

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	23/04/2021
Planning Development Manager authorisation:	SCE	23.04.2021
Admin checks / despatch completed	DB	23.04.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	23/04/2021

Application: 21/00224/FUL **Town / Parish:** Beaumont Parish Council

Applicant: Mr C Wright

Address: Beaumont Barn Hollands Farm Beaumont Road

Development: Proposed revision to approved planning 20/00258/FUL to allow for re-siting of building following demolition of existing.

1. Town / Parish Council

Beaumont Parish Council Not commented on this application

2. Consultation Responses

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority. The revised proposals will not alter or impact on the existing access as it is proposed to use the same access route to serve the proposed unit as that previously approved. The proposals still provide adequate room and provision for off street parking and turning as indicated on drawing no. B3-P 10B, for the proposal therefore:

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

Informative 1: 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 – Development Management Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
CO7 7LT

Essex County Council
Archaeology
01.04.2021

There is unlikely to be any significant impact on any potential archaeological remains by the proposed development, therefore there is no recommendation for this application.
If you have any questions about this advice, please do not hesitate to contact me.

3. Planning History

19/00772/FUL	Change of use to form two holiday lets, workshop, office and games room.	Approved	09.08.2019
19/01368/FUL	Change of use to form one holiday let and covered pool area.	Approved	06.12.2019
20/00258/FUL	Revision to approved planning 19/01368/FUL to allow for re-siting of building following demolition of existing.	Approved	27.04.2020

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

ER16 Tourism and Leisure Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

EN6A Protected Species

EN6 Biodiversity

EN11A Protection of International Sites European Sites and RAMSAR Sites

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

SPL3 Sustainable Design

PP8 Tourism

PP13 The Rural Economy

PPL4 Biodiversity and Geodiversity

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 (including Site Description and Proposal)

Site Description

The application site refers to Beaumont Barns, Hollands Farm, Beaumont Road, Great Oakley and is accessed off of Beaumont Road. The site is a former agricultural site.

History of the Site

Under planning reference 18/02091/COUNOT, prior approval was not required for the change of use of an agricultural building on site to a single residential unit.

Under planning reference 19/00772/FUL, planning permission was granted for the change of use to form two holiday lets, workshop, office and games room.

Under planning reference 19/01368/FUL, planning permission was granted for the change of use to form one holiday let and covered pool area.

Under planning reference 20/00258/FUL, planning permission was granted for the revision to approved planning 19/01368/FUL to allow for re-siting of building following demolition of existing.

Proposal

The application seeks planning permission for the revision to approved planning 20/00258/FUL to allow for re-siting of building following demolition of existing.

Assessment

Principle of Development

Paragraph 83 of the National Planning Policy Framework 2019 states that planning policies and decisions should enable; the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings, the development and diversification of agricultural and other land based rural business, sustainable rural tourism and leisure developments which respects the character of the countryside, 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.

Policy ER16 of the Tendring District Local Plan (2007) ER16 states that proposals for tourism and leisure uses will be permitted 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 when 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 or reversible 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. These sentiments are carried forward in Policy PP8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The preamble states that the Council will encourage proposals for new or improved tourist attractions which enhance the Districts ability to attract and cater for visitors, increase local employment opportunities and do not conflict with other important economic or environmental objectives set out in the Plan.

In this instance, it is considered that the re-siting of the building is generally in accordance with Policy ER11 in so far that it involves the erection of a new building to accommodate a holiday let and covered pool area for a tourist use. Although the application involves the demolition of the existing barn, it is considered that the design and siting is acceptable in this rural location. The holiday let will produce some traffic however it is considered that the proposal will produce a lower level of traffic than the existing agricultural use. The policy requires the type and scale of activity proposed and its compatibility with the character of the surrounding area to be acceptable. The proposed use is for a holiday let and covered pool area. The character of the area, whilst predominantly rural, lies in close proximity to other buildings on site. Furthermore, the scattering of a number of existing buildings within the site ensure the proposed change would not significantly harm the open character of the area.

