

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	25 th Nov
Planning Development Manager authorisation:	AN	26/11/19
Admin checks / despatch completed	CC	27.11.19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	XAO	27/11/19.

Application: 19/01481/FUL **Town / Parish:** Great Bromley Parish Council

Applicant: A Lochore and Sons

Address: Holly Lodge Colchester Road Great Bromley

Development: Proposed agricultural storage building.

1. Town / Parish Council

No comments received

2. Consultation Responses

No comments received

3. Planning History

16/01545/AGRIC	Proposed agricultural storage building.	Determination	20.10.2016
17/00594/FUL	Proposed cart lodge, garaging, and annexe including extension to domestic curtilage.	Approved	
17/00767/FUL	Change of use of agricultural land to domestic garden	Approved	26.07.2017
18/00714/COUNO T	Proposed conversion of two barns into two dwellings	Determination	19.06.2018
18/01515/FUL	Proposed single storey rear extension, two storey side and rear extension and porch.	Approved	26.10.2018
19/00154/AGRIC	Proposed agricultural storage building.	Determination	22.02.2019
19/01481/FUL	Proposed agricultural storage building.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN16 Agricultural and Related Development

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

SP1 Presumption in Favour of Sustainable Development

PP13 The Rural Economy

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 (including Site Description and Proposal)

Site Description

The application site is located to the north of Colchester Road, outside the development boundary of Great Bromley. The site comprises three main elements, all accessed from a singular driveway. To the left (east) of the driveway is the main farmhouse, to the right (west) of the driveway are two low-key agricultural buildings – both of which are the subject of prior approval applications to convert them to residential. At the head (north) of the driveway is a track that leads to a large hardstanding around 6000sqm. The hardstanding has prior approvals already granted for two agricultural buildings (16/01545/AGRIC) and 19/00154/AGRIC on the north-east side of the hardstanding; one of which has been constructed.

Relevant Planning History

In September 2019 a prior approval application for a new agricultural building was submitted. The Local Planning Authority turned the application away as the proposal failed to adhere to Schedule 2, Part 6, Class A, paragraph A.1 (b) of The Town and Country Planning (General Permitted Development) Order 2015 (as amended), which states the following:

Development is not permitted by Class A if it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins.

Evidence available to the Local Authority concluded that the insertion of windows in the barns amounts to development which has been carried out and the submission could not be dealt with via the Prior Notification process and a separate full planning application would be required.

Proposal

The application proposes a third agricultural building to be sited in the south-west corner of the hardstanding. The building has a typically functional appearance; being almost 8m high and having a footprint of 30m x 14m.

Principle

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. The application site is located outside of any defined Development Boundary within the existing and the emerging Local Plan. Settlement development boundaries aim to restrict new development to the most sustainable sites and outside of the boundary the Local Plan generally seeks to conserve and enhance the countryside. The site is part of an existing much larger agricultural holding (circa 192 hectares) and for this reason the principle of an agricultural-orientated development on an agricultural site is considered acceptable, subject to the detailed consideration below.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The building has a typically functional appearance and scale associated with the need to store large agricultural machinery. Externally it would be finished in a relatively hard-wearing plastic coated metal – grey for the roof and green for the walls. The proposed building is very similar in every aspect to the two storage buildings already consented.

Agricultural Development

The Council recognises that agriculture is a vital part of the local economy, it is also acknowledged that the District's rural areas and countryside are used for certain activities that need to take place in these areas, some of which can bring about positive outcomes for the rural economy. The Council will support proposals for appropriate development in the countryside that would help strengthen the rural economy, provided detailed concerns about size, siting and design can be resolved. New buildings and associated development that is permitted on farm holdings must be of an appropriate design and scale and should not conflict with safeguarding the landscape and countryside character of the locality.

Policy EN16 states that permission will only be granted for agricultural buildings if the applicant demonstrates that the proposed development is reasonably necessary for the purposes of agriculture being carried, the design, siting, size and materials of construction, including hard surfacing, ensure that the development would not have an adverse visual impact on the local countryside, landscape character or to nature conservation interests.

In demonstrating that the barn is reasonably necessary for the purposes of agriculture the applicant has made mention of the conversion of the agricultural buildings at the front of the site. The buildings in question were open-fronted implement stores for the storage of grain having limited headroom and therefore totally unsuitable for the storage of modern machinery and crops. The majority of the holding lies to the north of the A120 dual carriageway. The purpose of the proposed building is to cater for a variety of agricultural uses including storage of grain, fertiliser, straw and machinery at different times of the agricultural calendar. Currently machinery storage is available at Allens Farm, Elmstead (south of A120) and Fridaywood Farm, Boundstead Road, Blackheath (south of A120) and requires substantial movements between farmsteads for both machinery and crops during the course of the agricultural calendar. The development of the complex at Holly Lodge is being undertaken to reduce existing movements of both machinery and crops and will lead to greater efficiency of labour and fuel and ultimately costs and the carbon footprint.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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:- 120, 121 and 122; received 2nd October 2019

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

- 3 Notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), the Agricultural Storage Barn shall be used solely for the purposes of Agriculture and for no other purpose including any other

purpose in Class Q, Class R or Class S of Article 3, Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification).

Reason - The area is considered to be the least sustainable settlement for growth and development should normally be restricted to small-scale development only that would not harm the amenities of the occupants of neighbouring properties.

8. Informatives

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.

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO