

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JD	14/08/2020
Planning Development Manager authorisation:	SCE	14.08.2020
Admin checks / despatch completed	CC	14.08.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	14.08.2020

Application: 20/00779/FUL **Town / Parish:** Wrabness Parish Council

Applicant: Mr and Mrs Garnham

Address: Porthwen Church Road Wrabness

Development: Proposed agricultural building.

1. Town / Parish Council

Ms . Wrabness Parish
Council
29.07.2020

Objection to the siting of the additional building in
the landscape of the AONB on the skyline of the Stour valley

2. Consultation Responses

Suffolk Coastal Heaths
Project
29.07.2020

Thank you for you consulting the Suffolk Coast & Heaths AONB team
on the above planning application.

The site is located within the recent extension to the nationally
designated Suffolk Coast & Heaths AONB. The AONB Boundary
Variation Order which was signed off by the Secretary of State on 7
July 2020.

As such, the proposal should seek to accord with national and local
policies and pay due regard (ref. S. 85 Countryside and Rights of Way
Act, 2000) to the statutory purpose of AONB designation, which is to
conserve and enhance natural beauty. Development proposals
located within this area should seek to contribute positively to the
purposes of the AONB designation and meet the relevant policy
objectives in the Suffolk Coast & Heaths AONB Management Plan
2018-2023. The proposal also must have regard to paragraphs 170
and 172 of the revised NPPF as the development being proposed is
located within the AONB which is also regarded as a Valued
Landscape.

The AONB team, do not object to the principle of the new barn being
constructed at this location. The materials to be used for the
construction of the building will help integrate it visually into the
landscape. We note that a fibre cement roof is to be installed on the
barn. Given the sensitive location, we recommend that the fibre
cement roof is dark in colour with a matt finish. A highly reflective
finish should be avoided.

The AONB recently commissioned A Selection and Use of Colour in Development Guide for the Suffolk Coast & Heaths AONB which may provide useful information for selecting a colour for the barn roof. Please see the document attached. Reference should be made to the Saltmarsh, Intertidal and Coastal levels chapter in the guide and an appropriate Integration colour selected.

While glimpsed views of the barn might be possible Black Buoy Lane, the proposed location of the building in front of an established woodland will help reduce visual and landscape impacts of the barn within this part of the AONB.

If the LPA is mindful to approve this application, the requirement for a dark coloured matt finish on the roof should be conditioned. This is necessary to conserve the landscape character of this part of the AONB.

ECC Highways Dept
30.07.2020

The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal is located some distance from the highway and will be accessed from and along a private road that serves the host dwelling, therefore:

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

1: Prior to occupation of the development the areas within the site identified for the purpose of loading/unloading/reception and storage of materials and manoeuvring shall be provided clear of the highway and retained thereafter for that sole purpose.

2: On the completion of the Development, 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.

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

3. Planning History

20/00739/COUNO T	Proposed conversion of agricultural building to dwelling.	Determinati on	28.07.2020
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

EN1 Landscape Character

EN3 Coastal Protection Belt

EN5 Areas of Outstanding Natural Beauty (AONB's)

EN5A Area Proposed as an Extension to the Suffolk Coasts and Heaths AONB

EN16 Agricultural and Related Development

TR1A Development Affecting Highways

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

PP13 The Rural Economy

PPL2 Coastal Protection Belt

PPL3 The Rural Landscape

CP2 Improving the Transport Network

Essex Farm Buildings (1994) SPG

Tendring Landscape Character Assessment (Volume 2) (2001) (proof of status)

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

Site Description

The site is a portion of grass field and its means of access to the vehicular track leading to Shore Farm. The track accesses onto the eastern side of Church Road at a point some 150m north of the junction of Church Road with Station Road.

To the south of where the field adjoins the track is a residential property, Porthwen. To the southwest of Porthwen is a pair of semi-detached houses, 1 and 2 Riverview, which front onto Church Road.

To the south is an area of woodland with the railway to the south of the woodland. To the north are meadows and fields to grass. Land to the north begins to fall in level towards the Stour Estuary though the site itself is relatively flat.

Proposal

Proposed agricultural building.

The building would be 9.2m wide by 18.8m long with a gable roof with a maximum height of 7.3m to the ridge, 5.0m to the eaves. External walls would be of timber cladding and the roof would have a covering of a fibre cement material. On the northern elevation would be timber double doors to an opening 5m wide and of a height to just under the eaves. There would also be a personnel door on the northern elevation. Except for the doors the building would have a plain and simple appearance.

