

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	29/05/2020
Planning Development Manager authorisation:	SCE	29/05/2020
Admin checks / despatch completed	CC	29/05/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	29/05/2020

Application: 20/00470/FUL **Town / Parish:** Great Bromley Parish Council

Applicant: Mr A Fairley - Henry Fairley and Son Limited

Address: Woods Barn Land to North of A120 Great Bromley

Development: Proposed agricultural building and construction of a farm track.

1. Town / Parish Council

Mrs Great Bromley Parish Council
14.05.2020

Great Bromley Parish Council had no objection to this application.

2. Consultation Responses

None required.

3. Planning History

05/01415/AGRIC	Construction of agricultural reservoir.	Determination	16.09.2005
07/02002/AGRIC	Extension to an existing building.		18.12.2007
15/01592/AGRIC	Steel framed agricultural barn building.	Determination	18.11.2015
18/00277/AGRIC	Erection of an agricultural store building in place of existing dilapidated building.	Determination	22.03.2018
18/01028/AGRIC	Erection of an agricultural building replacing existing dilapidated building following demolition.	Determination	17.07.2018
19/00230/FUL	Proposed new agricultural access road to wood barns further to Highways England roundabout scheme on Harwich Road.	Approved	14.05.2019

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

EN1 Landscape Character

EN16 Agricultural and Related Development

TR1A Development Affecting Highways

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

SPL3 Sustainable Design

PPL3 The Rural Landscape

PP13 The Rural Economy

CP1 Sustainable Transport and Accessibility

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 northern side of the A120 and forms part of the wider Park Farm holding. The application site itself is located away from the main focus of buildings associated with Park Farm but lies directly adjacent to the area of land subject to agricultural prior notification applications.

Site History

Permission exists under application no. 18/01028/AGRIC for a modern steel portal framed agricultural building extending to 774 sq.m. The site itself lies to the north-east of the existing track from the A120 approved under planning application 19/00230/FUL in consultation with Highways England.

Description of Proposal

The application seeks full planning permission for a new agricultural access track adjoining to the new access from the A120 together with the erection of the agricultural building approved 18/01028/AGRIC.

Assessment

The main considerations in this instance are;

- Design and Impact;
- Highway Safety and Accessibility;
- Representations.

Design and Impact

The principle of the scale, siting and design of the building has been established as falling within the agricultural permitted development rights and has been approved under 18/01028/AGRIC.

The proposed building would continue to be accessed via the re-configured A120 and would be largely inconspicuous in views from the highway due to the extensive vegetation surrounding the site and the bunding in situ alongside the carriageway. In long distance views from the north the building may become apparent, however in the context of the countryside where there are other agricultural buildings in the vicinity the proposal would not be detrimental to the character and appearance of the area.

The proposed building would have the appearance of a traditional agricultural building. The materials and design proposed are considered to relate acceptably to the rural area and would not appear incongruous in this location given that there are several other agricultural buildings sited in the locality and due to the screened nature of the surrounding land.

The road will be constructed from conventional materials which are commonplace for that of agricultural surfaced tracks.

Highway Safety and Accessibility

A Highways England road scheme relating to reconfiguration of the road layout to include a roundabout on the A120 Harwich Road is nearing completion. As part of the road scheme, Highways England provided a new access onto the new roundabout in a new position approximately 20 metres to the north-east of the existing. This application therefore seeks to connect the new access with a new track.

Additional information has been provided from the agent explaining why the existing track cannot be utilised to serve the new building.

The new track is required for the following reasons:

- It will be used as a one way system for farm traffic entering and exiting the site. As an example, at harvest time, the tractors and trailers will pass clockwise around the site with trailers being tipped in the barn and then exiting without conflicting with the next incoming tractor and trailer and vice versa.
- It is not possible to widen the existing track along its existing route to enable two way traffic because of the track running immediately over the boundary of the farm's irrigation deep water catchment pond to the west and the existing hedgeline and ditch which feeds the catchment pond the east of the existing track. Therefore the only way that two way traffic does not conflict for accessing the building will be for the new stretch of farm track to be excavated.
- There will be a clear line of sight of approaching and exiting vehicles to the building as the current track turns around an S bend, which is the intended direction of the incoming farm traffic, with the exiting farm traffic along the new section of the track.

The access point itself has been agreed with both Highways England and Essex County Council Highways Authority. The justification for the proposed track is considered acceptable and will improve highway safety and accessibility to the site and building.

Representations

Great Bromley Parish Council had no objection to this 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.

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 and materials details: 200331 - 198 - Block Plan and DWG. NO. P01 Proposed Barn Plan View and Elevations.

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.