

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	12/01/2021
Planning Development Manager authorisation:	TC	13/01/2021
Admin checks / despatch completed	ER	13/01/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	13.01.2021

**Application:** 20/01662/FUL **Town / Parish:** Wix Parish Council

**Applicant:** Mr P Cooper

**Address:** Bakers Farm Colchester Road Wix

**Development:** Variation of condition 2 (Approved plans) of the approved planning application 18/00400/FUL.

### **1. Town / Parish Council**

No comments received

### **2. Consultation Responses**

ECC Highways Dept

### **3. Planning History**

16/01264/AGRIC	Erection of general purpose onion and potato building for the temporary storage of crops.	Determination	01.09.2016
18/00400/FUL	General purpose onion and potato building.	Approved	09.05.2018
20/01662/FUL	Variation of condition 2 (Approved plans) of the approved planning application 18/00400/FUL.	Current	

### **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

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)  
PPL3 The Rural Landscape  
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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10<sup>th</sup> December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council is now making arrangements to formally adopt Section 1 of the Local Plan in its modified state and this is expected to be confirmed at the meeting of Full Council on 26<sup>th</sup> January 2021 – at which point will become part of the development plan and will carry full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan. In the interim, the modified policies in the Section 1 Local Plan, including the confirmed housing requirement, can be given significant weight in decision making owing to their advancement through the final stages of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) is now expected to proceed in 2021 and two Inspectors have already been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

## **5. Officer Appraisal**

### **Site Description**

The application site is located on the southern side of Colchester Road within the parish of Wix. The site is located within a rural area, with little built form in the immediate vicinity; however Bakers Farm itself comprises a number of agricultural buildings. The site is located outside of the settlement development boundary of Wix within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

### **Proposal**

This application seeks planning permission for the variation of Condition 2, the approved plans, of previously approved 18/00400/FUL. The variation proposes the re siting of the general purpose onion and potato building adjacent to the existing agricultural building.

### **Assessment**

The re siting of the building will allow the applicant improved access to and movement of farm machinery around the building.

The dimensions of the agricultural building will remain as approved as will the construction materials. The design proposed is of a standard agricultural design and one that is in keeping with

the existing buildings present on the site, its re-siting adjacent to the existing agricultural building brings uniformity to the site and it will be less visible from the highway ensuring no significant impact to visual amenity.

Given the nature of the proposed changes and significant distance to neighbouring properties, there is not considered to be any adverse impacts to existing amenities.

Essex Highways did not raise any objection to the original planning application and the re siting of the building still allows sufficient room for parking and turning for tractors and trailers and as such would not result in any adverse impact on highway safety.

There are no other impacts in comparison to the previously approved scheme.

#### Other Considerations

Wix Parish Council have not commented on the application. No other letters of representation have been received.

### **6. Recommendation**

Approval - Full

### **7. Conditions**

- 1 The development hereby permitted shall begin before 9th May 2021.

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:

20/01662/FUL:  
201117-317-Block Plan  
201117-217-Site Plan

18/00400/FUL:  
East and West Elevations, Floor Plan, North Elevation, South Elevation.

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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	YES	NO

<b>Are there any third parties to be informed of the decision?</b> <b>If so, please specify:</b>	YES	NO
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