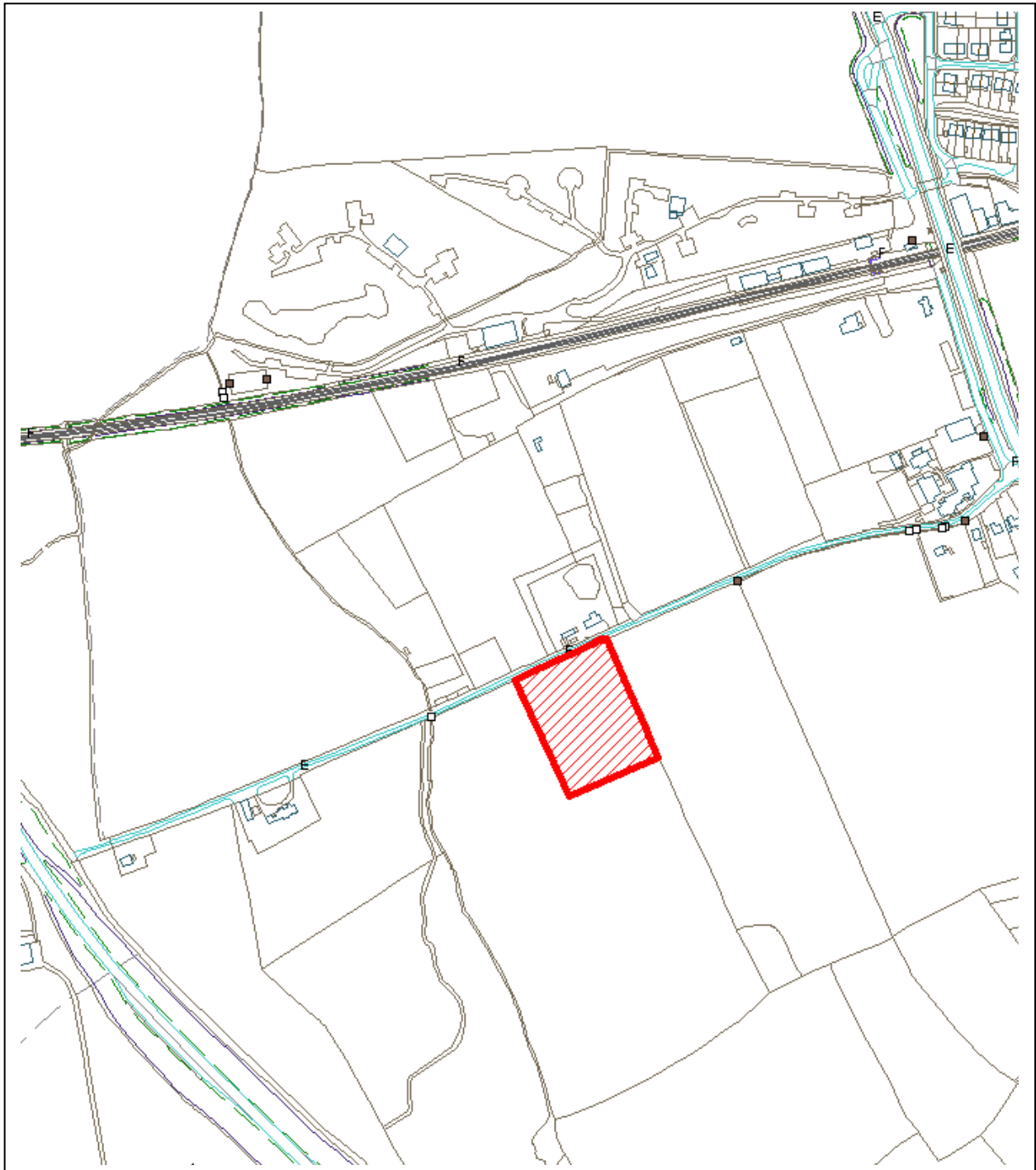


PLANNING COMMITTEE

19 AUGUST 2014

REPORT OF THE HEAD OF PLANNING

A.3 PLANNING APPLICATION - 14/00486/FUL - MEADOW LANDS, GUTTERIDGE HALL LANE, WEELEY, CO16 9DL



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Application:	14/00486/FUL	Town / Parish: Weeley Parish Council
Applicant:	Mrs Nan Hu Canning	
Address:	Meadow Lands, Gutteridge Hall Lane, Weeley, Essex, CO16 9DL	
Development:	To provide access road, turning area, parking area and electricity connection point on the site.	

