

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	04/06/19
Planning Development Manager authorisation:	AN	11/6/19
Admin checks / despatch completed	AP	12/6/19

ER

Application: 19/00628/FUL **Town / Parish:** Little Bentley Parish Council

Applicant: H D Cobbald & Sons

Address: Hall Farm Church Road Little Bentley

Development: Variation of condition 2 of approved application 19/00233/FUL to substitute drawing no. 4053/123 with 4053/123/A as a result of elevational and floor plan changes.

1. Town / Parish Council

Little Bentley Parish Council No comment.

2. Consultation Responses

ECC Highways Dept It is noted that this application only concerns the variation of condition 2 changes to elevational and floor plan, the Highway Authority does not object to the proposals as submitted and in accordance with revised drawing no. 4053/123/A.

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

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
03/01807/FUL	Conversion of redundant	Approved	03.11.2003

	agricultural building to Dental Technician premises.		
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	Withdrawn	15.04.2008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.	Determinati on	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, parking, landscaping and natural amenity area.	Approved	29.09.2015
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.	Determinati on	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.	Determinati on	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

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

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

CP1 Sustainable Transport and Accessibility

PPL3 The Rural Landscape

PPL9 Listed Buildings

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 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 which contains a number of outbuildings. 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 a variation of condition 2 of planning permission 19/00233/FUL. The proposal seeks to make the following amendments:

- o Relocation of front elevation roller shutter doors;
- o Removal of one set of front elevation roller shutter doors, to be replaced with two ground floor windows;
- o Amendments to window arrangement to the front elevation;
- o Relocation of ground floor front elevation doors; and
- o Removal of mezzanine

The proposed floor layout shows approximately 40% of the site is to be used as a vehicle wrap area, with the remainder of the site to be used as a print/cut room, staff room, training room, meeting room and toilets.

History

Under planning reference 19/00233/FUL planning permission was granted for the conversion of the existing agricultural implement store subject of this application, into a joint use including B1(a) (business office), B1(c) (business for any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area), and B8 (storage or distribution).

The submitted plans showed 60% of the site to be used for a vehicle wrap area/ training room and 40% to be used for unknown B1 and B8 uses. The proposed change also incorporated a mezzanine area and numerous external alterations to the building including replacement roofing and walls, three shutter doors to the front elevation, and doors and windows.

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 building is already in situ and is well set back within the site amongst other agricultural buildings. It is therefore not visible from the street scene along Church Road to the east. The changes being proposed to that approved within 19/00233/FUL are largely to the front elevation but are not considered to be significant amendments. Indeed, a number of the amendments include relocating previously accepted features such as the roller shutter doors and ground floor entrance doors. The design of the building is still in-keeping with the agricultural character of the site and overall the scheme is of good visual merit that will result in a neutral impact when

assessed against the design previously approved. The works therefore will not appear incongruous within this rural location.

2. Impact Upon Setting of Listed Building

Little Bentley Hall is located approximately 100m to the north of the site. However, given the limited changes being proposed, that the building itself is currently in situ 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

This application does not seek to amend the use of the building, and will therefore not impact neighbouring properties in terms of additional noise disturbance. The design changes to the front elevation will also result in a neutral impact to existing amenities.

4. Highways

Essex Highways Authority have been consulted and state 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, while a B1 use should have 1 space per 100sqm for staff and 1 space per 200sqm for visitors. The application makes no amendments to the parking provision or size of the building (approximately 390sqm). Accordingly, given this and that there is a large car parking area to the north of the site that can accommodate approximately six cars, there are no objections.

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 9 April 2022.

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 of 19/00233/FUL, and drawing number 123/A of this planning permission.

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

- 3 The development shall not be occupied until such time as the car parking and turning facilities indicated on the approved plans, including any spaces for the mobility impaired has been hard surfaced, sealed and marked out in parking bays. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety.

- 4 Prior to occupation of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

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.