

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	08/07/2019
Planning Development Manager authorisation:	AN	8/7/19
Admin checks / despatch completed	AP	10/7/19

Application: 19/00098/FUL

Town / Parish: Beaumont Parish Council

Applicant: Mr David Day

Address: Grain Store Northfields Farm Harwich Road

Development: Insertion of mezzanine floor, first floor windows, roof lights and other alterations to facilitate conversion to permitted office use (allowed under Class R of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 3).

1. Town / Parish Council

Beaumont Parish Council No comments received.

2. Consultation Responses

ECC Highways Dept
ORIGINAL COMMENTS

The information that was submitted in association with the application has been fully considered by the Highway Authority.

The site is located off B1414 Harwich Road which is subject to a 30-mph speed limit. The premises will be accessed from the current vehicular access that serves Northfields Farm and the proposed office. The proposal retains adequate room and provision for off street parking and turning, for the business, therefore:

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

Informative 1:

Any work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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

ECC Highways Dept
**AMENDED
APPLICATION
COMMENTS**

The information that was submitted in association with the application has been fully considered by the Highway Authority.

The site is located off B1414 Harwich Road which is subject to a 30-mph speed limit. The premises will be accessed from the current vehicular access that serves Northfields Farm and the proposed office, therefore:

From a highway and transportation perspective the impact of the

proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. 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 in accordance with policy DM1.

2. The public's rights and ease of passage over public footpath PROW no. 159_11 (Beaumont-cum-moze) shall be maintained free and unobstructed at all times.

Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies DM1 and DM11

3. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times.

The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

4. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

5. The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

6. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative 1: Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site

worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site. No vehicles associated with the development shall affect the ease of passage along the PROW.

Informative 2: Any work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

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3. Planning History

None relevant.

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

ER11 Conversion and Reuse of Rural Buildings

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

PP13 The Rural Economy

CP1 Sustainable Transport and Accessibility

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 (including Site Description and Proposal)

Site Description

The application relates to an existing grain store building at Northfield Farm on the northern side of Harwich Road, Beaumont.

Description of Proposal

The application seeks full planning permission for the insertion of a mezzanine floor, first floor windows and roof lights to assist with the conversion of the building to an office already permitted under Class R of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 3.

The building is to be accessed via the existing farm track (also a public right of way) served by a parking area directly adjacent.

Assessment

The main considerations are;

- Principle of Development;
- Design and Impact;
- Impact on Neighbouring Amenities;
- Access and Parking;
- Representations.

Principle of Development

Schedule 2, Part 3 of the The Town and Country Planning (General Permitted Development) (England) Order 2015 Class R deals with the change of agricultural buildings to a flexible commercial use.

This states that agricultural buildings under 500m² are permitted to change to a flexible commercial use, comprising A1, A2, A3, B1, B8, C1 or D2 uses. This is subject to meeting certain criteria, and Prior Approval being sought in relation to uses over 150m².

The existing floor area of the building is approximately 145.6m². A prior notification application under condition R.3 (1)(b) is not required and the change of use to offices can be carried out. However, 'associated operational development' cannot be carried out as permitted development.

Therefore, the use itself is not under consideration in this instance, only the physical alterations that are not covered by the permitted development rights.

Design and Impact

The mezzanine floor to be added internally increases the floor area but does not alter the external appearance of the building. The additional floor space will be used for office space alongside the permitted use. The proposed external alterations include the insertion of windows and rooflights to provide natural light to the ground floor and new first floor office spaces.

The windows and doors are concentrated to the inward facing elevation with 4 rooflights overall. The building is well set back from the highway. The public right of way lies adjacent to the unaltered elevation of the building.

The alterations will not be harmful to visual amenity and will not result in any material harm to the rural character of the area or wider landscape views.

Impact on Neighbouring Amenities

The building is sited well away from the nearest neighbouring properties. Any views from the new windows will not overlook or compromise the privacy of nearby dwellings.

Access and Parking

The site contains an area of hardstanding adjacent to the building for parking/turning purposes. The building will be served by the existing access. The traffic movements generated by the use will not be excessive and be satisfactorily accommodated by the highway network. The office nature of the use is unlikely to result in any significant traffic movements. Whilst it is recognised that the access is also a public right of way, the road is already used by a number of large agricultural buildings and the condition of the road means that the type and number of vehicles associated with the change of use will not be materially harmful to highway safety.

Essex County Council Highway Authority raises no objection to the development subject to condition which will be

Representations

No comments have been received from Beaumont Parish Council.

No individual letters have been received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

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 approved floor plans and elevations submitted with the application.

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

- 3 The public's rights and ease of passage over public footpath PROW no. 159_11 (Beaumont-cum-moze) shall be maintained free and unobstructed at all times.

Reason - To ensure the continued safe passage of the public on the definitive right of way and accessibility.

- 4 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

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

- 5 Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason - To ensure adequate space for parking off the highway is provided 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.

Highways Informatives

Informative 1: Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site. No vehicles associated with the development shall affect the ease of passage along the PROW.

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Informative 3:

Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway to ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.