1. Executive Summary

- 1.1 The application has been referred to Planning Committee by Councillor D. Skeels.
- 1.2 The proposal is for the construction of a vehicular access, turning head and parking bays along with an electricity connection point on the site. The proposals are required in relation to their intentions to farm the land for duck and duck egg production, which falls under the definition of agriculture.
- 1.3 The hard surfacing will consist of a mixture of type 1 material and scalpings and is required for parking and deliveries to and from the holding. The sympathetic choice of materials, the well-screened nature of the land and the presence of other hardened vehicular accesses ensure the proposal would not adversely impact upon the semi-rural character of the area.
- 1.4 Essex County Council Highways do not object to the application subject to the inclusion of appropriately worded conditions detailed below. Furthermore, it is not envisaged that the development would impact adversely upon local resident's amenity.
- 1.5 The Environment Agency and Natural England do not raise any objections to the development proposals.

Recommendation: Approve

Conditions:

1. Standard 3 year time limit for commencement.
2. Development in accordance with submitted plans.
3. Access to be constructed with porous materials
4. Access to be constructed in accordance with submitted plans
5. Provision of vehicular visibility splays
6. Submission of bridging/piping details of ditch
7. Provision of parking bays
8. No public access to site and no sales directly from the land
9. No gates within 8m of the highway and inward opening only

2. Planning Policy

National Policy:

National Planning Policy Framework (2012)

The Framework states the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Local Plan Policy:

Tendring District Local Plan 2007

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

EN1 Landscape Character

TR1a Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).

SD1 Presumption in Favour of Sustainable Development

SD8 Transport and Accessibility

SD9 Design of New Development

PLA5 The Countryside Landscape

Other guidance:

ECC Parking Standards (2009)

3. Relevant Planning History

3.1 In March of this year an Injunction was secured on the land to control hardsurfacing of the land and residential occupation.

4. Consultations

4.1 The proposal has been amended during the consideration of the application and the following represents a summary of all those comments received to both the original and revised proposal.

4.2 Weeley Parish Council – Objects to this application for the following reasons:

1. Insufficient land is owned by the applicant for the necessary visibility splay.
2. The road is very narrow and will not allow access for large vehicles. The passing places are unworkable.
3. The proposal is detrimental to the residential amenity of 'Reedlands.'
4. There is a risk that the rural nature of this lane will become compromised.
5. The application form states that there are no trees or hedges which might be affected - this is incorrect.
6. The application form states that there are three car parking spaces - only two are shown on the plan.

- 4.3 ECC Highways – No objections subject to several conditions concerning the provision of visibility splays, details of bridging/piping of the drainage ditch, restricting customer visits and sales from the land, restriction gates to 8m back into the site and the construction of parking bays.
- 4.4 ECC SuDS Consultee – No comments
- 4.5 Environment Agency – No objections but have requested the inclusion of an informative concerning the need to request consent to culvert a watercourse.
- 4.6 Natural England – Advised case officer to apply the standing advice in respect to the impact upon protected species. Confirmed that the proposal is not to be either located within, or within the setting of, any nationally designated landscape.

5. **Representations**

- 5.1 Councillor Dawn Skeels has called the application in for determination at Planning Committee because of the following:
- Urban design/street scene impacts
 - Highways or other traffic issues
- 5.2 Six letters of objection have been received and are summarised as follows (*comments where not addressed in report below*):
- Impact upon the open countryside
 - Out of character
 - Significant increase in traffic
 - Site is prone to flooding
(*The Environment Agency has been consulted and do not object to the proposals. Furthermore, a condition will be applied to ensure the hard surfacing is porous*).
 - Noise/Disturbance to nearby residents
 - Use of the site for residential accommodation in the future
(*Use of the land for residential accommodation will require a separate planning permission and will be dealt with on its own merits. The Injunction referred to earlier in this report remains in place*).

6. **Assessment**

- 6.1 The main planning considerations are:
- Background;
 - Visual impact;
 - Highway safety; and,
 - Residential amenity.

Proposal

- 6.2 The planning application proposal is for the provision of a vehicular access, turning head and car parking bays together with an electric supply to a parcel of agricultural land within Gutteridge Hall Lane. The hard surfaced area extends 14m into the site and 13.5m to the south-west to accommodate the required turning head and 3 parking bays.

- 6.3 The applicants are currently in the process of establishing a farm on the land for duck and duck egg production. The applicants are therefore seeking planning permission for a hard surfaced vehicular access, turning head and parking area to allow for a small delivery lorry and a large transit van for general use. The agricultural use of the land does not require planning permission.
- 6.4 The electric supply will be underground from an existing mains cable. The new electric meter kiosk will be constructed from 100mm blockwork on three sides and measure 0.89m x 0.55m by 1.3m high. The kiosk will be sited on a 1.2m x 0.85m concrete base.

