

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	07/08/2018
Planning Development Manager authorisation:	AN	9/8/18
Admin checks / despatch completed	KNE	10/08/18

Application: 18/00778/FUL **Town / Parish:** Great Bromley Parish Council

Applicant: Toad Hall Free Range Eggs

Address: Bush Farm Hall Road Great Bromley

Development: Erection of a storage building.

1. Town / Parish Council

Great Bromley Parish Council

Great Bromley Parish Council notes that there is no size legend on the plan, but has no objection to the application.

2. Consultation Responses

n/a

3. Planning History

04/02189/FUL	Erection of a domestic stable block	Withdrawn	20.10.2005
06/01463/FUL	Erection of a domestic stable block (resubmission of 04/02189/FUL)	Withdrawn	21.05.2007
07/01206/FUL	Erection of detached dwelling. Alterations to vehicular access. Demolition of existing dwelling.	Refused	25.09.2007
08/00072/AGRIC	The erection of a machinery and general storage building.	Determination	13.02.2008
08/00631/FUL	Erection of detached dwelling (following demolition of existing dwelling). Alterations to existing vehicular access.	Approved	18.07.2008
09/00097/AGRIC	Erection of machinery / general storage building.	Determination	06.03.2009
09/00099/FUL	Demolition of existing agricultural/domestic building(s) and erection of a replacement building.	Approved	13.05.2009
09/00644/FUL	Erection of four bay stable block	Approved	02.09.2009

	with shelter, store and tack room and change of use of agricultural land to horse paddocks.		
09/00645/FUL	Erection of hay store/barn (following demolition of existing building) and cattle shed with associated yard.	Approved	02.09.2009
09/00646/AGRIC	Erection of machinery / general storage building.	Determination	05.08.2009
09/00647/FUL	Erection of a general purpose agricultural building.	Approved	02.09.2009
09/01340/FUL	Erection of a general purpose agricultural building.	Approved	12.04.2010
10/00355/FUL	Erection of replacement detached dwelling (following demolition of existing dwelling) and alterations to existing vehicular access. Demolition of existing agricultural / domestic buildings and erection of replacement agricultural / domestic buildings.	Approved	09.07.2010
11/00390/FUL	Extensions and alterations to existing barn.	Approved	28.06.2011
13/00509/FUL	Erection of replacement detached dwelling (following demolition of existing dwelling) and alterations to existing vehicular access. Demolition of existing agricultural / domestic buildings & erection of replacement agricultural / domestic buildings. (Extension of time on previously approved 10/00355/FUL).	Approved	25.07.2013
13/00981/FUL	Erection of a general purpose agricultural building (addition to building approved under 09/01340/FUL currently under construction).	Approved	23.10.2013
14/00573/DISCON	Discharge of condition 01 (materials) of planning permission 13/00981/FUL.	Approved	29.05.2014
16/01368/FUL	Erection of replacement detached dwelling (following demolition of existing dwelling) and alterations to existing vehicular access. Demolition of existing agricultural/domestic buildings and erection of replacement agricultural/domestic buildings.	Approved	16.01.2017

17/00424/FUL	Variation and amendments to approved scheme 16/01368/FUL.	Approved	26.05.2017
17/01720/FUL	Variation and amendments to approved scheme 17/00424/FUL & improvements to an existing vehicular access.	Approved	08.01.2018
18/00778/FUL	Erection of a storage building.	Current	
18/01123/FUL	Variation of Condition 3 of 17/01720/FUL to allow changes to the fenestration of the proposed dwelling, and to erect a single storey garden room.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN1 Landscape Character

EN16 Agricultural and Related Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

PPL3 The Rural Landscape

PP13 The Rural Economy

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is on the western side of Hall Road, within the Parish of Great Bromley. It is outside of any defined settlement limits and currently comprises a two-storey dwelling and a number of large agricultural buildings. The site is surrounded by agricultural land and horse paddocks.

Planning History and Description of Proposal

The site has extensive planning history for redevelopment of the residential dwelling and the outbuildings on site and alterations to the access arrangements (currently 2 access points). The history shows many variations and amendments to the approved schemes dating from 2008.