The building would be set in the southeast corner of a field and be set back some 45m from the track to Shore Farm. The building would be 8m from the southern boundary of the field and 16m from the eastern boundary of the field.

A planning statement forming part of the application documentation states that the building will be used for the storage of fruit (boxes) as well as machinery and equipment associated with the holding.

Appraisal

Although outside any settlement development boundary, given that the building is for an agricultural use, the proposal is considered acceptable with regard to Policy QL1.

The building would have a good appearance being of horizontal timber cladding above a 0.3m height brick plinth. Such an appearance would relate to vernacular architecture of the area and is considered appropriate. The side hung timber doors would also have a good appearance. The use of a fibre cement roof is considered acceptable for an agricultural building. The appearance of this material for the roof would mellow with time as lichen and similar appeared on the roof.

The Suffolk Coastal Heaths Project team recommend that the fibre cement roof is dark in colour with a matt finish; the requirement for a dark coloured matt finish on the roof should be conditioned.

The proposal is considered acceptable with regard to Policy QL9 subject to a condition that the roofing material be of a dark colour and have a matt finish. The advice provided by the Suffolk Coastal Heaths Project team is very precise regarding colours and refers to a document not yet adopted by the Council.

Given the distance away from any residential property, the proposal is considered acceptable with regard to Policy QL11.

It is considered that the development would not harm the landscape quality in which it is to be set. The proposal is considered acceptable with regard to Policy EN1.

With regard to Policy EN3 all other land in the agricultural holding as shown by the blue line is in the Coastal Protection Belt. The site proposed, screened from the south by woodland, is considered the best position in the land in the ownership or control of the applicant.

With regard to Policies EN5 and EN5a, the Suffolk Coastal Heaths Project team has been consulted and a response received in writing to the effect that there is no objection subject to a condition regarding roofing material. The proposal is considered acceptable with regard to these policies.

With regard to Policy EN16, which refers to how the need for the development should be adequately demonstrated, the application documentation includes a planning statement referring to the nature of the holding and investment in fruit production. It is understood that a main use of the building would be to store boxes of fruit. The planning statement has been examined and it is considered that the proposal is acceptable with regard to Policy EN16.

The local highway authority, Essex County Council, has been consulted and a written response received stating that the Highway Authority does not object to the proposals as submitted. The proposal is considered acceptable with regard to Policy TR1a.

The application was advertised by site notice. No comment has been received in response.

The Parish Council object to the siting of the additional building in the landscape of the AONB on the skyline of the Stour valley. Based on contour lines it would seem that the building would not be on a skyline; the building would be set to the south of a slope rising from the estuary and, more importantly, would be viewed against a backdrop of woodland to the south of the site. The site would seem to be on Clay Plateaux identified on page 9 of the Tendring Landscape Character Assessment planning guidance document. The site is located within the recent extension to the nationally designated Suffolk Coast & Heaths AONB though the AONB team do not object to the principle of the new barn being constructed at this location. Whilst the objection of the Parish Council is noted, it is considered that the visual effect of the development would not be such to reasonably justify refusal in this instance.

6. Recommendation

Approval

7. Conditions / Reasons for Approval

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: Site location plan & block plan; Floorplan & elevations; and, Planning statement.

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

3. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3 (or any Order revoking and re-enacting that Order with or without modification), the agricultural building hereby permitted shall be solely used for an agricultural use unless planning permission is granted for an alternative use following a prior planning application.

Reason – For the avoidance of doubt as to the scope of this planning permission and given that the site is in an Area of Outstanding Natural Beauty and an area designated by both the adopted Local Plan and the emerging Local Plan as Coastal Protection Belt where development other than that for agriculture would not normally be permitted in accordance with Policies EN5 and EN3 of the adopted Local Plan and Policies PPL2 and PPL3 of the emerging Local Plan.

4. The roof to the building hereby permitted shall be of a dark in colour with a matt finish, unless otherwise agreed in writing by the Local Planning Authority.

Reason – In the interest of visual amenity and to ensure that the development has an appropriate appearance within the landscape in which it would be set in accordance with Policies QL9, EN3 and EN5 of the adopted Local Plan and Policies PPL2 and PPL3 of the emerging Local Plan.

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.

Prior to occupation of the development the areas within the site identified for the purpose of loading/unloading/reception and storage of materials and manoeuvring shall be provided clear of the highway and retained thereafter for that sole purpose.

On the completion of the Development, 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.

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653 The Crescent,
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CO4 9YQ

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