

Planning Committee AGENDA



THE PUBLIC MAY ATTEND THIS MEETING

Please note this meeting will be webcast and audio recorded

Date: Tuesday, 18 August 2015

Time: 19:15

Venue: Council Chamber, Causeway House, Braintree CM7 9HB

Membership:

Councillor J Abbott

Councillor R Bolton

Councillor Mrs L Bowers-Flint

Councillor P Horner

Councillor H Johnson

Councillor S Kirby

Councillor D Mann

Councillor Lady Newton

Councillor J O'Reilly-Cicconi (Vice Chairman)

Councillor Mrs I Parker

Councillor R Ramage

Councillor Mrs W Scattergood (Chairman)

Councillor Mrs G Spray

Members are requested to attend this meeting, to transact the following business:-

Page

PUBLIC SESSION

1 Apologies for Absence

2 Declarations of Interest

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest, or Non-Pecuniary Interest relating to Items on the Agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

3 Minutes of the Previous Meeting

To approve as a correct record the Minutes of the meeting of the Planning Committee held on 4th August 2015 (copy to follow).

4 Public Question Time

(See paragraph below)

5 Planning Applications

To consider the following planning applications and to agree whether any of the more minor applications listed under Part B should be determined 'en bloc' without debate.

PART A

Planning Application:-

- | | | |
|-----------|---|---------------|
| 5a | Application No. 15 00637 FUL - 54-56 High Street, KELVEDON | 4 - 12 |
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PART B

Minor Planning Applications:-

- | | | |
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| 5b | Application No. 15 00642 MMA - Stours, Lower Stoke Road, ASHEN | 13 - 21 |
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| 5c | Application No. 15 00643 LBC - Stours, Lower Stoke Road, ASHEN | 22 - 29 |
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- | | | |
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| 5d | Application No. 15 00788 FUL - 47 The Ridgeway, BRAINTREE | 30 - 33 |
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| 6 | Planning and Enforcement Appeal Decisions - July 2015 | 34 - 37 |
|----------|--|----------------|

7 Urgent Business - Public Session

To consider any matter which, in the opinion of the Chairman, should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.

8 Exclusion of the Public and Press

To agree the exclusion of the public and press for the consideration of any Items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.

At the time of compiling this Agenda there were none.

PRIVATE SESSION

9 Urgent Business - Private Session

To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

E WISBEY
Governance and Member Manager

Contact Details

If you require any further information please contact the Governance and Members team on 01376 552525 or e-mail demse@braintree.gov.uk

Question Time

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak.

Members of the public wishing to speak should contact the Council's Governance and Members team on 01376 552525 or email demse@braintree.gov.uk at least 2 working days prior to the meeting.

Members of the public can remain to observe the whole of the public part of the meeting.

Health and Safety

Any persons attending meetings at Causeway House are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by a Council officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

Mobile Phones

Please ensure that your mobile phone is either switched to silent or switched off during the meeting.

Comments

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information

Meeting Attended..... Date of Meeting.....

