

# Tendring

## District Council



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Our Ref: 19/00573/AGRIC

8 May 2019

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 19/00573/AGRIC

PROPOSAL: Erection of a general purpose steel framed agricultural building with lean to.

LOCATION: Brook Farm Thorrington Road Great Bentley Colchester

I refer to the above application received on 10 April 2019.

This is the Council's decision under Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Determination by the Local Planning Authority that the prior approval of the authority is **required** for the siting and appearance of the development permitted by Part 6, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The Tendring District Council hereby **refuse** approval for the siting and appearance of the development proposed in the above-mentioned application for the following reasons:

- 1 The footprint of the proposed building will encroach into and obstruct the public right of way footpath no. 4 (Parish of Great Bentley 165).

The National Planning Policy Framework 2019 (NPPF) Paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places through the provision of safe and accessible green infrastructure that encourages walking. In addition, Paragraph 102 aims to promote sustainable forms of transport including walking. Saved Policy TR4 of the adopted Tendring District Local Plan 2007 aims to safeguard Public Rights of Way stating where development affects an existing public right of way, planning permission will be refused. Furthermore, Policy PPL3 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017 states that the Council will protect the rural landscape and refuse planning permission for any proposed development that would cause overriding harm to its character or appearance including footpaths.

Approving the siting of the proposed building would obstruct passage of the public on this definitive right of way contrary to national and local plan policy.

Yours faithfully

*Catherine Bicknell*

Catherine Bicknell  
Head of Planning