Site location

- 6.5 The site lies within a countryside location on the southern side of Gutteridge Hall Lane, Weeley. The land is currently in agricultural use and is approximately 1.1 hectares in size. The site has an existing access to its northern corner. Along the eastern boundary of the site and the site frontage with Gutteridge Hall Lane are mature hedgerow and trees. The southern and western boundaries are open in nature with open countryside beyond. Directly opposite the site entrance is a residential bungalow known as 'Reedlands'. To the north-east of the site on the opposite side of Gutteridge Hall Lane is the vehicular access to a traveller's site comprising of 3 pitches, which also has planning permission for an additional 5 pitches.
- 6.6 Currently present on the land are approximately 100 ducklings, wooden sheds on timber skids and Heras fencing compounds in association with the applicant's duck farming enterprise.

Background

- 6.7 As stated above the vehicular access, turning head and parking area are required in connection with the applicant's intention to farm the land for duck and duck egg production. The use of the land itself for duck and duck egg production does not require planning permission as this use falls under the definition of agriculture as outlined in Section 336 of the Town and Country Planning Act 1990.
- 6.8 The applicants have confirmed that the vehicular access will be used as follows;
- Food for the ducks will be delivered in a large 2 axle transit van of about 3.5 tonnes gross weight once a month.
 - Sheds for the ducks are delivered on a small 2 axle lorry/open transit van weighing 3.5-7.5 tonnes 3 times a year.
 - Ducks to be delivered in a small Mercedes van twice a year.

- 6.9 The applicants require a single phase electric supply to provide power for incubators, fridges and security cameras.

Visual impact

- 6.10 The proposed area of hard surfacing equates to approximately 137 square metres in size and will consist of a layer of type 1 material 6 metres back into the site and a layer of scalpings beyond this. Given that the site is within a semi-rural location the impact of any hard surfacing upon the character of the area has to be carefully considered. The plans submitted originally show a significantly larger area of hard surfacing. To reduce any potential impact upon the character of the area the extent of the hard surfaced has been reduced through negotiation with the applicant and the surface material has been altered to incorporate type 1 material and scalpings, which are considered to be more sympathetic to the semi-rural character of the area.

- 6.11 Further to a reduction in the area of hard surfacing, the majority of the development is suitably screened in views along Gutteridge Hall Lane by the presence of mature hedgerows along the frontage of the plot and along the eastern boundary of the site. As such the surfaced area is only visible once viewed from directly opposite the access within Gutteridge Hall Lane itself.
- 6.12 Furthermore there are other examples of hard surfaced vehicular accesses in this section of Gutteridge Hall Lane. To the north-east is the vehicular access to a traveller's site which is surfaced in tarmac. The planning inspector within the appeal decision to allow the traveller's site and vehicular access stated that due to the area being semi-rural in character and not open undeveloped countryside along with the presence of a substantial boundary hedgerow, any hard surfacing in this area would not be to the detriment of the character and appearance of the area.
- 6.13 Due to the use of sympathetic surface materials, the well-screened nature of the site and the presence of other hard surfaces in the locality of the site, the impact of the development proposals upon the character and appearance of the area would be acceptable. The development is therefore considered to be in accordance with saved policy EN1 of the adopted Tendring District Local Plan (2007) and policy PLA5 of the Tendring District Local Plan Proposed Submission Draft (2012).

Highway safety

- 6.14 Essex County Council Highways have been consulted and raise no objections to the proposal subject to a number of conditions concerning the provision of the access in accordance with the agreed plans, the provision of visibility splays, the submission of details relating to the bridging of the ditch to the front of the site, the provision of car parking bays at the necessary dimensions, the restriction of customer's visiting the site and produce being sold from the land and the position of any gating situated at the site's access.
- 6.15 Due to the low level nature of trip to and from the site and the fact Essex County Council Highways have no objections the proposal is considered to result in no material harm to highway safety.

Residential amenity

- 6.16 The site already has an existing access located through a gap in the frontage hedgerow. As the use of the land for farming purposes does not require planning permission in itself there could be trips to and from the land in connection with an existing agricultural use irrespective of this planning application. Notwithstanding this point, the proposed low level of movements to and from the site along with a condition restricting sales from the land would limit any potential impact upon local resident's amenity.
- 6.17 The proposal is therefore not considered to result in significant harm to the residential amenities of neighbouring occupiers.

Background Papers

None.