

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	07/08/2020
Planning Development Manager authorisation:	TF	13/08/2020
Admin checks / despatch completed	CC	14/08/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	14/08/2020

Application: 20/00719/FUL **Town / Parish:** St Osyth Parish Council

Applicant: Messers Sargeant

Address: St Osyth Priory The Bury St Osyth

Development: Conversion of and external alterations to existing C20 barn and repositioning of 4no existing shipping containers to form mixed use visitor destination and community hub (comprising microbrewery, café, farm shop, interpretation & visitor reception and soft play) and construction of temporary 20 space car park

1. Town / Parish Council

St Osyth Parish Council No objections. Supports application.
17.07.2020

2. Consultation Responses

Essex County Council The application is for conversion of and external alterations to existing
Heritage C20 barn and repositioning of 4no existing shipping containers to form
22.07.2020 mixed use visitor destination and community hub (comprising
microbrewery, café, farm shop, interpretation & visitor reception and
soft play) and construction of temporary 20 space car park.

I have no objection to this application and fully support this means of bringing communal activity into this nationally important site. Whilst the proposed buildings may be aesthetically utilitarian, given the wider challenges of the site, I consider them an economic method (whilst still costly) of enhancing communal interaction with the heritage asset and moving forward the long-term sustainable use of the Priory.

I recommend conditions pertaining to the following are attached to any granted permission:

- Requirement for detailed landscaping scheme outlining surface treatments and any new fixtures such as lighting and fencing;
- Requirement for a schedule of repair to the Grade II listed wall and detail of works to the existing entrance door; and
- Detail of new windows/fenestration to be installed to the new structures.

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1 The development shall not be occupied until such time as the pedestrian access to the proposed development, powered two wheelers parking facilities, 10no bicycles hoops and car parking area, indicated on the amended Drawings Numbered 2013-P-100-REV 2 (temporary car park) and CC175-TB1 (consented car park) has been hard surfaced and sealed. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 and 9 of the Highway Authority's Development Management Policies February 2011.

2 The development shall not be occupied until such time as details of public transport facilities (timetables and locations of bus stops etc), walking and cycling being prominently displayed and regularly updated and maintained in perpetuity within the site, which shall be approved by Local Planning Authority.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies February 2011.

3 Prior to the first occupation of the proposed development the applicant/developer shall provide a new east bound bus stop in the vicinity of the road junction with Mill Street and a new west bound bus stop opposite the road junction with Mill Street, the precise locations to be agreed with the Highway Authority, including level entry kerbing, new posts and flags, timetables, any adjustments in levels, surfacing and any accommodation works to the footway, highway verge and carriageway channel being provided entirely at the applicant/Developer's expense to the specifications of the Highway Authority.

Reason: To make adequate provision for the additional bus passenger traffic generated as a result of the proposed development in accord with Policy DM 9 of the Highway Authority's Development Management Policies February 2011.

The proposed conversion and internal alterations to the existing barn and the repositioning of shipping containers will not affect any trees or other significant vegetation.

The creation of the temporary car park may result in the removal of one or two small fruit trees of poor quality and appearance.

In relation to existing trees and other vegetation the proposed works, including the potential removal of small trees, will not have a significant adverse impact on either the character or appearance of the conservation area.

Food Health and Safety No comments

Environmental Protection Environmental Protection have looked at the above application and recommend the following:

Demolition & Construction In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, Pollution and Environmental Control ask that the following is conditioned

Prior to the commencement of any demolition and/or construction works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Pollution and Environmental Control.

- Noise Control

1) The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.

2) No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00(except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.

3) The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228.

4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).

5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents. 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

- Emission Control

1) All waste arising from the demolition process, ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.

2) No materials produced as a result of the site development or clearance shall be burned on site.

3) All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.

4) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974)

Building Control and
Access Officer
02.07.2020

This work will require building Regulations consent and bearing in mind the nature of the proposals the agents are advised to contact us to discuss their proposals.

