

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	27/08/19
Planning Development Manager authorisation:	GR	3/9/19
Admin checks / despatch completed	EK	4/9/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SB	04/09/19

Application: 19/00842/FUL **Town / Parish:** Frating Parish Council

Applicant: Mrs Zoe Brumbley

Address: Burrs Farmhouse Station Road Frating

Development: Extend existing stable block by adding one equipment store, hay store and covered open unit for tractor storage.

1. Town / Parish Council

Frating 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 proposals are within the boundary of the farm and the existing accesses from the highway are not changing; the proposals are for recreational purposes only therefore:

From a highway and transportation perspective the Highway Authority has no comments to make on this proposal.

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.

3. Planning History

91/00707/FUL	Extension and conversion to form annexe.	Approved	18.03.1992
97/00366/FUL	Proposed vehicular access	Approved	08.05.1997
98/01301/FUL	Change of use of former agricultural land to the residential curtilage of Burrs Farmhouse, Frating	Approved	03.11.1998
04/01027/FUL	Farm yard land to be used as garden land	Approved	30.07.2004
05/00926/FUL	Rebuilding and extending old brickwall and moving kerbstone to make safer access from road onto	Approved	22.08.2005

	driveway		
08/00106/FUL	Change of use of redundant farm building to B1 and B2 use.	Approved	
08/01176/FUL	Change of use of redundant agricultural building to B1 (c) Light Industrial Use and creation of new vehicular access, as amended by Design and Access Statement received on 18 September 2008, and amplified by Bat Survey produced by D. F. Clark Bionomique Ltd on 7 October 2008.	Refused	19.02.2009
10/01052/FUL	Creation of new farm access and hardstanding area.	Refused	04.11.2010
11/00045/FUL	Creation of new access and hardstanding area.	Approved	10.03.2011
12/00655/FUL	Erection of 2 polytunnels.	Approved	09.08.2012
12/01324/FUL	Change of use of existing agricultural building to B1 (c) (Horticultural business), including external alterations to existing barn; creation of new access; and formation of hardstanding areas for parking and manoeuvring and outside storage.	Approved	13.02.2013
15/00196/FUL	Coach house style stables and single storey garage and new vehicular access onto highway	Approved	19.05.2015
18/01510/FUL	Proposed manege 20m x 40m.	Approved	17.12.2018

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

COM12 Equestrian Uses and Buildings

EN1 Landscape Character

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)

PPL3 The Rural Landscape

SPL3 Sustainable Design

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) 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 Burrs Farmhouse, which is located along Station Road within the parish of Frating. The site currently includes Farm House, a two storey dwelling, and numerous outbuildings including the stable block the subject of this application. The character of the surrounding area is rural; whilst there is the odd example of built form it is predominantly characterised by large areas of grassed and agricultural land. The site is located outside of a recognised Settlement Development Boundary, as per the Adopted Tendring Local Plan 2007 and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017). To the north of the site is a Public Right of Way, running east to west.

Description of Proposal

This application seeks planning permission to extend the existing stable block to include an equipment store, hay store and covered open unit for tractor storage. The extension, which is of an L-shape design, will measure 4.7m height, 9 metres in width and 11 metres in depth.

Assessment

1. Principle of Development

Saved policy COM12 of the Tendring District Local Plan (2007) sets out that business and domestic equine related activities will be considered in relation to the nature and scale of the equestrian use, the impact of the built development on the character of the countryside, whether the size of the stables accords with the number of horses intended to be accommodated, the impact to neighbouring properties, highways impacts, and whether suitable arrangements have been made for the disposal of storage of soiled material and foul drainage provision.

Given that there are currently stables in situ and this application is purely an extension to the existing built form, and that it will result in no additional stables, the principle of development is acceptable subject to the detailed considerations below.

2. Visual Impacts

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 extension is sited to the north-eastern corner of the site, adjacent to Station Road. Given this, that the sites boundary is bounded by just a 1.5m high wall, and that it is also adjacent to a Public Right of Way, it will be particularly prominent. However, despite this prominence the proposal is single storey and will merely extend an existing stable block, and will therefore not alter the site or areas character. The use of timber and oak framed stable doors is in-keeping with the existing building, further ensuring there is no visual harm as a result of the proposed development.

3. Impact to Neighbouring 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).

Given the rather rural location of the site there are no neighbouring properties in close proximity, with the nearest being 'The Old School House' approximately 70 metres to the north-west. Given this significant separation distance and the single storey and minor nature of the development proposed, there will be a neutral impact to existing neighbouring amenities.

Other Considerations

Frating Parish Council has not commented.

There have been no other letters of representation received.

Conclusion

In the absence of significant material harm as a result of the proposed development, the application is recommended for approval.

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, document titled 'Block Plan' and the untitled Site Location Plan and two plans showing various elevation and floor layout drawings.

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.