

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	17 th Aug 2020
Planning Development Manager authorisation:	AN	17/08/2020
Admin checks / despatch completed	DB	17.08.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	17.08.2020

Application: 20/00786/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr George Wright - George Wright Farms

Address: Brook Farm Thorrington Road Great Bentley

Development: Proposed agricultural building for the storage of hay and straw.

1. Town / Parish Council

Parish Clerk
10.08.2020

Great Bentley Parish Council Planning Committee reviewed the application at the meeting held on 6th August 2020 and resolved to make no comment.

2. Consultation Responses

Non received

3. Planning History

01/00050/AGRIC	General purpose agricultural building	Prior Approval not Required	25.01.2001
99/00483/FUL	Erect one 15-metre monopole complete with three cross polar antennas, two dish antennas and one radio equipment housing	Approved	24.05.1999
10/00854/FUL	Proposed single storey extension to existing kitchen.	Approved	25.08.2010
11/00375/FUL	Proposed two storey extension to form living room, two bedrooms and en-suite.	Approved	16.05.2011
12/00780/FUL	Outside storage of motor vehicles for sale by internet and cleaning of vehicles for collection. Occupation by PVS cars. Together with use of long established cabin for office and storage of materials.	Approved	23.10.2012
12/01055/AGRIC	Erection of steel framed Dutch barn for storage of hay/straw/silage.	Prior Approval not Required	18.10.2012

14/00022/FUL	New extension/lean-to to agricultural building for housing of cattle on straw base.	Approved	18.03.2014
17/00416/AGRIC	Erection of a general purpose agricultural building, traditional in construction and open span.	Prior Approval not Required	04.04.2017
19/00573/AGRIC	Erection of a general purpose steel framed agricultural building with lean to.	Prior Approval Required	08.05.2019
19/01807/AGRIC	General purpose agricultural building required for storage.	Prior Approval not Required	20.12.2019
20/00786/FUL	Proposed agricultural building for the storage of hay and straw.	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, 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

The application site relates to Brook Farm, which is located off Thorington Road to the west of the main village of Great Bentley.

This is an area rural in character and outside of the defined settlement limits of Gt Bentley. Brook Farm extends to 2,000 acres of agricultural land, mainly in arable production.

Proposal

The application proposes an agricultural building to be sited to the west of the existing complex of buildings. The building has a typically functional appearance; being almost 7.6m high and having a footprint of 30.4m x 15.2m.

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 56 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 hay and straw. Externally the barn is open on all sides – comprising a roof supported on steel columns with cement-fibre sheet roof and cladding to the gable-ends. The design is considered entirely appropriate for its setting.

Impact to Neighbouring Amenities

The NPPF, at paragraph 127 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, 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 proposed siting of the barn is a significant distance from any neighbouring properties and for this reason the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

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 puts forward that the building is required to store hay and straw. Hay and straw is currently stacked outside in the open and is subject to all weathers. A permanent structure is therefore required to provide protection from seasonal differences.

6. Recommendation

Approval – Full

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:- un-numbered floor plans and elevations, received 19th June 2020.

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

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.

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