

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	12 th April 2021
Planning Development Manager authorisation:	TF	12/04/2021
Admin checks / despatch completed	CC	12.04.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	DB	12.04.2021

Application: 21/00334/FUL **Town / Parish:** Great Oakley Parish Council

Applicant: Mr and Mrs T Wilkinson

Address: 18 Partridge Close Great Oakley Harwich

Development: Propose demolition of existing stables and shed and erection of stables, tack room, feed store and menage.

1. Town / Parish Council

Great Oakley Parish
Council
09.04.2021

The Council would like to make the following comment. That this site should strictly stay as Equestrian use moving forward whatever the outcome of the planning application may be.

2. Consultation Responses

TDC Environmental
Protection
15.03.2021

EP have reviewed the application and recommend the following comments.

1. Effluent originating from the shelter floor must be considered foul water and thus conveyed and disposed of in the same manner as domestic foul water.

2. A plan for storage and removal of horse manure is to be confirmed with this authority.

3. No burning of horse manure should be carried out on site.

4. Any external lighting on the proposed site shall be located, designed and directed [or screened] so that it does not cause any intrusion to neighbouring residential properties. The applicant shall demonstrate compliance with the Institute of Lighting Professionals code of practice. (www.ilp.org.uk)

Reason:

To ensure that nearby premises do not suffer a loss of amenity by reason of odour and light nuisance.

3. Planning History

16/00634/HHPNOT

Single storey flat roof extension,
6m depth and 3m height.

01.06.2016

21/00334/FUL

Propose demolition of existing
stables and shed and erection of
stables, tack room, feed store and
menage. 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
COM12	Equestrian Uses and Buildings

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

SP1	Presumption in Favour of Sustainable Development
SPL1	Managing Growth
SPL2	Settlement Development Boundaries
SPL3	Sustainable Design

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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

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 10th 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 has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have 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 host dwelling is a mid-twentieth century semi-detached bungalow with vehicular access to the rear of the plot running along the left hand side of the property. The site ownership is extensive (circa 1.6hectares) and includes the land which runs to the rear of all of the properties on Partridge Close. The application site extends to approximately 0.3hectares of the wider site. The land has been in used for the keeping of horses and there are currently a small stable block and shed on the land which are in a poor state of repair.

Description of Proposal

It is proposed to demolish the existing stables and shed and erect a small purpose-built stable block, hay barn, tack store and feed store for domestic use only. In addition, a yard area and menage will be constructed. The stable block will be 11.43 metres x 3.9 metres containing 3 stables, clad in timber with a fibre cement roof having eaves of 2.4m and a dual-pitched roof with a ridge of approximately 3m. The hay barn will be an open 2 bay building extending to 6.08 metres x 3 metres, clad in timber with a fibre cement roof having eaves of 2.4m and a dual-pitched roof with a ridge of approximately 3m. Both the feed and tack stores will be secure lockable buildings 6.14 metres x 2.52 metres clad in timber and have flat roofs in the region of 2.6m. The menage will be 22 metres x 60 metres with 1.4m high perimeter post and rail fencing. The menage surface would comprise a layer of herringbone drainage with crushed concrete/granite above then a membrane and finished with sand and finally rubber chippings. There is no increase in land levels proposed.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed 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 proposal is sited at the rear of the existing bungalow and will not be seen from Partridge Close Avenue, ensuring there will be no significant impact to the street scene. The buildings are in the same location as the ones they replace and the menage does involve an increase in land-levels. Whilst there is some increase in both footprint and height (circa 0.6m), the development is

considered to respects the character and appearance of the host dwelling in regards to its scale and design.

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 development proposes the replacement of existing building which incorporates a marginal increase in height of 0.6m. There is no significant additional risk of loss of privacy, daylight or harm to the amenities of any of the adjacent neighbours.

Highway Issues

Paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate. These objectives are supported by emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The proposal does not generate additional nor reduce the existing parking provision of the host dwelling.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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: 100_01, 100_03 and 100_04; received 15th February 2021.

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

- 3 There shall be no burning of horse manure on the site at any time.

Reason - The site is in the proximity of residential dwellings and therefore suitable control is necessary in order to protect the amenities of residents of such properties.

- 4 Effluent originating from the stable floor must be considered foul water and thus conveyed and disposed of in the same manner as domestic foul water.

Reason - To ensure an adequate and satisfactory means of foul drainage.

- 5 No floodlighting or other means of external lighting shall be installed at the site except in accordance with details (to include position, height, aiming points, lighting levels and a polar

luminous diagram) which shall have previously been submitted to and agreed in writing by the Local Planning Authority.

Reason - To secure an orderly and well designed development sympathetic to the character of the area and in the interests of residential amenity.

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