

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	16/06/2021
Planning Development Manager authorisation:	JJ	17/06/2021
Admin checks / despatch completed	DB	18.06.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	18.06.2021

Application: 21/00568/FUL **Town / Parish:** Little Clacton Parish Council

Applicant: Mr and Mrs Day

Address: Grove Farm Tan Lane Little Clacton

Development: Proposed installation of 'Honeymoon Pod' to provide overnight accommodation in relation to the Wedding Venue.

1. Town / Parish Council

Little Clacton Parish Council No comments received.

2. Consultation Responses

Essex County Council Heritage
13.05.2021

The application is for proposed installation of 'Honeymoon Pod' to provide overnight accommodation in relation to the Wedding Venue.

The proposal site is located in the environs of Grade II Listed Clacton Grove House and also the adjacent Grade II Listed Barn.

It has been assumed that the cladding to the structure is timber and not composite.

I have no objection to this application. It should be noted that the acceptability of this application is found in the temporary type of structure which supports the optimum viable use of the heritage assets. Should a future application suggest a permanent type of structure, this would unlikely be supported.

3. Planning History

02/01226/FUL	Retention of existing brick wall	Refused	23.10.2002
98/01374/FUL	Traditional span greenhouse utility type	Approved	08.12.1998
99/00277/FUL	Proposed garage	Approved	08.06.1999
99/00278/LBC	Proposed detached garage		24.03.1999
06/01294/LBC	Replacement doors and windows, alterations to the chimney stack, changes to the floodlight system, the building of concrete balustrade to front and retention of raised brick patio.	Refused	04.01.2007

07/00095/LBC	Replacement doors and windows, alterations to chimney stack and changes to the floodlight system.	Approved	26.03.2007
07/01412/LBC	Replacement windows.	Refused	02.11.2007
09/00142/LBC	Retrospective consent to retain a replacement window installed (after previous window fell out) during period between submission of application 07/01412/LBC dated 10/09/07 and decision (refusal).	Refused	15.04.2009
09/00172/LBC	Replacement of 8 no. traditional timber single glazed sliding sash windows and two timber single glazed casement windows with eight traditional timber double glazed sliding sash windows and two timber double glazed casement windows.	Refused	28.04.2009
09/00706/LBC	Application for replacement windows.	Approved	21.12.2009
09/00707/LBC	Application for retrospective listed building consent to retain a replacement window.	Approved	17.11.2009
14/30069/PREAPP	Conversion of barn into new dwelling.	Refused	10.03.2014
15/30037/PREAPP	Restorations and conversion of listed barn into wedding venue with associated parking and landscaping.	Refused	04.03.2015
16/00719/FUL	Proposed wedding venue.	Approved	
16/00721/LBC	Proposed wedding venue.	Approved	
16/01596/FUL	Form a wedding venue (villiers barn) comprising change of use, alterations and extensions to former farm buildings to provide a reception hall, catering and guest facilities, bridal suite, guest and staff car parking, associated landscaping and use of courtyard and grounds.	Approved	04.04.2017
16/01597/LBC	Form a wedding venue (villiers barn) comprising change of use, alterations and extensions to former farm buildings to provide a reception hall, catering and guest	Approved	04.04.2017

	facilities, bridal suite, guest and staff car parking, associated landscaping and use of courtyard and grounds.		
18/00165/NMA	Non-material amendment to planning permission 16/01596/FUL & 16/01597/LBC - to modify internal layout to improve functionality & meet regulation requirements.		22.02.2018
18/00460/FUL	Variation of Condition 2 of approved application 16/01596/FUL to substitute revised design drawings.	Approved	03.07.2018
18/00461/LBC	Variation of Condition 2 of approved application 16/01597/LBC to substitute revised design drawings.	Approved	03.07.2018
18/01324/DISCON	Discharge of Condition 6 (historic building recording) and Condition 7 (archaeological fieldwork) of 18/00460/FUL & 18/00461/LBC.	Approved	01.11.2018
18/01527/LBC	Replacing plinth walls and line external timber frame.	Approved	09.11.2018
18/01899/DISCON	Discharge of conditions 3 (External Materials) and 5 (External Joinery) of approved applications 18/00460/FUL and 18/00461/LBC.	Approved	03.01.2019
18/01900/DISCON	Discharge of condition 3 (External Materials) of approved application 18/01527/LBC.	Approved	03.01.2019

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses

ER16 Tourism and Leisure Uses

EN1 Landscape Character

EN23 Development within the proximity of a Listed Building

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

SPL1 Managing Growth

SPL3 Sustainable Design

PPL3 The Rural Landscape

PPL9 Listed Buildings

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 relates to Grove Farm, specifically the newly established wedding venue known as 'Villiers Barn' (within the converted barns and outbuildings). The site is located on the western side of Tan Lane, Little Clacton accessed via a long private drive. Grove House is a grade II listed building and the 'Barn approximately 50 metres north of Clacton Grove House', as described within the listing description, is also grade II listed. At right angles with the listed barn, is a further former agricultural building which is not listed in its own right but is curtilage listed due to its association and relationship with the listed buildings within the complex, this is known as the 'stables wing'. The application relates to the south-eastern corner of the site, on the opposite side of the access to the barns, adjacent to the lake. The entire site is located in Flood Zone 1.