Essex County Council
Archaeology
27.07.2020

The above planning application is for the conversion of a 20th century barn and use of shipping containers to form a mixed use visitor destination and the construction of a temporary car park on land adjacent at St Osyths Priory adjacent to the scheduled monument area.

The existing barn lies within an area that was part of the historic Priory Farm, trial trench evaluation has taken place in this area which revealed made ground layers overlying a buried soil, postmedieval archaeological material was recovered from archaeological features as well as residual earlier finds and later features associated with the farm. The siting of the containers in this area should not impact on any archaeological deposits however any deeper foundations or services that are required may extend into the archaeological horizon or beyond areas not previously evaluated. No details of foundations or services in this area has been submitted with the application.

The siting of the temporary carpark is to the southwest of the Priory and Priory Farm, a single archaeological trial trench was located within this area during a previous archaeological investigation. The trench contained a high concentration of features associated with domestic occupation back to the medieval period and a postmedieval industrial waste pit. The potential for further remains associated with medieval and later settlement activities are high and may be impacted upon if significant groundworks are required in the construction of the carpark. No details on the construction methods of the car park have been submitted.

Based on the available information the impact of the above development on potential below ground archaeological remains cannot be fully determined, however the scale of the groundworks required is proposed to be low. The details of the foundations, services and carpark construction will need to be provided in order to determine the requirement for archaeological investigation. Where it cannot be demonstrated that there will be no impact to the archaeological remains or where the archaeological potential of the area has not been assessed a programme of archaeological monitoring will be required.

The following recommendations are made in line with the National Planning Policy Framework:

RECOMMENDATION: Archaeological monitoring of groundworks

1) No development or preliminary groundworks can commence until a programme of archaeological monitoring has been secured through the submission of a written scheme of investigation which has been approved by the planning authority.

2) Upon the completion of a programme of archaeological monitoring the applicant will submit to the local planning authority a report (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority).

Further Recommendations:

Tendring District Council should inform the applicant of the recommendation and its financial implications.

Historic England

No comments received

3. Planning History

07/00858/FUL	Use as a venue for marriage in accordance with Marriage Act, 1949 and/or Civil Partnership Act 2004.	Approved	14.12.2007
08/00718/FUL	Alterations and extension; change of use to a house.	Approved	03.04.2009
09/00507/ADV	5m x 10m banner with image of Abbots Tower and Company information to be displayed temporarily.	Refused	25.06.2009
11/00334/FUL	Construction of a visitor centre/function room suite; part change of use and alteration to Darcy House for use as a function room; internal and external alterations and all ancillary works.		13.06.2014
11/00335/LBC	Alterations to Darcy House to extend window opening to ground level, insert quoins in stone and retain upper section of window as a fanlight, adapting transom to receive door and install oak frame and door to match west wing north door (but with a straight rather than arched head).	Approved	18.09.2014
11/00336/CON	Demolition of detached dwelling at 7 Mill Street.		13.06.2014
12/00184/FUL	Alterations and extension; change of use to a house. (Extension of time on previously approved 08/00718/FUL)	Approved	06.03.2013