It is therefore considered that subject to the considerations discussed below, there is in principle, no objection to the demolition of the existing barn and the erection of a building to accommodate a holiday let and covered pool area.

Landscape impact

The proposed building is well set back from the highway and due to the scattering of a number of existing buildings within the site, it is considered that the proposed building will not cause any significant harm to the open character of the area.

Impact upon neighbouring amenities

The proposal will be visible to the building to the north east, a residential dwelling which was subject to the granting of planning permission under reference 18/02091/COUNOT. Due to the sufficient distance to the neighbouring dwelling, it is considered that the proposed conversion will not cause any adverse impact upon neighbouring amenities.

The proposal will also be visible to the building to the north east, a holiday let which was subject to the granting of planning permission under reference 19/00772/FUL. Due to the sufficient distance to the neighbouring building, it is considered that the proposed conversion will not cause any adverse impact upon neighbouring amenities.

Due to the rural nature of the application site the proposal will be visible to Hollands Farm, however the dwelling is sited approximately 75 metres away and therefore it is considered that the proposed conversion will not cause any adverse impact.

Highway Consideration and Parking Provision

Essex Highways have been consulted on this application and have stated the information that was submitted in association with the application has been fully considered by the Highway Authority. The revised proposals will not alter or impact on the existing access as it is proposed to use the same access route to serve the proposed unit as that previously approved. The proposals still provide adequate room and provision for off street parking and turning as indicated on drawing no. B3-P 10B. The Highways Authority does not object to this proposal.

Biodiversity/Protected Species

Paragraph 174 of the National Planning Policy Framework 2019 requires Local Planning Authorities to protect and enhance biodiversity and geodiversity.

Saved Policies EN6 'Biodiversity' and EN6a 'Protected Species' of the adopted Tendring District Local Plan 2007 state that development proposals will not be granted planning permission unless existing local biodiversity and protected species are protected. These sentiments are carried forward within draft Policy PLA4 'Nature Conservation and Geo-Diversity' of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

Due to the nature and condition of the building a bat and barn owl survey was submitted under planning reference 19/01368/FUL and it concluded that the building was not a suitable habitat for barn owls, bats and nesting birds. Therefore it was considered that no further surveys were required. Due to the conclusions found within the survey, it is considered that the building can be demolished without any harm to any protected species.

Habitat Regulations Assessment

Following recent Natural England advice and the introduction of Zones of Influences (Zoi) around all European Designated Sites (i.e. Ramsar, Special Protection Areas and Special Area of Conservation), within these 'zones' Natural England are now requesting financial contributions to mitigate against any recreational impact from new dwellings. Legal advice has been sought in relation to the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) which supports the view that Tendring District Council can seek financial contributions in accordance with the RAMS strategy.

A Habitat Regulations Assessment has therefore been undertaken. Given the scale of development for one tourist unit, it is not considered likely to result in significant impacts on statutory designated nature conservation sites or landscapes and a RAMS contribution is not therefore requested.

Other Considerations

Beaumont Parish Council have not commented on this application.

No letters of representation have been received.

6. Recommendation

Approval - Full

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 The development hereby permitted shall be carried out in accordance with the following approved plan:

- Drawing No. B3-P10B – Block Plan
- Drawing No. B3-P12 – Proposed Elevations and Floor Plan
- Drawing No. B3-011C – Site Plan

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

- 3 The development hereby permitted shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of all occupiers of the holiday let accommodation and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Reason - To prevent the use of the site for permanent accommodation in the interests of the tourism economy and local community infrastructure.

- 4 No person shall occupy the site for more than 28 consecutive days and shall not be permitted to return to the site within less than 14 days of vacating the site.

Reason - To prevent the use of the site for permanent accommodation in the interests of the tourism economy and local community infrastructure

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.

Highways

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 – Development Management Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
CO7 7LT

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