

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	AP	5/9/2023
Planning Manager / Team Leader authorisation:	ML	06/09/2023
Planning Technician final checks and despatch:	JJ	07/09/2023

Application: 23/00975/FUL **Town / Parish:** Wix Parish Council

Applicant: Mr and Mrs Barnard

Address: Richwill Farm Oakley Road Wix

Development: Erection of 2 amenity blocks to service approved camping and caravan site.

1. Town / Parish Council

Wix Parish Council No comments received

2. Consultation Responses

ECC Highways Dept
11.08.2023

The information submitted with the application has been assessed by the Highway Authority and conclusions have been drawn from a desktop study with the observations below based on submitted material. No site visit was undertaken in conjunction with this planning application. It is noted that the proposal is set well back from the public highway and existing Public Right of Way routes in the vicinity of the farm and will be sited towards the existing access road into the site, behind the established hedgerow. No new or alter means of access is proposed as part of this application and the existing private vehicular access that has an in and out arrangement off Oakley Road is to be retained. The two modest amenity blocks will have minimal impact on the site and highway, 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

2: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area, it covers, and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

3: The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for

maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

4: Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

3. Planning History

16/00577/FUL	Change of use of existing farm buildings to training centre and vehicle workshops, repairs and alterations to existing buildings.	Approved	20.07.2016
16/00578/LBC	Change of use of existing farm buildings to training centre and vehicle workshops, repairs and alterations to existing buildings.	Approved	20.07.2016
16/02114/DISCON	Discharge of condition 12 (ecological mitigation) of planning permission 16/00577/FUL.	Approved	09.01.2017
17/01780/FUL	Proposed use of main barn for weddings, conferences and events in addition to training and workshop. Conversion of workshop and cart shed to holiday accommodation.	Approved	12.01.2018
17/01781/LBC	Alterations to proposed cart shed to facilitate its use for holiday accommodation.	Approved	12.01.2018
18/00182/DISCON	Discharge of conditions 2 - Materials, 3 - Landscaping, 12 - Barn Owl Mitigation & 15 - Overspill Area to approved Planning Application 17/01780/FUL.	Approved	13.02.2018
19/01472/FUL	Proposed new holiday accommodation, amendments to use of former workshop building previously approved for holiday accommodation and diversion of public footpath.	Approved	12.12.2019

20/00299/FUL	Proposed Holiday accommodation for temporary use during the construction of proposed permanent new holiday accommodation previously granted under 19/01472/FUL.	Approved	28.05.2020
20/01613/FUL	Change of use of agricultural land to camping and touring caravans.	Approved	11.02.2021
21/00024/FUL	Proposed construction of two barns for agricultural use in connection with farm.	Approved	28.07.2021
21/00749/DISCON	Discharge of Condition 9 (Landscaping) of approved Planning Permission ref: 20/01613/FUL	Approved	08.06.2021
21/01628/FUL	Proposed widening of existing farm access to allow the footpath to be segregated from farm access, and the erection of gates at the access.	Approved	19.01.2022
22/02130/DISCON	Compliance with condition 1 (Time Limit - Full) of application 19/01472/FUL to confirm works have begun.	Approved	27.04.2023
23/00286/DISCON	Discharge of condition 11 (Safe Passage of Pedestrians) of application 19/01472/FUL.	Approved	21.04.2023
23/00975/FUL	Erection of 2 amenity blocks to service approved camping and caravan site.	Current	

4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2021 (NPPF)
National Planning Practice Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)
PP8 Tourism
PPL3 The Rural Landscape
PPL9 Listed Buildings
SPL3 Sustainable Design
PPL4 Biodiversity and Geodiversity

Status of the Local Plan

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory

Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any neighbourhood plans that have been brought into force.

Neighbourhood Plans

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

5. Officer Appraisal

Proposal

The application seeks full planning permission for the erection of two amenity blocks to service the previously approved camping and caravan site.

The site falls outside of any settlement development boundary and lies close to the Grade 2 listed building of Richwill Farmhouse (formally Parkers Farmhouse).

Principle of Development

The principle of development on the application site was established under approval of application reference 20/01613/FUL for the change of use of the agricultural land to a camping and touring caravan site which included a new access to the field from the existing car parking area. The landscaping for the site has since been approved under reference 21/00749/DISCON.

Design, Appearance and Heritage Impact

The proposal involves upgrading two steel shipping containers and siting them on paving slabs to provide shower and toilet facilities for visitors to the site. The containers will be clad in timber providing a natural appearance and by their very nature they are low level. The siting of the proposed amenity blocks is such that they will be largely hidden behind the existing established hedge on the south eastern edge of the caravan and camping site.

The existing hedges are not affected by the proposals other than the removal of a small section for access, further to this, additional landscaping has been approved under reference 21/00749/DISCON which will help screen the site and the proposed amenity buildings from views outside the site and increase privacy from within.

The site in its current form lies in the immediate setting of the listed farmhouse and contributes positively to the significance of the entire farm complex as agricultural land. The change of use previously approved accepted some harm to the setting of the listed farmhouse which with the addition of landscaping will act to separate this parcel of land. In separating this parcel of land limits further harm to the setting of the listed building ensuring the minor development of the proposed amenity buildings is acceptable.

The proposal is not considered to cause any material harm to visual amenity taking into account the natural screening and will not result in any significant harm to the landscape character or setting of the heritage assets.

Residential Amenities

The nearest neighbour to the application site is White House Farm Cottage with the house being just over 80 metres from the edge of the camping and caravan site and a distance of 270 metres from the proposed amenity blocks.

Due to the separation distance to residential dwellings and ample screen planting, the proposal will not result on any undue noise or disturbance to neighbouring residents or result in any harm to other residential amenities.

Other considerations

Access to the site and parking was assessed and found acceptable under application reference 20/01613/FUL.

Given the sites rural location and the propensity of natural habitats within and around the site it is considered reasonable and necessary to impose a condition on the grant of planning permission for the further approval of any external lighting.

The application form confirms that the foul drainage will discharge into the existing sewage treatment plant.

No letters of representation have been received.

Conclusion

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

6. Recommendation

Approval - Full

7. Conditions

1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

The approved red line plan drawing is Drawing No. 789/01 E received 10 July 2023
Drawing No. 789/C/03
Drawing No. 789/C/04

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

3 FURTHER APPROVAL: DETAILS OF ILLUMINATION

CONDITION: Prior to the erection/installation of any floodlighting or other means of external lighting at the site, details to include position, height, aiming points, lighting levels and a polar luminance diagram shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out and retained as may be approved. There shall be no other means of external lighting installed and/or operated on/at the site except that approved.

REASON: In the interests of amenity to reduce the impact of night time illumination on the character of the area and in the interests of biodiversity.

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