Planning History

The conversion of the barn buildings to form a wedding venue with associated facilities was approved under application 16/01596/FUL and 16/01597/LBC, varied by 18/00460/FUL and 18/00461/LBC.

Description of Proposal

The application seeks full planning permission for the installation of a 'Honeymoon Pod' to provide overnight accommodation in relation to the Wedding Venue.

The detached 'pod' measures 6.6 metres by 4.2 metres with an overall height of approximately 4 metres and will be sited to the north bank of the eastern lake. The single finish, wall/roof profile will be clad in timber shingles, reducing the visual perception of a permanent building. The only fenestration will be off its south end looking onto the lake.

Assessment

The main considerations in this instance are:

- Principle of Development;
- Visual Impact and Impact on Heritage Assets;
- Highway Consideration; and,
- Representations.

Principle of Development

The acceptability of the proposed change of use, conversion, extensions and associated parking and landscaping have all been established through the granting of 16/01596/FUL and 16/01597/LBC, varied by 18/00460/FUL and 18/00461/LBC.

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 including sustainable rural tourism and leisure developments which respect the character of the countryside. Saved Policy ER16 of the Tendring District Local Plan 2007 states that proposals for tourism and leisure uses will be permitted provided that;

- a) The development is accessible to all potential visitors and users
- b) There is suitable vehicular and public transport access to the site and parking provision, especially where 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
- c) 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
- d) There will not be an adverse effect on agricultural holdings and the proposal would not result in an irreversible loss of high quality agricultural land
- e) Where appropriate opportunities are taken to improve the damaged and despoiled landscapes and enhance the landscape character of the area.

Emerging Policy PP8 of the Draft Plan states that to attract visitors to the Tendring District and support economic growth in tourism, the Council will support proposals that would help to improve the tourism appeal of the District to visitors.

Whilst it is recognised that the application site is somewhat remote, it is not isolated, has an excellent road connection, and is located in close proximity to built up areas of Little Clacton, Clacton-on-Sea and Thorpe-le-Soken all with frequent public transport links and a wide array of amenities. The proposal will directly support the existing wedding and function facilities and will support the continuity of the business while Covid restrictions continue to apply. The proposed location is sufficiently far from residential properties so as not to cause undue distance due to noise. The application site is not located within a flood zone. Furthermore, the size of the site and reversible nature of the proposals will not result in an adverse impact on the landscape or character of the area.

The proposed development is minor in nature, constitutes a complementary ancillary addition to the wedding venue and complies with the aims and aspirations of the above-mentioned national and local plan policies. The application is therefore acceptable in principle.

Visual Impact and Impact on Heritage Assets

As set out in the supporting Design & Heritage Statement accompanying the application, based on the overall site and the group value of the listed assets, the level of change is considered to be 'Neutral' to 'Negligible'. The new structure will constitute a fully 'reversible' development and will not involve any direct changes to the listed assets or their immediate setting.

The 'pod' is discreetly sited, well back from the highway and well screen by existing trees and vegetation and will not appear prominent or result in any wider landscape impact.

Essex County Council Historic Environment Team raise no objection to this application based on the temporary nature of the structure and the benefits it offers to support the optimum viable use of the heritage assets.

Officers concur with the findings of the supporting Design & Heritage Statement and conclude that the proposal will not result in any harm to the setting of the listed buildings or visual amenity.

Highway Considerations

The proposed 'pod' does not alter the approved access and parking arrangements.

Representations

No comments have been received from Little Clacton Parish Council.

No individual letters of representation have been received from local residents.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval subject to conditions.

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 plans:

Drawing no. 17035 - 31 Revision A - Pod Location and Elevations

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

- 3 The 'pod' hereby approved shall be used as ancillary accommodation in connection with wedding and function use only and shall not to be used or occupied as a separate unit of residential accommodation.

Reason – To prevent the use of the ‘pod’ as separate residential accommodation in this out of settlement location and in the interests of the tourism economy.

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