This application proposes the erection of an open sided storage building located at the southern end of the site. The building measures 12m x 6m in floor area and 4.8m to ridge height. The agent has confirmed that the building is to be used for agricultural storage purposes.

Agricultural Need

The proposed agricultural storage building is contrary to saved policies EN1 and EN16 of the Tendring District Local Plan (2007). Policy EN1 (Landscape Character) states that the quality of the District's landscape and its distinctive local character will be protected and, where possible, enhanced and any development which would significantly harm landscape character or quality will not be permitted. Policy EN16 relates to agricultural and related development and states that permission will be granted if the applicant can suitably demonstrate that the proposed development is reasonably necessary for the purposes of agriculture being carried out on that holding and the design, siting, size and materials of construction, including hard surfacing, ensure that the development would not have an adverse visual impact on the local countryside, landscape character or to nature conservation interests.

Proposals for farm buildings must be reasonably necessary for the purposes of agriculture within that unit. This is to ensure that any impact on landscape character or openness is minimised and will be considered in addition to detailed matters of size, siting and design.

In this instance it is not considered that the application has been submitted with adequate supporting information to justify the siting, design or size of the proposed structure. Furthermore, it has not been adequately demonstrated that the building is reasonably required for the purposes of agriculture.

The proposed agricultural storage building would measure 12m x 6m in floor area and would be sited at the southern end of the site. The extent of the site to which the building is related is limited to 1.5 hectares in size and already contains two large agricultural buildings and has planning permission for several more open sided storage buildings similar to that proposed now. Given the modest size of the site and the number of current/consent buildings on the land it is not considered that a further building can be suitably justified. As such the development, if approved, would result in an excessive accumulation of storage buildings on this rural site without a demonstrated need.

Without a detailed submission outlining the need for a further building of this size, design and siting and a full justification detailing the current working practises at the agricultural holding it cannot be accepted that this building is reasonably required for the purposes of agricultural, contrary to the afore-mentioned local plan policy and government guidance.

Visual Impact

The visual impact of the development would be minor given that it would be screened in views from the south by mature vegetation running along the southern boundary of the site. However, the approval of a further outbuilding on the site in this sensitive rural location cannot be supported without a strong justification.

Other Considerations

Great Bromley Parish Council notes that there is no size legend on the plan, but has no objection to the application.

No further letters of representation have been received.

6. Recommendation

Refusal

7. Reasons for Refusal

- 1 The proposed agricultural storage building is contrary to saved policies EN1 and EN16 of the Tendring District Local Plan (2007). Policy EN1 (Landscape Character) states that the quality of the District's landscape and its distinctive local character will be protected and, where possible, enhanced and any development which would significantly harm landscape character or quality will not be permitted. Policy EN16 relates to agricultural and related development and states that permission will be granted if the applicant can suitably demonstrate that the proposed development is reasonably necessary for the purposes of agriculture being carried out on that holding and the design, siting, size and materials of construction, including hard surfacing, ensure that the development would not have an adverse visual impact on the local countryside, landscape character or to nature conservation interests.

Emerging policy PP13 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) states that development may be granted in areas outside of defined settlement boundaries if the buildings are essential to support agriculture and farm diversification schemes.

Proposals for farm buildings must be reasonably necessary for the purposes of agriculture within that unit. This is to ensure that any impact on landscape character or openness is minimised and will be considered in addition to detailed matters of size, siting and design.

In this instance it is not considered that the application has been submitted with adequate supporting information to justify the siting, design or size of the proposed structure. Furthermore, it has not been adequately demonstrated that the building is reasonably required for the purposes of agriculture.

The proposed agricultural storage building would measure 12m x 6m in floor area and would be sited at the southern end of the site. The extent of the site to which the building is related is limited to 1.5 hectares in size and already contains two large agricultural buildings and has planning permission for several more open sided storage buildings similar to that proposed now. Given the modest size of the site and the number of current/consent buildings on the land it is not considered that a further building can be suitably justified. As such the development, if approved, would result in an excessive accumulation of storage buildings on this rural site without a demonstrated need.

Without a detailed submission outlining the need for a further building of the size, design and siting proposed and a full justification detailing the current working practises at the agricultural holding it cannot be accepted that this building is reasonably required for the purposes of agriculture, contrary to the afore-mentioned local plan policy and government guidance.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO