

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	27/05/2020
Planning Development Manager authorisation:	AN	28/05/2020
Admin checks / despatch completed	CC	28/05/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	28/05/2020

Application: 20/00299/FUL **Town / Parish:** Wix Parish Council

Applicant: Mr & Mrs Barnard

Address: Richwill Farm Oakley Road Wix

Development: Proposed Holiday accommodation for temporary use during the construction of proposed permanent new holiday accommodation previously granted under 19/01472/FUL.

1. Town / Parish Council

Wix Parish Council No comments received.

2. Consultation Responses

ECC Highways Dept
02.04.2020

The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal is utilising an existing private vehicular access that has an in and out arrangement off Oakley Road which is to be retained. The proposal provides adequate room and provision for off street parking and turning, for the proposed temporary holiday dwellings therefore:

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

Informative:

1: Given the location of the site, a haul route for the delivery of the timber units that are transported to site completed may also be required. Should this prove to be necessary, any route or routes should be agreed in advance with the Local Planning Authority in consultation with the Highway Authority.

2: The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public no.20 (Wix) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

3: 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

4: On the completion of the delivery of the units, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

Essex County Council
 Heritage
 05.05.2020

Built Heritage Advice pertaining to an application for: Proposed Holiday accommodation for temporary use during the construction of proposed permanent new holiday accommodation previously granted under 19/01472/FUL.

The heritage asset for consideration is Grade II listed Parkers Farmhouse (List UID: 1261009). The associated outbuildings to the north of the farmhouse, including the barn, are curtilage listed.

I support this application subject to the condition that the three temporary accommodation pods are to be removed from the site entirely after a period of no longer than 18 months has expired.

3. Planning History

16/00577/FUL	Change of use of existing farm buildings to training centre and vehicle workshops, repairs and alterations to existing buildings.	Approved	20.07.2016
16/00578/LBC	Change of use of existing farm buildings to training centre and vehicle workshops, repairs and alterations to existing buildings.	Approved	20.07.2016
16/02114/DISCON	Discharge of condition 12 (ecological mitigation) of planning permission 16/00577/FUL.	Approved	09.01.2017
17/01780/FUL	Proposed use of main barn for weddings, conferences and events in addition to training and workshop. Conversion of workshop and cart shed to holiday accommodation.	Approved	12.01.2018
17/01781/LBC	Alterations to proposed cart shed to facilitate its use for holiday accommodation.	Approved	12.01.2018
18/00182/DISCON	Discharge of conditions 2 - Materials, 3 - Landscaping, 12 - Barn Owl Mitigation & 15 - Overspill Area to approved Planning Application 17/01780/FUL.	Approved	13.02.2018

19/01472/FUL

Proposed new holiday accommodation, amendments to use of former workshop building previously approved for holiday accommodation and diversion of public footpath.

Approved

12.12.2019

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

EN6 Biodiversity

EN6A Protected Species

EN11A Protection of International Sites European Sites and RAMSAR Sites

ER11 Conversion and Reuse of Rural Buildings

ER16 Tourism and Leisure Uses

EN1 Landscape Character

EN23 Development Within the Proximity of a Listed Building

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

CP1 Sustainable Transport and Accessibility

PP8 Tourism

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL9 Listed Buildings

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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities ‘Garden Communities’ proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector’s advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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 on the south-western side of Oakley Road in a rural location set within the Parish of Wix. The site was previously part of a working farm known as Parkers Farm (now Richwill Farm). The overall site includes a Grade II listed dwelling and a range of former outbuildings to the front. These include a large timber framed barn, two single storey workshops and a cart lodge. There are currently two accesses from Oakley Road into the site. The main access runs along the north-east elevation of the barn/outbuildings and leads to the house set to the rear.

Following the approval of application 17/01780/FUL on 12th January 2018, the main barn is now used for weddings, conferences and events. This application also approved the conversion of the workshop and cart shed into holiday accommodation. The later application reference 19/01472/FUL saw the approval of new holiday accommodation and amendments to the use of the former workshop building previously approved and the diversion of public footpath. Application 19/01472/FUL was approved on 12th December 2019.

Description of Proposal

The supporting statement accompanying the application explains the new holiday accommodation was planned to be ready in time for the summer season but this has not been achievable. However, there is still considerable demand for holiday accommodation on this site in connection with the wedding venue use. It is therefore proposed to provide temporary accommodation that can be used while the new permanent accommodation is constructed.

This application therefore seeks full planning permission for the siting of 3 no. pairs of semi-detached, timber pod units that will provide six rooms for letting. The pods are to be sited just to the east of the previously approved units on the eastern side of the site (unit 3 in the same position as some of the permanent units in the southern wing). This location means that the south-west wing of

the permanent accommodation can be constructed within a secure construction site while allowing the temporary accommodation to be used. Once these five units are completed pods 2 and 3 can be removed and the new accommodation used while the south east wing is constructed.

Assessment

The main considerations in this instance are;

- Principle of Development;
- Design and Impact (including Impact on Heritage Assets);
- Access and Highway Safety;
- Impact on Residential Amenities; and,
- Representations.

Principle of Development

The proposal seeks to support an established, but fairly new business venture. The principle of the use and development for associated accommodation have been established by the granting of application 17/01780/FUL and 19/01472/FUL. This development is essentially a temporary solution to support the growth of Richwill Farm wedding and events venue.

Design and Impact (including Impact on Heritage Assets)

Policy EN23 of the adopted Tendring District Local Plan 2007 states that development that would adversely affect the setting of a listed building, including group value and long distance views, will not be permitted. The sentiments of this policy are carried forward within Policy PPL9 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017).

The heritage asset for consideration is Grade II listed Parkers Farmhouse (List Entry ID: 1261009). The associated outbuildings to the north of the farmhouse, including the barn, are curtilage listed.

Following consultation with the Essex County Council Place Services Historic Environment Team, it was considered that temporary landscaping should also be incorporated into the proposal to enhance the scheme and soften the impact on the setting of the adjacent listed buildings until the full landscaping scheme is implemented. A landscaping plan has been provided by the agent accordingly.

Place Services Historic Environment Team now support this application subject to the condition that the three temporary accommodation pods are to be removed from the site entirely after a period of no longer than 18 months has expired. An appropriately worded condition will be imposed as necessary.

Access and Highway Safety

Paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted if amongst other things; access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and the design and layout of the development provides safe and convenient access for people. The sentiments of this policy are carried forward within draft Policy SPL3 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The proposal is utilising an existing private vehicular access that has an in and out arrangement off Oakley Road which is to be retained. The proposal provides adequate room and provision for off street parking and turning, for the proposed temporary holiday dwellings. On this basis, The Highway Authority does not object to the proposals as submitted.

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).

The application site is within a largely rural and open location, with the nearest neighbouring properties located approximately 140m to the north-west. Given such a significant distance there will be no harm to existing amenities.

Representations

Wix Parish Council have not commented on the application.

No individual letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development the application is recommended for approval subject to time limiting conditions.

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 following approved plans: 101, 789-70C, 789-LOC and 789-75.

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

- 3 Prior to the occupation of the temporary pods, the temporary landscaping shown on approved drawing 789-75 shall be provided and retained until such time as the permanent accommodation approved under application 19/01472/FUL and associated landscaping are implemented.

Reason - In the interests of visual amenity and the setting of the heritage assets.

- 4 The proposed pods to be used for holiday accommodation shall not be occupied as a person's sole or main place of residence. The duration of any person's stay shall not exceed 28 consecutive days.

Reason - To prevent the use of the site for permanent accommodation in the interests of the tourism economy and local community infrastructure.

- 5 The pods hereby approved shall be removed from the site in their entirety within 18 months from the date of this permission.

Reason - In the interests of visual amenity and the setting of the heritage assets.

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.