

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	24/04/19
Planning Development Manager authorisation:	SCE	30.04.19
Admin checks / despatch completed	AP	1/5/19

WJL

Application: 19/00340/FUL **Town / Parish:** Little Bentley Parish Council

Applicant: H D Cobbald and Sons

Address: Hall Farm Church Road Little Bentley

Development: Proposed offices for existing Agricultural Chemical store and new farm office.

1. Town / Parish Council

Little Bentley Parish Council No comment.

2. Consultation Responses

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal is on a site that operates a current storage facility and the proposal is to replace and upgrade existing facilities on site. The access point in and out of the site is not changing. The site appears to retain adequate room and provision for off street parking and turning, for the existing and proposed application therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority as it is not contrary to the following Development Management policies:

- A) Safety: Policy DM 1 of the Highway Authority's Development Management Policies February 2011
- B) Accessibility: Policy DM 9 of the Highway Authority's Development Management Policies February 2011
- C) Efficiency/Capacity: Policy DM 1 of the Highway Authority's Development Management Policies February 2011
- D) Parking Standards: Policy DM 8 of the Highway Authority's Development Management Policies February

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall 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:

SMO1 - Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester

CO4 9YQ

Building Control and
Access Officer

Insufficient information for me to comment upon at this time.

3. Planning History

02/01074/OUT	Farm managers dwelling	Refused	02.09.2002
93/00651/FUL	Removal of mineral & surplus topsoil and ancillary matters including the construction of an access and haulroad associated with the construction of an agricultural reservoir	Determination	30.09.1993
94/00182/CMTR	Removal of mineral and surplus topsoil and ancillary matters including the construction of an access and haulroad associated with the construction of an agricultural reservoir		24.10.2000
03/01807/FUL	Conversion of redundant agricultural building to Dental Technician premises.	Approved	03.11.2003
07/01984/FUL	Conversion and alteration of agricultural buildings to B1 and B2 use. Construction of new vehicular access.	Withdrawn	15.04.2008
08/00661/FUL	Conversion and alterations of agricultural buildings to B1, B2 and B8 use. Continued use of agricultural buildings to B2 and B8 use and dog grooming salon (sui generis use). Construction of new vehicular access, as amended by drawing No. 477/105 received on 23rd June 2008.	Approved	14.08.2008
10/00423/AGRIC	General purpose agricultural building.	Determination	17.05.2010
11/01227/LBC	Alterations to existing wall to include new opening and gates.	Approved	21.03.2012
11/01228/FUL	Realignment of existing farm access, construction of new agricultural access and alterations to existing wall to include new opening and gates.	Approved	21.03.2012
15/01020/FUL	Demolition of existing redundant agricultural buildings and erection of two B1(c) buildings incorporating three units, including courtyard,	Approved	29.09.2015

	parking, landscaping and natural amenity area.		
17/00727/FUL	Variation of condition 14 of 15/01020/FUL, to increase the overall height of building 1 by 659mm.	Approved	28.07.2017
18/01193/AGRIC	Change existing grain store into agricultural chemical store.	Determination	15.08.2018
18/01892/FUL	Change of use from agricultural chemical store to include use Class B8 for storage and distribution.	Approved	21.01.2019
19/00233/FUL	Proposed change of use of Agricultural implement store for B1 (A) & (C) Business and B8 storage/distribution.	Approved	09.04.2019
19/00257/AGRIC	Proposed erection of Agricultural grain store.	Determination	14.03.2019

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN1 Landscape Character

EN23 Development Within the Proximity of a Listed Building

ER7 Business, Industrial and Warehouse Proposals

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR7 Vehicle Parking at New Development

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

CP1 Sustainable Transport and Accessibility

PPL3 The Rural Landscape

PPL9 Listed Buildings

SPL1 Managing Growth

SPL3 Sustainable Design

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.

5. Officer Appraisal

Site Description

The application site is located on the western side of Church Road within the parish of Little Bentley. The application site is located on an established farm holding known as Hall Farm. The site contains a number of outbuildings, whilst the building itself was the subject of planning application 18/01193/AGRIC, where permission was granted to convert its use from a grain store to an agricultural chemical store, and 18/01892/FUL where planning permission was granted to allow a mixed use including B8 Storage and Distribution. To the north is the Grade II Listed Little Bentley Hall; however the overall character is rural, with large areas of vegetated or agricultural land to all sides.

Proposal

This application seeks planning permission for the construction of a single storey lean-to extension to the western elevation of the existing agricultural chemical store. The extension will measure 35m depth, 6.5m width and 4.4m height, and will serve as an office ancillary to the chemical store. The extension will be constructed with green profiled metal cladding and goosewing grey profiled metal sheeting roofing.

Assessment

1. Design/Visual Impact

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed single storey lean-to extension is of a size and design that is in-keeping with the existing building, also utilising materials that are consistent. Further, given the extension is well set back from the street scene and that the overall site is dominated by numerous agricultural buildings, there will be a neutral impact to the existing character of the area.

2. Impact Upon Setting of Listed Building

Little Bentley Hall is located approximately 100m to the north of the site. Given the presence of other buildings in the immediate vicinity, that the extension itself is single storey and that there is vegetation located within the grounds of Little Bentley Hall, there would be minimal intervisibility between the proposals and the listed building itself. As such, for these reasons and the degree of separation, the impact upon the setting of the listed building would be minimal.

3. Residential Amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Due to the sites existing agricultural use and that the nearest residential properties are located a minimum of 100m away, there is not considered to be harm to any existing amenities as a result of the proposed extension.

4. Highways

Essex Highways Authority have been consulted and state that the access point in and out of the site is not changing, and the site appears to retain adequate room and provision for off street parking and turning. Therefore they have no objections to the proposed development.

Adopted Car Parking Standards state that for a B8 Storage or Distribution use, provision should be made for a minimum of one parking space per 150sqm. The overall building is approximately 975sqm, which would equate to seven parking spaces. There is however sufficient room surrounding the site to comfortably meet this requirement.

Other Considerations

Little Bentley Parish Council have not commented.

There have been no other letters of representation received.

Conclusion

It is considered that for the above reasons the proposal meets the criteria set out in the National Planning Policy Framework and relevant policies of the National Planning Policy Framework, the Tendring District Local Plan and the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

6. Recommendation

Approval.

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers 120, 121 and 122.

Reason - For the avoidance of doubt and in the interests of proper planning.

8. **Informatives**

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.