

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	MP	02/05/2025
EIA Development - Notify Planning Casework Unit of Decision:	N/A	
Pre-commencement condition agreement:	N/A	
Team Leader authorisation / sign off:	ML	02/05/2025
Assistant Planner final checks and despatch:	ER	02/05/2025

Application: 25/00455/COUNOT

Town / Parish: Thorpe Le Soken Parish Council

Applicant: FGH (Essex) Ltd

Address: Comarques Farm Barn Colchester Road Thorpe Le Soken

Development: Prior Approval Application under Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for conversion of an agricultural building in to four residential dwelling units.

1. Town / Parish Council

Thorpe-le-Soken Parish Council No comments received.

2. Consultation Responses

ECC Highways Dept
24.04.2025

The information provided with the application has been assessed by the Highway Authority and conclusions reached from a desktop study based on the submitted material and in conjunction with a site visit. It is noted that the proposal is similar to previous application 24/01125/COUNOT that was not acceptable to the Highway Authority. Again, the proposed site is accessed from a private drive that serves the previous commercial building and two existing dwellings from a private vehicular access. To the north of the proposal site runs Public Footpath 8 (Thorpe Le soken_180) that crosses the private track, in addition, to the east and opposite the proposal runs Public Footpath 22 (Thorpe Le soken_180) which provides a link to Public Footpath 10 (Thorpe Le soken_180) to the south. With this proposal and the existing dwellings, the private access would serve a total of six dwellings. It appears that the proposal will provide adequate off-street parking and turning, due to the site location, a reduced parking standard provision would not be appropriate for this residential development, however:

From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:

1. The Highway Authority will protect the principal use of the highway as a right of free and safe passage of all highway users. The B1033 Colchester Road is a Main Distributer within the County's Route Hierarchy. The function of a Main Distributer is the carrying of traffic safely and efficiently between major centres within the County.

2. The proposal would intensify the use of an existing access onto B1033 Colchester Road (Main Distributor) which has deficiencies in geometric layout and where visibility, from the proposed site access and forward visibility along B1033 Colchester Road visibility is not in accordance with current safety standards.

The existence of an access in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs but the intensification of that conflict and interference which this proposal would engender would be to the detriment of highway safety.

The proposal is therefore contrary to policy DM1, DM2, DM5, and DM7 contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and National Planning Policy Framework.

Informative:

i). As far as can be determined from the submitted plans, as proposed the access has not been provided with the required vehicular visibility splays which must be over land in the applicant's control and or highway land. The lack of such visibility would result in an unacceptable degree of hazard to all road users to the detriment of highway safety as stated in the recommendation above.

ii). There is an established hedgerow approximately 1.9-metres in height on the south side of the private track which severely restricts visibility on the traffic approach side (northbound approach) and appears to be outside the control of the applicant. The applicant has failed to provide evidence that the visibility splays can be provided and retained free from any obstruction in perpetuity.

iii). The set back distance for the visibility splay for the vehicular access is only 2-metres, An X distance of 2.4 m should be used, as this represents a reasonable maximum distance between the front of a car and the driver's eye. Using a 2-metre value will mean that the front of most vehicles using the proposed access will protrude into Colchester Road (Main Distributor) causing a potential conflict for all highway users using the road.

iv). The current width of the private track appears to be less than 3 metres (approximately 2.8 metres), at the entrance the width with Colchester Road, is approximately 4 metres, however, there appears limited scope to widen the private drive as it is bounded by established hedgerows on both sides of the private track.

v). For shared private drives the drive should be constructed to a width of 5.5 metres for at least the first 6 metres from the back of the Highway Boundary to ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety.

Environmental Protection
02.04.2025

With reference to the above application, please see below for comments from the EP Team:

Contaminated Land: Having consideration for the historic agricultural use, surrounding historical agricultural land, the type of existing long term operational use within the unit and the proposed scale of the

development, the EP Team are requesting a minimum of a Phase One Contaminated Land Survey be performed, to ensure the land is suitable for the proposed end use - The following works shall be conducted by competent persons and in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and other current guidance deemed authoritative for the purposes. The development hereby permitted shall not commence until the measures set out in the approved report have been implemented.

A. Site Characterisation

Notwithstanding the details submitted with this application, no development shall commence other than that required to carry out additional necessary investigation which in this case includes demolition, site clearance, removal of underground tanks and old structures until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - Human health,
 - Properly (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - Adjoining land,
 - Groundwaters and surface waters,
 - Ecological systems
 - Archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

REASON - To ensure that any risks (to future users of the land and neighbouring land and to controlled waters, property and ecological systems) arising from any land contamination are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Construction Activities: In order to minimise potential nuisance caused by construction, Environmental Protection recommend that the following below is conditioned.

- No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.
- No materials produced as a result of the site development or clearance shall be burned on site.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

REASON: to protect the amenity of nearby residential dwellings

Asbestos: Should any asbestos containing materials be present on the development site, or used within the original construction of the building in question, it must be safely removed by a qualified contractor, with relevant transfer notes being obtained to confirm safe and responsible removal and disposal.

REASON: to protect the health of site workers and end users

3. **Planning History**

24/01125/COUNO T	Prior Approval Application under Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of Class B1 (now Class E) commercial unit in to four residential dwelling units.	Determination Prior Approval required	24.09.2024
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4. **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 Local Plan 2013-33 and Beyond (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 made and the Minerals and Waste Local Plans adopted by Essex County Council.

In relation to housing supply:

The Framework requires Councils to significantly boost the supply of homes to meet the District's housing need. Paragraph 78 states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of 5% to ensure choice and competition in the market for land, unless the Housing Delivery Test (HDT) demonstrates significant under delivery of housing over the previous 3 years - in which case a higher buffer is required.

On 12th December 2024 the Government published the Housing Delivery Test: 2023 measurement. Against a requirement for 1,466 homes for 2020-2023, the total number of homes delivered was 2,343. The Council's HDT 2023 measurement was therefore 160%, and a buffer of 5% is to be used when calculating the Council's five year land supply position.

The Council demonstrates its supply of specific deliverable sites within the Strategic Housing Land Availability Assessment (SHLAA), which is published annually. The most recent SHLAA was published by the Council in July 2024, and demonstrates a 6.26-year supply of deliverable housing

sites against the annual requirement of 550 dwellings per annum set out within the adopted Local Plan, plus a 5% buffer. The SHLAA can be viewed on the Council's website: <https://www.tendringdc.gov.uk/content/monitoring-and-shlaa>

As a result, the 'titled balance' at paragraph 11 d) of the Framework does not apply to decisions relating to new housing development.

5. 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>

At the time of writing, there are no draft or adopted neighbourhood plans relevant to this site.

6. Relevant Policies / Government Guidance

N/A

7. Officer Appraisal

Site Description

The site consists of a redundant barn located to the south-west of Comarques Farm Bungalow, Thorpe-Le-Soken, with access via a private access track onto Colchester Road to the north-east of the barn. The site is located outside of the defined settlement boundary for Thorpe-Le-Soken with the Conservation Area boundary being located immediately to the south of the private access track that forms part of this Prior Notification application.

Description of Proposal

This application seeks consent for the conversion of one agricultural building into four residential units, each to be served by two bedrooms.

Site History

In 1995 planning permission was granted for use of the building for the assembly and construction of domestic furniture (reference TEN/95/1165). This was a temporary permission for 2 years, subject to a restriction that the production relates solely to 'domestic' furniture and was personal to the applicant. This permission was renewed in 1997 (reference TEN/97/1285) with the imposition of the same conditions as before, and included a condition that stated the use must cease by 30th November 2002.

Within an earlier application (24/01125/COUNOT), permission was sought to convert the building from Class E use to residential use. However, Officers considered that insufficient evidence had been provided to demonstrate that the building remained in Class E use as a commercial unit. Additionally, an objection was raised that the proposal would intensify the use of an existing access onto a main distributor road which has deficiencies in geometric layout and insufficient visibilities, to the detriment to highway safety. This decision is currently being appealed at the time of writing (appeal reference APP/P1560/W/25/3362920).

Assessment

Class Q - agricultural buildings to dwellinghouses

Q. Development consisting of -

(a) a change of use of—

- (i) a building that is part of an established agricultural unit and any land within that building's curtilage, or
- (ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage,

to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,

(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or

(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

Q.1 Development is not permitted by Class Q if -

(a) in the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit -

(i) on 24th July 2023, or

(ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins,

The site and building were part of the established agricultural unit on 24th July 2023. The proposal complies.

(b) in the case of a site that was (but is no longer) part of an established agricultural unit -

(i) the site was part of an established agricultural unit on 24th July 2023, or

(ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or

(iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose,

As detailed above, the site was historically granted two temporary consents to operate for the assembly and construction of domestic furniture. However, after the cessation of this use in 2002, the site has no other lawful permissions and therefore reverts back to its original agricultural use. The site and building were therefore part of the established agricultural unit on 24th July 2023. The proposal complies.

(c) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square metres,

In this case the proposal is for the conversion of one agricultural building into four dwellings, which will have the following approximate footprints:

Unit 1 = 69sqm

Unit 2 = 71sqm

Unit 3 = 91.5sqm

Unit 4 = 73sqm

This criterion is therefore met.

(d) the development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in—

- (i) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or
- (ii) the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres,

In this case the proposal is for the conversion of one agricultural building to four dwellings which measure a combined 304.5sqm of floorspace. The cumulative number of separate dwellinghouses does not exceed 10 and the cumulative floorspace does not exceed 1,000sqm. The proposal therefore adheres with this criterion.

(e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained,

The site is not occupied under an agricultural tenancy. The proposal complies.

(f) less than 1 year before the date development begins—

- (i) an agricultural tenancy over the site has been terminated, and
- (ii) the termination was for the purpose of carrying out development under Class Q,

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use,

Less than one year before the date development begins an agricultural tenancy over the site has not been terminated and the termination was for the purpose of carrying out development under Class Q. The proposal complies.

(g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins,

No development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins. The proposal complies.

(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than—

- (i) extension of the building allowed by paragraph Q.1(i);
- (ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i),

The proposed alterations to the building do not include works beyond the external dimensions of the existing building at any point, and therefore this criterion is met.

(i) the development under Class Q(b) would result in an extension that—

- (i) has more than one storey,
- (ii) is sited anywhere other than to the rear of the existing building,
- (iii) extends beyond the rear wall of the existing building by more than 4 metres,
- (iv) has eaves the height of which exceed the height of the eaves of the existing building,
- (v) is higher than whichever is the lower of—
 - (aa) the highest part of the roof of the existing building, or
 - (bb) a height of 4 metres above the ground,
- (vi) extends beyond a wall that forms a side or principal elevation of the existing building, or

(vii) would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and—
(aa) the hard surface was not provided on the land on or before 24th July 2023, or
(bb) where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins,

The proposal does not include an extension and therefore this criterion is not relevant.

(j) the development under Class Q(c) would consist of building operations other than—
(i) the installation or replacement of—
 (aa) windows, doors, roofs, or exterior walls, or
 (bb) water, drainage, electricity, gas or other services,

to the extent reasonably necessary for the building to function as a dwellinghouse, and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i),

The development under Class Q(b) will not see alterations to the existing building that considered to go beyond what would be reasonably necessary for such a conversion, and therefore the proposal complies with this criterion.

(k) the site is on article 2(3) land;

The site is not on article 2(3) land. The proposal complies.

(l) the site is, or forms part of -

(i) a site of special scientific interest;
(ii) a safety hazard area;
(iii) a military explosives storage area;

The site is not nor forms part of a site of special scientific interest, a safety hazard area or a military explosives storage area. The proposal complies.

(m) the site is, or contains, a scheduled monument;

The site is not nor contains, a scheduled monument. The proposal complies.

(n) the building is a listed building;

The building is not a listed building. The proposal complies.

(o) the existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015⁶⁴ as read with the notes dated 19th May 2016 which apply to it, or

Depending on the number of occupants, the nationally prescribed space standards state a single storey two bedroom property should have minimum measurements between 61sqm and 70sqm. On this occasion the dwellings range between 69sqm and 91.5sqm and therefore all comply.

(p) the building does not have suitable existing access to a public highway.

There is an existing made access that connects to the public highway (Colchester Road) to the east. However, as discussed in more detail below, ECC Highways have confirmed that

this access has deficiencies in geometric layout and visibility, and does not therefore meet the definition of a suitable access. This criterion is failed.

Conditions

Q.2 - (1) Where the development proposed is development under Class Q(a) together with development under Class Q(c), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development
- (b) noise impacts of the development
- (c) contamination risks on the site
- (d) flooding risks on the site
- (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order.
- (f) the design or external appearance of the building; and
- (g) the provision of adequate natural light in all habitable rooms of the dwellinghouses.

and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Transport and Highways Impacts of the Development:

The proposal will result in the creation of four residential dwellings. Essex County Council Highways have been consulted on this application, and have raised an objection on the basis that the proposal would see the intensification of use of an existing access onto the B1033 Colchester Road, a Main Distributor, which has deficiencies in geometric layout and where visibility, from the proposed site access and forward visibility along B1033 Colchester Road visibility is not in accordance with current safety standards. The existence of an access in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs, but the intensification of that conflict and interference which this proposal would engender would be to the detriment of highway safety.

The agent for the application has raised concerns that ECC Highways have incorrectly assessed the access to be served by a total of six dwellings instead of five. However, ECC Highways have since clarified that when undertaking their site visit it appeared the two properties (in addition to the application site) utilised this access, although regardless of whether there is one or two dwellings served by this, the introduction of four dwellings would still see a harmful intensification of its use. Officers separately acknowledge that the existing building is within agricultural use and has been vacant for some time and is not of a particularly large size that would likely generate high levels of vehicular movements. Accordingly, a conversion of this building to four dwellings would represent a significant increase to the level of these movements.

Furthermore, in response to queries raised by the agent for the application, ECC Highways have clarified that whilst the property adjacent to the north-west of the access is owned and controlled by the applicant, this is not the case for the property to the south-east of the access, which is instead within third party ownership. It has not therefore been established that the visibility splay to the south-east (traffic approach side) can be retained free of any obstruction in perpetuity.

Noise Impacts of the Development:

The proposal would not result in any material noise impacts. The proposal complies.

Contamination Risks on the Site:

The Council's Environmental Protection team have been consulted and due to the historic agricultural use of the site, they raise no objections subject to a condition being included requiring a Phase One Contamination Survey.

Flooding Risks on the Site:

The site is located outside of an area of recognised flood risk. The proposal complies.

Whether the Location or Siting of the Building is Impractical or Undesirable for the Building to Change:

Paragraph 109 of the National Planning Practice Guidance states:

"When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval.

There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access, power source or other services its conversion is impractical. Additionally, the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.

When a local authority considers location and siting it should not therefore be applying tests from the National Planning Policy Framework except to the extent these are relevant to the subject matter of the prior approval. So, for example, factors such as whether the property is for a rural worker, or whether the design is of exceptional quality or innovative, are unlikely to be relevant."

The agricultural building subject of this application is located to the south of existing residential properties, as well as other existing residential units running along this section of Colchester Road further out to the east and west. The proposal is considered to comply with this criterion.

The Design or External Appearance of the Building:

The design will see the conversion of one existing agricultural building into four dwellings. The proposed changes are relatively minor and internal in nature, with the existing structure of sound condition. Such works would be expected in order to convert such a building, and therefore the Local Planning Authority does not consider that the proposed development will have any significant impact on the design or external appearance of the building.

The Provision of Adequate Natural Light in all Habitable Rooms of the Dwellinghouses:

Habitable Rooms are defined as "any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms". Drawing Number CMQBarn - 01B shows that all habitable rooms in line with the definition above have access to natural daylight.

Biodiversity and Protected Species:

Paragraph 186 of the NPPF states that, when making planning decisions local planning authorities need to assess whether significant harm to biodiversity could result from the development. The NPPF goes on to state the hierarchy that should be applied to mitigate any

harm to ecology that is identified. Paragraph 180 of the NPPF requires that Local Planning Authorities contribute to and enhance sites of biodiversity or geological value. TDLP Policy PPL4 states that proposals for new development should be supported by appropriate ecological assessments and, where relevant, provide appropriate mitigation and biodiversity enhancements to ensure a net gain.

On this occasion, while Officers do not consider there is likely to be significant harm to protected species, there is an opportunity to provide a scheme of biodiversity enhancements, and as such an informative recommending the applicant is strongly encouraged to improve the biodiversity of the site through appropriate additional planting and wildlife friendly features is included. In addition, Officers note that the building is of solid construction and therefore it is unlikely that protected species would be habiting the space within.

8. Recommendation

Prior Approval required.

9. Reason for Refusal

- 1 The proposal would intensify the use of an existing substandard access onto B1033 Colchester Road (main distributor) which has deficiencies in geometric layout and where visibility, from the proposed site access and forward visibility along B1033 Colchester Road, is not in accordance with current safety standards. The existence of an access in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs but the intensification of that conflict and interference which this proposal would engender would be to the detriment of highway safety.

The application is therefore contrary to the requirements set out within Schedule 2, Part 3, Class Q.1 (p) and Q.2. (1) (a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 as it fails to demonstrate that the highway impacts of the development would not be harmful by way of a detrimental impact to the general safety of all highway users.

10. Informatives

Plans and Supporting Documents

The Local Planning Authority has resolved to refuse the application for the reason(s) set out above. For clarity, the refusal is based upon the consideration of the plans and supporting documents accompanying the application as follows, (accounting for any updated or amended documents):

Drawing Numbers CMQBarn-01B, CMQBarn-03A and the document titled 'Planning Statement'.

11. Equality Impact Assessment

In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.

It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

12. Notification of Decision

Are there any letters to be sent to applicant / agent with the decision? If so please specify:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO
Has there been a declaration of interest made on this application?		NO