12/01285/LBC	Re-ordering of interior with the opening up of windows and the forming of a new window in the gable.	Approved	08.10.2013
12/01312/FUL	New build garages, access and metal park rail fences.	Approved	26.07.2013
14/00993/LBC	Taking down carefully and re-building of East Gatehouse & chimney.	Approved	15.09.2014
14/01008/FUL	Creation of a Visitor Centre in the Tithe barn, Cart Shed, Dairy and adjacent paddock including changes of use to A1, A3, B1, D2 and conference/functions/wedding reception use; construction of extensions; internal and external alterations and all ancillary works shown on the drawings.	Approved	09.01.2015
14/01009/LBC	Creation of a Visitor Centre in the Tithe barn, Cart Shed, Dairy and adjacent paddock including changes of use to A1, A3, B1, D2 and conference/functions/wedding reception use; construction of extensions; internal and external alterations and all ancillary works shown on the drawings.	Approved	09.01.2015
15/01060/FUL	Removal of section of boundary wall fronting Mill Street and rebuild on a new reinforced concrete foundation.	Approved	09.09.2015
16/00656/FUL	Demolition of existing property at 7 Mill Street and the creation of 72 no. two, three and four bedroom houses, plus associated roads, car parking, garages and landscaping.	Approved	18.11.2016
16/00671/FUL	Erection of 17 dwellings for use as residential and holiday accommodation (C3 use); restoration of park landscape; bunding; re-grading of 9 hectares of land; construction and alterations to access driveway; landscaping and all ancillary works.	Approved	18.11.2016
16/00786/FUL	Proposed new build garages, access and metal park rail fences.	Approved	29.07.2016
16/01057/DISCON	Discharge of condition 2 (Details of materials) of approved planning application 12/01285/LBC.	Approved	23.08.2016

16/01258/DISCON	Discharge of condition 4 (materials) of Listed Building Consent 14/00993/LBC.	Approved	21.09.2016
16/01309/DISCON	Discharge of condition 3 (Archaeological Programme) of approved planning application 12/01316/FUL.		13.10.2016
17/00471/FUL	Demolition of pump-house building (including the removal of boilers/flue) and the erection of a building adjoining the bury boundary wall for uses as a store.	Approved	16.06.2017
17/00472/FUL	Erection of new substation building (containing emergency generator and bunded diesel tank) and subterranean gas governor valve.	Approved	16.06.2017
17/00634/FUL	Variation of condition 3 of planning permission 16/00671/FUL - To allow the re-location of Lake House North and South Lodge.	Approved	19.12.2018
17/00674/LBC	Demolition of pump-house building (including the removal of boilers and flue) and the erection of a building adjoining the bury boundary wall for use as a store.	Approved	16.06.2017
17/01175/FUL	Variation of condition 3 of 16/00656/FUL to allow amendments to the elevations and layout of Phase 1 and removal of condition 14 part e to remove the requirement to relocate the bus stop.	Approved	21.12.2018
17/01593/DISCON	Discharge of conditions 02 (S106 Agreement), 07 (Construction details), 08 (Wastewater Strategy), 09 (Foul Water Strategy), 10 (Surface Water Strategy) 11 (Landscape/ habitat management plan), 12 (Construction and Environmental management Plan), 13 (Cleaning facility), 14 (Highways details), 15 (Amendments to Drawings), 17 (Local Recruitment Strategy), 19 (External Lighting) and 20 (Construction Method Statement) of Planning Permission 16/00656/FUL. Discharge of Conditions 02 (S106 Agreement), 08 (Construction Details), 12 (Landscape/ habitat management plan), 14 (Construction and Environment	Approved	18.09.2018

	Plan), 15 (Cleaning facility), 17 (Local Recruitment Strategy) and 19 (Construction Method Statement) of planning permission 16/00671/FUL.		
17/01683/DISCON	Discharge of condition 03 (landscaping) of planning permission 17/00472/FUL.	Approved	10.04.2018
17/01735/DISCON	Discharge of condition 03 (external facing, roofing and hardsurfacing materials), 04 (hard and soft landscaping), 08 (written scheme of investigation), 10 (details of new or replacement windows and doors) and 11 (new balustrade and staircase drawings) of approved planning permission 14/01008/FUL. Discharge of condition 03 (external facing, roofing and hardsurfacing materials), 04 (hard and soft landscaping), 05 (details of new or replacement windows and doors) and 6 (new balustrade and staircase drawings) of planning permission 14/01009/LBC.	Approved	04.01.2018
17/01828/DISCON	Discharge of condition 4 (Materials) of approved planning application 16/00656/FUL.	Approved	29.05.2018
17/01843/FUL	Variation of condition 2 of 11/00333/OUT - condition to be amended from "application for approval of the reserved matters (listed above) shall be made to the Local Planning Authority before the expiration of three years from the date of the permission" To - "application for approval of the reserved matters (listed above) shall be made to the Local Planning Authority before the expiration of five years from the date of the permission".	Approved	
18/00042/DISCON	Discharge of condition 2 (wall details) of planning permission 15/01060/FUL.	Approved	26.01.2018
18/01166/FUL	Variation of condition 2 of approved application 17/01175/FUL to allow amendments to the elevations and layout of Phase 2.	Approved	18.04.2019

18/01476/DETAIL	Erection of 190 dwellings on 16.3 hectares of land; new junction and access roads; driveways; parking; footpaths; landscaping and all ancillary works; use of land as an archery range; construction of access drive and layout of parking area including siting of storage container for archery equipment. The proposals also include for a new footway to be built along a section of Colchester Road, south of the Wellwick.	Approved	01.07.2020
18/01596/FUL	Erection of 14 dwellings. (As part of previously approved West Field scheme.)	Approved	01.06.2020
19/00032/FUL	Variation of Condition 2 (Approved plans) of application 17/00634/FUL - to allow amendments to the elevations of Lake House North and the re-building of the end gable serving Nuns Hall.	Approved	08.04.2019
19/00208/ADV	5 No. signs to advertise development and business activities.	Approved	07.06.2019
19/01171/OUT	Variation of conditions 18 and 30 for application 11/00333/OUT to amend wording of condition 18 to 'Land as identified on drawing RW007-008 Rev D to be used for the relocated Bowmans Archery range shall be retained for that use with any ancillary buildings.' and amend wording of condition 30 to only include the following plans Site Plan showing Application Boundary - CC-0175-ABP010-6, Building Envelope/Use Plan - RW007-008 Rev D and Building Storey Heights Plan - RW007-009 Rev E.	Approved	22.06.2020
19/01523/FUL	Proposed conversion of the drying shed to a one-bed holiday let.	Approved	19.05.2020
19/01524/LBC	Proposed conversion of the drying shed to a one-bed holiday let.		19.05.2020
19/01614/AGRIC	Installation of an agricultural track.	Determination	15.11.2019

20/00719/FUL	Conversion of and external alterations to existing C20 barn and repositioning of 4no existing shipping containers to form mixed use visitor destination and community hub (comprising microbrewery, café, farm shop, interpretation & visitor reception and soft play) and construction of temporary 20 space car park	Current	
20/00755/COUNO T	Change of use of existing Atcost barn for a microbrewery (B1c), cafe (A3) and play space (D2).	Determinati on	28.07.2020

4. **Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1	Spatial Strategy
QL2	Promoting Transport Choice
QL7	Rural Regeneration
QL9	Design of New Development
QL10	Designing New Development to Meet Functional Needs
QL11	Environmental Impacts and Compatibility of Uses
COM1	Access for All
COM23	General Pollution
ER7	Business, Industrial and Warehouse Proposals
EN1	Landscape Character
EN17	Conservation Areas
EN23	Development within the Proximity of a Listed Building
EN29	Archaeology
TR1A	Development Affecting Highways
TR3A	Provision for Walking
TR7	Vehicle Parking at New Development

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

SPL1	Managing Growth
SPL3	Sustainable Design
HP2	Community Facilities
PP6	Employment Sites
PP8	Tourism
PP13	The Rural Economy
PPL3	The Rural Landscape
PPL7	Archaeology
PPL8	Conservation Areas
PPL9	Listed Buildings
CP1	Sustainable Transport and Accessibility

Local Planning Guidance

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 (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 within the St Osyth Priory complex within the St Osyth Conservation Area.

The site is located at the western of the complex, is flat and divided into two separate elements by the listed wall that separates the orchard, the location of the car park and the Atcost barn and courtyard, which the site of the main redevelopment proposals.

To the west of the site is phase1 of the recently constructed Westfield development that is accessed via Mill Lane.

Proposal

This application proposes alterations to a C20 barn and the creation of a new 'yard' to facilitate a café, farm shop, small brewery, soft play area and visitor facility.

A small car park will be constructed to serve the buildings, and this is located east of the existing substation, in an existing pasture to the rear of two residential properties on Mill Street both of which are in the ownership of the Priory owners.

The proposals can be broken down into 3 distinct elements;

Main Barn

This C20 barn already has permission to be converted into the uses described above via planning reference 20/00755/COUNOT. The changes to the structure proposed via this application are;

- The barn and lean-to are given a thorough refurbishment.
- The west end becomes a café over the brewery, and the East end becomes the soft play area.
- The barn is to be re-clad in a profile metal sheet finish.
- The east facing barn door is to be infilled with an obscure window to bring natural light into the soft play zone.
- The existing door the north is retained and reused.
- A small, new window is tucked under the north eaves to light the first floor kitchen.
- A large, new opening is to be formed at first floor in the west gable, providing access to a new terrace which bridges over the historic boundary wall.
- The lean-to is to be converted into a tasting room for the brewery, and parent's area for the soft play. It is to be re-clad in untreated, vertical timber boarding.

Container Yard

- The yard will be defined to the north by the existing barn and lean-to, and by new converted containers to east and south. The historic wall forms the fourth side.
- The central yard provides a contained space for visitors to congregate, and the small pergola next to the barn entrance offers a place for shaded seating.
- The containers themselves will be low and will not show above the boundary wall. They will accommodate a ticketing area and farm shop.
- The containers will dark grey with simple profile plain glazed openings.

Car Park/Access

- The proposed 20 space car park to the west of the barn and new yard will be complimented by The Bury which will be used to accommodate any overflow car parking.
- From the car park, visitors will walk along the mown grass path, passing through the new orchard to the existing arched opening in the gate.

Principle

The revised NPPF (2019) is a material consideration in the determination of all planning applications.

Paragraph 83 of the NPPF concerns rural development proposals and the promotion of a prosperous rural economy. It states that planning policies and decisions should enable:

- a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) The development and diversification of agricultural and other land-based rural businesses;
- c) Sustainable rural tourism and leisure developments which respect the character of the countryside; and;
- d) The retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Saved Policy ER16 of the adopted local plans relates to tourism and leisure uses. When promoting the development of new tourist attractions, the council will seek to direct investment within the resort towns and main settlements as specified in the area policy statements. This policy provides support for tourism and leisure uses provided that:

- The development is accessible to all potential visitors and users;
- There is suitable vehicular and public transport access to the site and parking provision, especially where the proposal is likely to generate large traffic volumes.
- Proposals should be located close to the main road network and link to other public rights of way wherever possible;
- The type of use proposed would not cause undue disturbance by reason of noise. Uses creating high levels of noise should be located well away from residential property and sensitive wildlife areas;
- There will not be an adverse effect on agricultural holdings and the proposal would not result in an irreversible loss of high-quality agricultural land; and where appropriate opportunities are taken to improve damaged and despoiled landscapes and enhance the landscape character of the area.

Emerging policy PP6 provides support for farm and other land-based diversification schemes that benefit the rural area and emerging policy PP8 states that the council will generally support proposals that would help to improve the tourism appeal of the District to visitors, subject to other relevant policies in the Local Plan. In particular, the council will support appropriate proposals for the provision of leisure and tourism facilities as part of farm diversification schemes and outdoor recreational activities that would strengthen the function and protection of the undeveloped countryside.

Emerging policy PP13 relates to the rural economy provides support for growth in the rural economy and it states that the council may grant planning permission for development in the countryside outside of defined settlement development boundaries, subject to detailed consideration, including against other policy requirements in this Local Plan:

- Where appropriate to the historic environment, conversion or re-use of rural buildings in the countryside to employment, leisure or tourism use;
- Business and domestic equine related activities;
- Agricultural and key workers' dwellings; and buildings that are essential to support agricultural, aquaculture, horticulture and forestry; and farm diversification schemes; and

- Buildings that are essential to support agricultural, aquaculture, horticulture and forestry; and farm diversification schemes.

The above-mentioned national and local planning policies do therefore support a scheme of this nature which aims to promote a sustainable rural tourism use that will stimulate economic growth in a rural area and provide tangible heritage benefits. The Tendring District Tourism Strategy is also relevant in that it states, heritage is an important element of this region's offering and that the Council will support proposals for diversifying and improving the tourism offering.

Taking into consideration the three strands of sustainability namely economic, social and environmental considerations the development is considered to represent a sustainable development by; creating local job opportunities, attracting additional visitors to the District and assisting in opening up the nationally important St Osyth Priory to visitors.

Design/Impact

The conversion of the existing barn and the siting of the shipping containers is considered to represent a contemporary yet sympathetic approach to the development. The use of vertical cladding, painted grey metal and profiled metal cladding promotes the contemporary approach whilst not appearing overly brash or out of character.

The utilitarian nature of the structures is sympathetic to this area of the St Osyth Priory complex, which has historically been utilised as a working farm yard.

Overall the development proposals are considered to be of an acceptable design that relates appropriately to the historic and sensitive setting.

Landscaping/Trees

The proposed conversion and internal alterations to the existing barn and the repositioning of shipping containers will not affect any trees or other significant vegetation. The creation of the temporary car park may result in the removal of one or two small fruit trees of poor quality and appearance.

In relation to existing trees and other vegetation the proposed works, including the potential removal of small trees, will not have a significant adverse impact on either the character or appearance of the conservation area.

A condition securing details of hard surfaces/soft planting will be attached to the permission.

Highways

Essex County Council Highways do not have any objections over the use of the Westfield access or the proposed parking area subject to the following requirements;

- The development shall not be occupied until such time as the pedestrian access to the proposed development, powered two wheelers parking facilities, 10 no bicycles hoops and car parking area, indicated on the amended Drawings Numbered 2013-P-100-REV 2 (temporary car park) has been hard surfaced and sealed. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.
- The development shall not be occupied until such time as details of public transport facilities (timetables and locations of bus stops etc), walking and cycling being prominently displayed and regularly updated and maintained in perpetuity within the site, which shall be approved by Local Planning Authority.
- Prior to the first occupation of the proposed development the applicant/developer shall provide a new east bound bus stop in the vicinity of the road junction with Mill Street and a new west bound bus stop opposite the road junction with Mill Street, the precise locations to be agreed with the Highway Authority, including level entry kerbing, new posts and flags, timetables, any adjustments in levels, surfacing and any accommodation works to the footway, highway verge and carriageway

channel being provided entirely at the applicant/Developer's expense to the specifications of the Highway Authority.

The requirements to provide the parking area and public transport details prior to first use of the development are considered to be reasonable. However, the requirement to provide 2 no. new bus stops is not considered to be a reasonable request given the relatively small scale of the business proposal and the presence of bus stops to the east and west of the site approximately 200/250m from the site access. This request will not therefore be included as a condition requirement.

The parking area of 20 spaces and the overflow parking on The Bury (also within the owner's control) is sufficient to cater for a development of this scale.

Residential Amenities

The barn and containers will be situated approximately 80m from the rear of properties to the south fronting onto Mill Street. This distance combined with the intervening boundary wall ensures that any impact upon those resident's amenity would be minimal. Moreover, the terrace serving the cafe would be 70m to the north of the rear boundary of those properties thereby suitably retaining resident's privacy levels.

In this context opening hours of 7:30am - 9pm are considered to be acceptable and would not lead to adverse harm to local resident's amenity due to the degree of separation and low key nature of the uses proposed.

The siting of the proposed car parking area, its low scale nature and the presence of vegetation on the shared boundary also ensures that any impact upon resident's amenity in terms of noise/disturbance from the parking of cars would be negligible.

Heritage Impacts/Archaeology

The Council's Heritage advisors (ECC-Place Services) have commented upon the proposals as follows;

We have no objection to this application and fully support this means of bringing communal activity into this nationally important site. Whilst the proposed buildings may be aesthetically utilitarian, given the wider challenges of the site, I consider them an economic method (whilst still costly) of enhancing communal interaction with the heritage asset and moving forward the long-term sustainable use of the Priory.

We recommend conditions pertaining to the following are attached to any granted permission:

- Requirement for detailed landscaping scheme outlining surface treatments and any new fixtures such as lighting and fencing;
- Requirement for a schedule of repair to the Grade II listed wall and detail of works to the existing entrance door; and
- Detail of new windows/fenestration to be installed to the new structures.

ECC-Archaeology Team confirm that whilst the scale of the groundworks required is proposed to be low, details of the foundations, services and carpark construction will need to be provided in order to determine the requirement for archaeological investigation. Where it cannot be demonstrated that there will be no impact to the archaeological remains or where the archaeological potential of the area has not been assessed a programme of archaeological monitoring will be required. A condition is recommended to secure a programme of archaeological monitoring through the submission of a written scheme of investigation.

Other Considerations

The Council's Building Control Team advise that the proposal will require Building Regulations approval. This has been communicated to the applicant via email.

St Osyth Parish Council supports the application.

No further letters of representation have been received.

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 No above ground works shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site (including boundary treatments and lighting), which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837:2012 Trees in relation to design, demolition and construction."

Reason - In the interest of visual amenity and the character of the area.

- 3 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - In the interest of visual amenity and the character of the area.

- 4 No development or preliminary groundworks can commence until a programme of archaeological monitoring has been secured through the submission of a written scheme of investigation which has been approved by the planning authority.

Upon the completion of a programme of archaeological monitoring the applicant will submit to the local planning authority a report (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority).

Reason - To safeguard archaeological deposits in this location.

- 5 Prior to the commencement of any above ground works the following details shall be submitted and approved, in writing, by the Local Planning Authority;
- Details of a schedule of repair to the Grade II listed wall and detail of works to the existing entrance door/archway; and
 - Details (scaled drawings) of all new windows/fenestration to be installed to the new structures.

The approved details shall be those used in construction.

Reason - In the interests of visual amenity and to preserve the historic setting of the vicinity.

- 6 The development shall not be occupied until such time as the pedestrian access to the proposed development, powered two wheelers parking facilities, 10 no bicycles hoops and car parking area, indicated on the amended Drawings Numbered 2013-P-100-REV 2 (temporary car park) have been hard surfaced and sealed. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.

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

- 7 The development shall not be occupied until such time as details of public transport facilities (timetables and locations of bus stops etc), walking and cycling being prominently displayed and regularly updated and maintained in perpetuity within the site.

Reason - In the interests of reducing the need to travel by car and promoting sustainable development and transport.

- 8 The development shall only be open to the general public between the following opening times;
- 8am - 9pm (7 days a week)

Reason - In the interests of residential amenity.

- 9 The development hereby permitted shall be carried out in accordance with the following approved plans;
- 2013 P100 P2
 - 2013 P110
 - 2013 P111
 - 2013 P112
 - 2013 P113
 - 2013 P114
 - 2013 P2 300
 - 2013 P301

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.

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

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Noise Control

- 1) The use of barriers to mitigate the impact of noisy operations should be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.
- 2) No vehicle connected with the construction works should arrive on site before 07:30 or leave after 19:00(except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
- 5) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

Emission Control

- 1) All waste arising from the demolition process, ground clearance and construction processes shall be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
- 2) No materials produced as a result of the site development or clearance shall be burned on site.
- 3) All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.

4) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO