

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	20/05/19
Planning Development Manager authorisation:	SCE	20.05.19
Admin checks / despatch completed	SB	20/05/19

Application: 19/00371/FUL **Town / Parish:** Beaumont Parish Council

Applicant: Mr Michael Welham

Address: Ratcliffs Farm Wix Road Beaumont-cum-moze

Development: Change of use of agricultural land for the siting of 1 No. Mongolian yurt and associated unmade track and parking area.

1. Town / Parish Council

Beaumont Parish Council No comment.

2. Consultation Responses

Tree & Landscape Officer The main body of the application site has recently been cleared of all vegetation but the site boundaries are demarcated by individual trees that are growing close to one another and form a reasonable screen.

The placement of the Yurt will not cause a significant change to the character of the area as it, and the proposed toilet block, will be set back, quite a distance from the highway.

It terms of the position of the car parking area it would be desirable for it to be set back further into the land. This would enable soft landscaping to be carried out to soften and screen the area from a public viewpoint.

It would also be desirable to secure new hedgerow planting around the perimeter of the site to provide a degree of enclosure and screening of the whole application site taking into account the proposed future use of the land.

The hedgerow should comprise of indigenous species such as Hawthorn, Blackthorn, Field Maple, Guelder Rose and Holly. This is not an exhaustive list and several other species would also be acceptable. Plants should be 60 -80cm tall at time of planting and planted in a double staggered row approximately -75 -100cm apart

ECC Highways Dept The Highway Authority does not object to the proposals as submitted.

Informative 1: 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

Environmental Protection I can confirm that Environmental Protection have no comments to make in relation to this application.

Waste Management No comments.

Building Control and Access Officer No comments.

3. Planning History

00/00327/FUL	To build sunken swimming pool and surrounding enclosing 1.8 metre high wall and change of use to garden land.	Approved	03.05.2000
00/01625/FUL	Erection of fence	Approved	26.10.2000
97/00740/FUL	Bathroom extension	Approved	09.07.1997
03/01626/FUL	Change of use of building to workshop for classes B1 and B8 use.	Approved	06.10.2003
88/01128/FUL	Change of use from farm buildings to repair of agricultural machinery	Withdrawn	05.07.1988
18/00034/COUNO T	Change of use to B8 storage or distribution.	Determination	22.02.2018

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN1 Landscape Character

ER16 Tourism and Leisure Uses

ER19A Touring Caravans and Tents

ER20 Occupancy Timescales

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

PP8 Tourism

PP10 Camping and Touring Caravan Sites

PPL3 The Rural Landscape

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

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 a parcel of land to the east of Ratcliff's Farm, along Wix Road in the parish of Beaumont. The site is an open area of agricultural land recently cleared, with the site boundaries demarcated by individual trees. The character of the surrounding area is largely rural, with large areas of predominantly agricultural land to all sides. Ratcliff's Farm, a large detached two storey property, is located to the west, while further out to the west are two buildings with a B8 (storage and distribution) use following the granting of 18/00034/COUNOT.

The site is outside of a recognised Settlement Development Boundary within both the Saved Tendring District Local Plan (2007) and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Description of Proposal

This application seeks full planning permission for the change of use of the agricultural land to accommodate a Mongolian yurt measuring 3.1m height and with a diameter of 5.35m to form a small glamping site. The proposal will result in 2 part time employees being hired.

The original plans included a toilet/shower area; however the applicant has since confirmed this now does not form part of the plans.

Assessment

1. Policy Considerations

Paragraph 28 of the National Planning Policy Framework (NPPF) states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Planning should support the growth of well-designed new buildings and promote the development and diversification of agricultural businesses. This paragraph also states that planning should support sustainable rural tourism that benefits businesses in rural areas which respect the character of the countryside. This should include supporting the provision and expansion of tourism and visitor facilities in appropriate locations.

Saved plan Policy ER16 sets out the criteria that should be met. Amongst other things it requires that the development is accessible to all potential visitors, that there is suitable vehicular access to the site and parking provision, that the type of use proposed should not cause undue disturbance by reason of noise and that uses creating high levels of noise should be located well away from residential property. Saved plan Policy ER19a states new facilities for touring caravans and tents will be allowed in appropriate locations but should avoid areas with a high risk of flooding. The sentiments of these policies are carried forward within Policy PP8 within the Emerging Plan.

With regard to landscape character, saved plan Policy EN1 states that the quality of the district's landscape and its distinctive character will be protected and where possible enhanced. Any development which would significantly harm landscape character or quality will not be permitted.

2. Landscape/Visual Impact

The site is located within a predominantly rural location, with only occasional built form located along Wix Road to the west, and large areas of agricultural land to the surrounding area. The site itself is partially screened from views to the east from existing trees on site, with the submitted landscaping scheme showing native hedge planting to the eastern and western boundaries, and also to the south of the proposed yurt. Therefore, views of the yurt and driveway will largely be reduced by the planting, thereby reducing the impact of the development to the open nature of the surrounding area.

The Council's Principle Tree and Landscapes Officer initially raised concerns that the site parking was to be to the south-eastern corner, which was a prominent location, and recommended it was set back further into the site. Accordingly amended plans have re-located the site parking further into the site closer to the yurt, thereby reducing its prominence and ensuring a softer impact adjacent to Wix Road.

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).

The only nearby neighbouring property is Ratcliff's Farm, which is located to the south-west of the site. However, given there is an approximate separation distance of 70 metres and the low-key

nature of the operation, it is not considered there will be any harm to existing neighbouring amenities.

4. Highway Safety

Essex County Council as the Highways Authority have been consulted and have stated they do not wish to object to the proposed development.

Adopted Parking Standards state there should be one parking space per pitch and one space per full time staff equivalent member, with each parking space measuring 5.5m x 2.9m. The site is of a large size easily capable of providing the necessary parking.

5. Occupancy

The proposed Mongolian yurt will be for holiday use only, and accordingly a condition will be attached to this decision to reflect this, while also requesting the site owners maintain an up to date register of names of all owners/occupiers on site with their main home address to ensure the accommodation provided is not used for full-time residential occupation.

Other Considerations

Beaumont Parish Council have not commented on the application.

There have also been no other letters of representation received.

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 RF1, RF5 and the document titled 'Amended Landscaping Plan'.

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

- 3 Prior to the commencement of any above ground works, a scheme of hard and soft landscaping works for the site shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction.

Reason - To enhance the visual impact of the proposed works.

- 4 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting

season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason -To enhance the visual impact of the proposed works.

- 5 The Mongolian yurt shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The owners/operators of the site shall maintain an up to date register of the names of all owners/occupiers of the Mongolian yurt on site and of their main home addresses. The register shall be made available at all reasonable times for inspection by the Local Planning Authority.

Reason - To ensure that the accommodation remains in holiday use in support of planning policies aiming to encourage tourism and does not become a permanent residential use.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.