Comment

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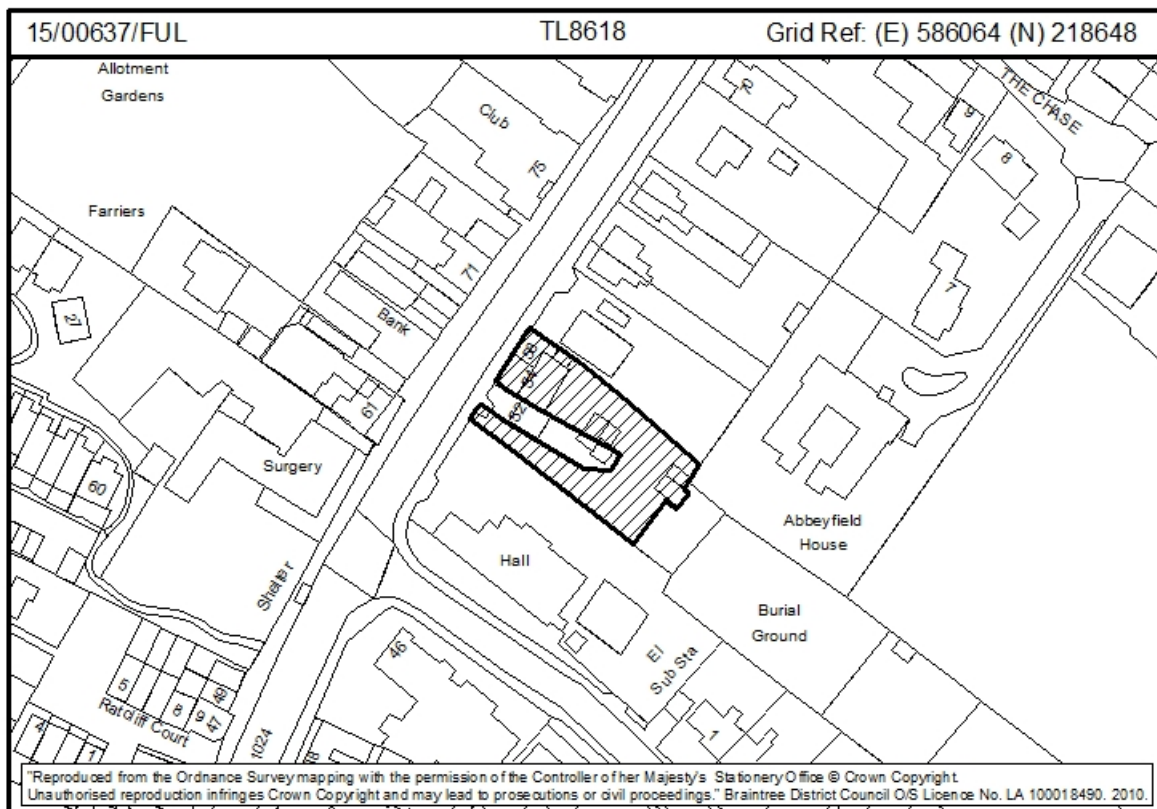
Contact Details:

AGENDA ITEM NUMBER 5a

PART A

APPLICATION 15/00637/FUL DATE 19.05.15
NO: VALID:
APPLICANT: Douglas Management Ltd
Kingsthorpe, 16 High Street, Kelvedon, Essex, CO5 9AG
AGENT: Mr Roy Grimwade
1A Wilmslow Avenue, Woodbridge, Suffolk, IP12 4HW
DESCRIPTION: Alterations and conversion of existing house to 2 no.
original cottages and demolition of existing single storey
shop and outbuilding/shed at rear
LOCATION: 54 - 56 High Street, Kelvedon, Essex, CO5 9AE

For more information about this Application please contact:
Lee Smith-Evans on:- 01376 551414 Ext.
or by e-mail to: lee.smith-evans@braintree.gov.uk



SITE HISTORY

15/00242/FUL	Renovation of two existing cottages to create an additional residential dwelling and the erection of two new dwellings to the rear together with associated driveway, car parking and landscaping.	Refused	10.04.15
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POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP3	Development within Town Development Boundaries and Village Envelopes
RLP10	Residential Density
RLP56	Vehicle Parking
RLP90	Layout and Design of Development
RLP95	Preservation and Enhancement of Conservation Areas
RLP84	Protected Species

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

The application is referred to the planning committee as it has been called in by an elected member, Councillor Elliott, for the following reason:

There appears to be a consensus of opinion that the shop is not worthy of preservation. I strongly believe that demolition would detract from character of the particular area of Kelvedon High Street in which the shop is located.

SITE DESCRIPTION

The site comprises of a single dwelling house and vacant shop on the east side of Kelvedon High Street. The site is within the Conservation Area of Kelvedon. On the street frontage is the single storey shop, attached to the dwelling. This shop is now vacant.

The dwelling is adjoined to another cottage, number 52, which is in the applicant's ownership but does not form part of the application; land to the rear of the site is also shown as being within the ownership of the applicant. Some land to the rear has been included for amenity areas and parking for the two dwellings proposed. An access to the land at the rear is included in the application; this access point is to the other side of the attached dwelling (No.52) that is not included in the application.

PROPOSAL

The applicant proposes to demolish the shop and convert the single dwelling into a pair of two bedroom dwellings. There are minimal external alterations to the dwelling with only remedial works proposed where the shop is currently attached.

To the rear the applicant proposes to create four car parking spaces for the two proposed new dwellings, amenity spaces for each and an 1800mm brick wall around a small amenity space behind the adjoining house, No. 52, this wall extends round the side of No 52 to separate it from the driveway that serves the car parking for the two dwellings being created by the application. It is acknowledged that the wall could be constructed under permitted development rights.

It is also proposed to demolish a wooden ancillary building located to the rear of the cottage where the car parking areas will be formed. An 1800mm high fence is proposed to divide the red land of the application site from the blue land to the rear.

CONSULTATIONS

Highways – No objection subject to conditions.

Historic Buildings Advisor – Supportive of the application, the removal of the shop will have a beneficial effect on the character of the conservation area.

BDC Engineers – No objection.

BDC Landscape – No objection.

Parish Council – No objection.

REPRESENTATIONS

Summary of Responses:

- Kelvedon and Feering Heritage Society would like the cottages listed, the barn at the rear given similar consideration and the marketing strategy tested.
- One local resident wrote in neither in support or objecting

- One Local resident wrote in regarding the supporting statement relating to the viability of the shop.
- Two other local residents object to the proposals.

REPORT

Site History

The larger site, indicted by the blue line, was subject to a refused application earlier this year (15/00242/FUL). This application involved the development of both the two existing cottages fronting Kelvedon High Street and included two additional dwellings in the rear garden area. As in this application one house on the frontage was subdivided to make two and the shop was proposed for demolition. The application provided off street parking for all five proposed dwellings and gardens to the adopted standards of the council.

This application was refused for 6 reasons, which are summarised as;

- Overlooking of the adjoining residential dwelling.
- Crammed and contrived backland development.
- Over intensification of the access and insufficient room for the turning and parking of cars.
- Backland not in keeping with the character of the conservation area.
- No ecological survey.
- Amenity issues relating to back to back distances

Principle of Development

The principle of development is considered against Policies CS9 of the Core Strategy, RLP3 and RLP95 of the Local Plan Review. These policies provide for the principle of development subject to a satisfactory design and layout that is sympathetic to the character of the Conservation Area and has no negative impacts on the amenities of neighbours. The density of the proposal is considered against RLP 10 which seeks a density that is in keeping with the context and able to create parking and gardens to the standards used by the council within a satisfactory layout that provides suitable landscaping. This policy also has regard to the amount of development and the capacity of local infrastructure to support the proposals.

The loss of the shop is considered against policy RLP128 which requires that sufficient evidence has been submitted to justify the loss of rural facilities and services. The applicant has submitted a report from a local agent regarding the viability of the shop. Notwithstanding this it is a material consideration that the previous application included the loss of the shop however its loss was not a reason for refusal.

In addition the viability evidence for the shop is somewhat anecdotal and is not a full marketing exercise. The evidence submitted is contrary to the letter of representation received from the former proprietor of the shop. In addition this should be considered against the Historic Building Advisor's advice that

the demolition of the shop will be of aesthetic benefit to the Conservation Area. This advice does not include potential listing of the cottages which is a requested made by the Kelvedon and Feering Heritage Society. On balance, it is therefore considered that the loss of the shop, whilst regrettable in terms of the High Street shopping provision, is considered acceptable as it would enhance the character and appearance of the conservation area.

Design, Appearance and Layout

The applicant proposes to demolish the shop which sits directly on the pavement edge, in front of the existing dwelling. This is the most visually impacting element of the proposal and the Historic Buildings Advisor considers that this will have a beneficial effect on the character and appearance of the conservation area. Other work on the frontage involves the repairs to the garden wall and building, where the shop is currently attached. The repairs and minor alterations can be considered to be sympathetic to the dwelling's original character and are supported by the Historic Buildings Advisor.

The proposals also create a wider access to the rear of the new dwellings. The construction of the driveway removes garden and garden wall from No. 52 High Street and wall and shrubs that have matured in the south west corner of the site.

The applicant proposes to build an 1800mm brick wall around the small garden area of number 52. This wall has no gate or access to the driveway or parking court to the rear. Whilst not part of the application this will mean that No 52 will now have to bring rubbish and other garden paraphernalia through the dwelling. It possible that the applicant could complete these works under their permitted development rights.

The gardens and parking spaces are provided in accordance with the adopted standards of the Council. The gardens are required to be at least 50 square metres for each two bedroom dwelling as required by the councils adopted guidance within the Essex Design Guide, and for both proposed dwellings this is achieved.

Impact on Neighbour Amenity

In negotiation with the applicant there has been more space provided to separate the car parking at the rear from the single neighbouring house and garden at No. 58. Historically it would appear that this area where the parking is proposed has been used for vehicles and parking as there are garages further back into the former garden. The separation provided from the boundary has lessened the negative impacts of the proposed parking. As this is the only dwelling house affected by the proposal there are no other issues of amenity created by the proposal.

Highway Issues

The applicant has not provided parking for number 52 High Street however this dwelling is not part of the application. To support the lack of parking the applicant has submitted title deeds that demonstrate that this house has the limited curtilage that is defined within the application material and has not, historically, had car parking provision. The applicant has provided the two spaces for each dwelling required by the adopted parking standards and these are to the correct sizes specified in the guidance. Spaces that are enclosed by high fences or walls should have an additional 1 metre of space on the side. In this case the additional space is not considered necessary as the two spaces will be used by a single dwelling. There is sufficient space provided for vehicle turning.

Other Issues

Ecology

Policy RLP 84 states that permission will not be granted for development which would have an adverse impact on protected species. Where development is proposed that may have an impact on these species the District Council will require the applicant to carry out a full ecological survey. The previous application was refused as no ecology survey was provided.

In this case, the outbuilding proposed for demolition has been identified as having the potential to be a roost for bats. The applicant has provided a survey which concludes that there are no bats present in the building proposed for demolition. Accordingly officers are satisfied that the reasons for refusal have been overcome.

CONCLUSION

The application does propose the demolition of a vacant shop but this is one of many retail units in Kelvedon and, on balance, can be seen as an improvement to the Conservation Area. The two dwellings proposed have parking provision and gardens that are in accordance with the adopted standards of the Council. The potential for protected species on the site has been eliminated.

It is acknowledged that this is a somewhat contrived application site, when considered against the history of the site and the previous applications. However, due to the changes made to the proposal and the application site the previous reasons for refusal have been overcome and it is considered that it would be difficult to substantiate a reason for refusing this application.

RECOMMENDATIONS

It is RECOMMENDED that the following decision be made:
Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

Location Plan

Proposed Floor Plan Plan Ref: 05

Proposed Floor Plan Plan Ref: 06

Proposed Elevations Plan Ref: 07

Block Plan Plan Ref: 14

Version: 1

- 1 The development hereby permitted shall be begun on or before the expiration of three years beginning with the date of this permission.

Reason

This Condition is imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed above.

Reason

To ensure that the development is in character with the surrounding area and does not prejudice the appearance of the locality.

- 3 Prior to commencement of development samples of the brick to be used in the reformed front boundary wall shall be submitted to and approved by the Local Planning Authority and thereafter maintained as such.

Reason

To ensure the use of appropriate detailing within the Conservation Area.

- 4 Development shall not be commenced until additional drawings that show details of the proposed new door to No. 56 by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

Reason

To ensure the use of appropriate detailing within the Conservation Area.

- 5 The driveway and parking spaces shall be constructed using permeable block paving on a porous base and maintained as such. Thereafter shall be made available prior to first occupation.

Reason

To avoid displacement of loose material onto the highway in the interests of highway safety.

- 6 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

Reason

To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM 1 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- 7 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement of the dwelling-house / provision of any building within the curtilage of the dwelling-house / alteration of the dwelling-house, as permitted by Class A and Class E of Part 1 of Schedule 2 of that Order shall be carried out without first obtaining planning permission from the local planning authority.

Reason

In order that the local planning authority may exercise control over any proposed future extensions / outbuildings in the interests of residential and/or visual amenity.

- 8 No burning of refuse, waste materials or vegetation shall be undertaken in connection with the site clearance or construction of the development.

Reason

To protect the amenities of the occupiers of nearby residential properties and the surrounding area.

- 9 No site clearance, demolition or construction work shall take place on the site, including starting of machinery and delivery of materials, outside the following times:-

Monday to Friday 0800 hours - 1800 hours

Saturday 0800 hours - 1300 hours

Sundays, Bank Holidays and Public Holidays - no work

Reason

To protect the amenities of the occupiers of nearby residential properties and the surrounding area.

- 10 No unbound material shall be use in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason

To avoid displacement of loose material onto the highway in the interests of highway safety.

INFORMATION TO APPLICANT

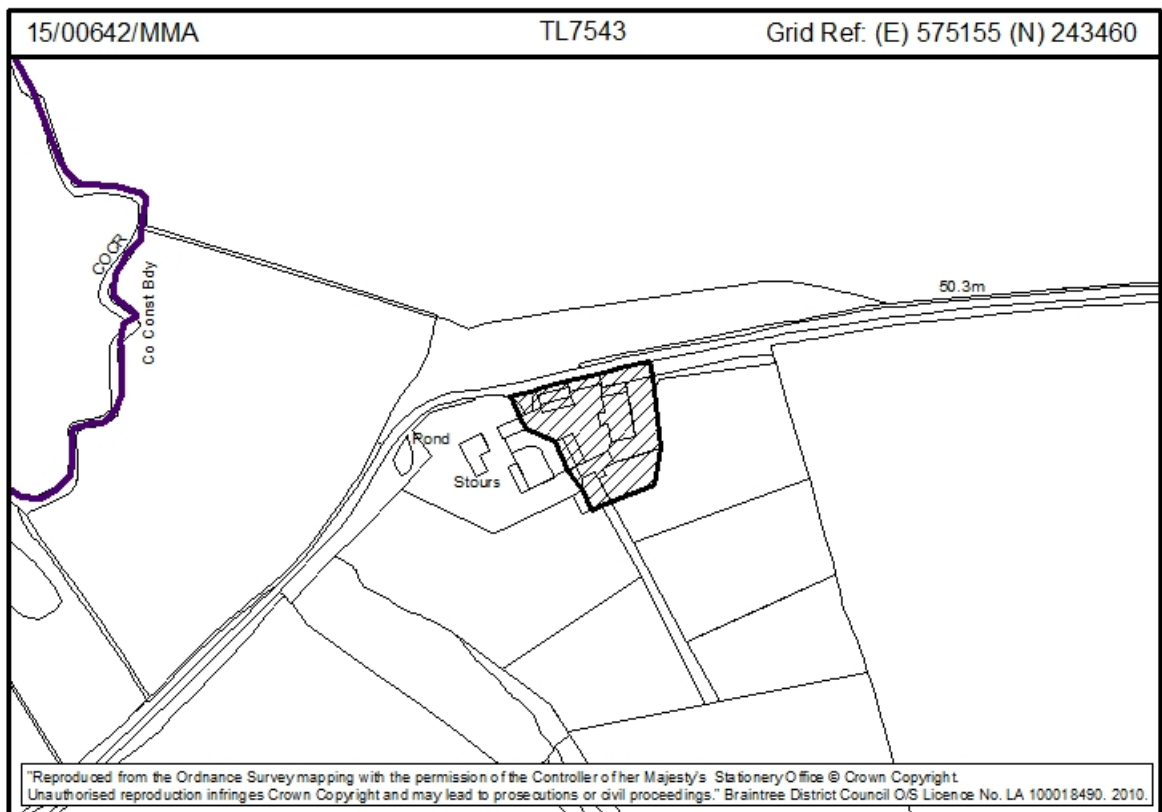
- 1 Please note that in accordance with Government Legislation a formal application must be made to the Local Planning Authority when submitting details in connection with the approval of details reserved by a condition. Furthermore, a fee of £28 for householder applications and £97 for all other types of application will be required for each written request. Application forms can be downloaded from the Council's web site www.braintree.gov.uk
- 2 Your attention is drawn to the need to discharge conditions before development starts where it is a requirement of the condition/s. Development will be treated as having been commenced when any material change of use or material operation has taken place, pursuant to Section 56 of the Town and Country Planning Act 1990. A material operation means any work of construction in the course of the erection of a building, including: the digging of a trench which is to contain the foundations, or part of the foundations of a building; the laying of any underground main or pipe to a trench, the foundations, or part of the foundations of a building; any operation in the course of laying out or constructing a road or any part of a road; and any work of demolition of a building. If development begins before the discharge of such conditions then those conditions cannot be discharged and a breach of planning control will have occurred, which may result in enforcement action being taken.
- 3 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. An application for the necessary works should be made to development.management@essexhighways.org or SMO1 - Essex Highways, Colchester Highways Depot, 653, The Crescent, Colchester Business Park, Colchester, CO4 9YQ

TESSA LAMBERT
DEVELOPMENT MANAGER

PART B

APPLICATION NO: 15/00642/MMA DATE: 22.05.15
 VALID:
 APPLICANT: Mr B Rooke
 Paddocks & Oak Meadow Barns, Lower Stokes Road,
 Ashen, Sudbury, CO10 8JQ
 DESCRIPTION: Application for a Minor Material Amendment to approval
 08/00112/FUL (Change of use of group of traditional
 buildings to two no. residential units) - Change to internal
 layout and insertion of skylights and windows
 LOCATION: Stours, Lower Stoke Road, Ashen, Essex, CO10 8JQ

For more information about this Application please contact:
 Mrs F Fisher on:- 01376 551414 Ext. 2503
 or by e-mail to: fayfi@braintree.gov.uk



SITE HISTORY

93/00967/LBC	Proposed re-roofing of barn - (Application returned as site plans have not been received within 28 days)		
94/00634/FUL	Replacement of thatched roof on building with a corrugated tin roof	Granted	01.07.94
06/00347/FUL	Change of use of group of farm buildings to B1 (office) use including external alterations	Granted	31.03.06
06/00348/LBC	Change of use of group of farm buildings to B1 (office) use including external alterations	Granted	31.03.06
08/00112/FUL	Change of use of group of traditional buildings to two no. residential units	Granted	11.03.08
08/00113/LBC	Change of use of group of traditional buildings to two no. residential units	Granted	11.03.08
08/02260/FUL	Change of use of outbuilding to form an annexe, with minimal changes to the external elevations and internal arrangement	Granted	27.01.09
08/02261/LBC	Change of use of outbuilding to form an annexe, with minimal changes to the external elevations and internal arrangement	Granted	27.01.09
10/00526/FUL	Erection of detached buildings within curtilage of the site to provide stables/associated accommodation and a cart lodge	Refused	21.07.10
10/00527/LBC	Erection of detached buildings within curtilage of the site to provide stables/associated accommodation and a cart lodge	Refused	21.07.10
11/00038/DAC	Discharge of conditions relating to approved application 08/00112/FUL -	Part Grant, Part Refused	15.03.11

11/00299/FUL	Change of use of group of traditional buildings to two no. residential units Erection of extension to existing detached store/garage to provide cartlodge	Granted	27.04.11
11/00300/LBC	Erection of extension to existing detached store/garage to provide cartlodge	Granted	27.04.11
14/00088/DAC	Application for approval of details reserved by conditions 2, 3, 4, 5, 6, 7, 8, 9, 10 of approved application 08/00112/FUL	Part Grant, Part Refused	16.04.14
14/00089/DAC	Application for approval of details reserved by conditions 2 and 3 of approved application 08/02261/LBC	Granted	14.07.14
14/00090/DAC	Application for approval of details reserved by conditions 3, 4, 5 of approved application 11/00300/LBC	Granted	14.07.14
14/01206/MMA	Amendment to approved applications 11/00299/FUL and 11/00300/LBC to change the height of cartlodge	Granted	28.10.14
14/01207/LBC	Amendment to approved applications 11/00299/FUL and 11/00300/LBC to change the height of cartlodge	Granted	28.10.14
15/00643/LBC	Application for a Minor Material Amendment to approved 08/00112/FUL (Change of use of group of traditional buildings to two no. residential units) - Change to internal layout and insertion of skylights and windows	Pending Decision	
15/00047/NMA	Application for a non-material amendment following grant of planning application 08/00112/FUL - Change of use of group of	Granted	23.07.15

traditional buildings to two
no. residential units

POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS5 The Countryside
CS8 Natural Environment and Biodiversity
CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP38 Conversion of Rural Buildings
RLP56 Vehicle Parking
RLP69 Sustainable Urban Drainage
RLP70 Water Efficiency
RLP73 Waste Minimisation
RLP74 Provision of Space for Recycling
RLP76 Renewable Energy
RLP77 Energy Efficiency
RLP80 Landscape Features and Habitats
RLP90 Layout and Design of Development
RLP100 Alterations and Extensions and Changes of Use to Listed
 Buildings and their settings
RLP101 Listed Agricultural Buildings
RLP105 Archaeological Evaluation
RLP106 Archaeological Excavation and Monitoring

INTRODUCTION

This application, together with application reference 15/00643/LBC, requests amendments to an extant planning permission (08/00112/FUL – dealt with under delegated powers) and also Listed Building Consent for the proposed alterations.

The application is being presented to the Planning Committee due to the application being “called in” by Councillor Mrs Parker.

It should be noted that within the reasons given by Councillor Mrs Parker, the Committee should be made aware of the following:-

Point 3 - *Whether the proposed wall dividing the yard between the two barns would compromise the integrity of the original farmyard.*

This element of the proposed alterations has been removed.

Point 4 - *Whether the new vehicular access to barn A should be permitted.*

The “new vehicular access”, to the East of the site, was referred to in the Design and Access Statement (Page 5) of the original 2008 planning permission whereby it states “Vehicular access to the converted barn will be via two existing access”.

PROPOSAL AND SITE DESCRIPTION

The application site is located to the South of Lower Stokes Road in the area of countryside to the North of Ashen and the East of Stoke by Clare. Historically the site included the farmhouse of Stours, a workshop style building and a courtyard of barns and stables.

This application requests minor changes to the already approved plans attached to planning permission 08/00112/FUL and request corresponding Listed Building Consent to convert the two barn buildings into dwellings. The development commenced in 2011, but full ownership of the barns has only recently been transferred to the applicants, Mr & Mrs Rooke. The site has been separated, in ownership terms, from the main farmhouse, Stours.

The changes proposed have been revised during the course of the life of this Minor Material Amendment application and consist of the following:-

Barn A

West Elevation - 2 additional windows in ground floor with slight alteration to positioning of original proposed windows
2 rooflights in roof slope
Change of glazing style in top of midstreys

North Elevation - Additional windows and creation of door opening.

East Elevation- Insertion of windows in ground floor and insertion of 2 Roof lights

Internal rearrangement of rooms and creation of additional mezzanine floor

Barn B

North Elevation - Insertion of window at first floor height
New store and boiler filtration room
Insertion of additional window
Increase in glazing height

South Elevation - Insertion of additional windows at ground floor and first floor

- West Elevation - Insertion of window in first floor
 Rearrangement of window and doors in ground floor
- East Elevation - Replacement of window with high level window and 2
 additional windows

CONSULTATIONS

Historic Buildings Advisor – No objections subject to alterations to the alignment of the proposed brick wall (now removed from proposal). Conditions regarding window details, samples of materials and details of paving and hard landscaping should be approved.

REPRESENTATIONS

A site notice was posted at the site and letters were sent to neighbouring residents. Two duplicate letters of representation have been received at the time of writing the report.

Comments state that the proposal does not constitute a Minor amendment and should be viewed as a much bigger proposition. The representation also comments that there is new and significant overlooking of Stours and Stour's Annexe caused by a number of new windows and the addition of extended mezzanine levels within both barns and the proposed boundary wall will compromise the integrity of the project.

REPORT

1. Principle of Development

RLP 38 and RLP 101 of the Braintree District Council Local Plan Review cover aspects relating to the conversion of rural buildings to residential use and state that this form of development will only be accepted where the applicant has made every reasonable effort to secure suitable employment or community re-use.

The principle of the original development was accepted during the 2008 application which itself made reference to the acceptance in principle of the historic permission dating back to 2004.

As the fundamental elements of the proposal remain the same and still would result in the conversion of the barns into individual residential units as per the original planning permission, the procedure of a Minor Material Amendment would be the correct way to deal with amendments proposed.

Therefore, of the policies listed above, those most pertinent will be those relating to standards of design and also the impact on the Listed Buildings would be RLP 90 and RLP100. RLP 90 seeks a good standard of design and seeks to ensure that there shall be no undue or unacceptable impact on the amenity of any nearby residential properties.

2. Design and Appearance.

In terms of design and appearance, Policies RLP 90 states inter alia that the Council seeks a high standard of layout and design in all developments, large and small. Planning permission will only be granted where the scale, density, height and massing of buildings reflect or enhance local distinctiveness. Buildings should be of a high standard of design and materials.

The proposed window changes are considered acceptable, subject to submission of further section details.

3. Impact on Heritage Asset

Policy RLP 100 of the Braintree District Council Local Plan Review development involving internal or external alterations to listed buildings will only be permitted if the proposed works or uses do not harm the setting, character, structural stability and fabric of the building and do not result in the loss of or significant damage to the building or structure's historic and architectural elements of special importance.

The Design and Access Statement makes clear and concise justification for the proposed changes. It states that the proposed additional windows are required to add light and air and are positioned in locations which are restrictive so as not to unnecessarily harm the historic fabric of the barns. Barn B is to be converted into a four bedroom with the majority of the main building to remain open with only a first floor bedroom dwelling proposed at the eastern end. The bedroom will have sufficient privacy so will not require screening and therefore enabling the roof of the barn to remain visible internally for the full length of the building. The open and spatial character of the building will therefore be retained with the combined living/dining/kitchen.

Barn A is to be converted into a three/four bedroom dwelling and by extending the mezzanine to relocate the living area to the first floor, the internal staircase will be relocated from in front of the screen to be positioned in the aisle areas to the south west side. This will help the barn look and feel less cluttered in its centre and greatly improve the light airy feel of the barn.

Although the internal mezzanine alterations will result in increased first floor area, the internal layouts will continue to take into consideration the existing open aspect of the barns and will remain sympathetically designed with the original barn layouts. Historic Buildings Advisors consider these works to be proportionate to what is necessary to make the barns a habitable space.

The proposed alterations are considered compliant with the above mentioned heritage policies.

4. Impact on Neighbouring Residential Amenity.

Policy RLP 90 states that there shall be no undue or unacceptable impact on the amenity of any nearby residential properties.

The site is in a remote rural location with its only neighbour being the adjoining farmhouse known as Stours. The Stours, until very recently, formed part of the site, with the owner of the Stours instigating the original conversion of the barn complex to residential dwellings.

The duplicate letters received from the occupant of Stours raised, amongst other queries, issues of “new and significant overlooking” from the additional windows proposed in both Barn A and Barn B.

In response to these objections, with respect to Barn A, the roof lights will be high level directing vision skywards, and the additional window at ground floor level in the North Elevation will give light to a WC and/or utility room. The additional window in the ground floor will give light to the kitchen area. These windows will have no impact on overlooking across the yard area.

The “reading room” is the only area which could create an additional opportunity for overlooking, because it directly faces onto the frontage of Stours. However, after visiting the site and viewing Barn A from the side of Stours, officers are satisfied that whilst this window will be visible, the distance between Barn A and the Stours is some 44 metres across the courtyard. This distance is considered adequate separation to prevent a clear view into the windows of the Stours. It is therefore unlikely that there would be direct overlooking which would result in loss of privacy to the occupants of Stours.

Of the additional windows in Barn B, the proposed first floor window in the North Elevation, located at the top of the stairs will look in a westerly direction onto a yard area to the South of Stours and further onto an undefined area of grassland. This area of grassland although mown, does not appear to be incorporated into the private garden area to the rear of Stours. Adjacent to the grassland sits the recently erected cart lodge (belonging to the Stours) which itself obscures views from the Stours towards Barn B and vice versa.

There appeared to be no private sitting out area within view of Barn B, and it cannot be considered that this window will impact on the private amenity of the occupants of Stours owing to its positioning in the barn and its direction facing onto the undefined grassed area.

It is therefore considered that the proposed development will not cause harm to the amenity of any neighbouring residential premises.

5. Car Parking and Highway Considerations

It is considered that the number of vehicles entering and leaving the site under the residential use would be lower than that which may be generated under

the existing permission for a business use on the site. With the additional bedrooms proposed there is a possibility that the number of vehicles will increase but this would be insignificant. Therefore it is considered unreasonable to raise an objection to the proposal on the grounds of vehicle movements to and from the site given the “fall back” position that the earlier permission could still be implemented.

The car parking provided on site is considered to be acceptable.

CONCLUSION

The proposed amendments are considered acceptable in terms of their impact on the listed barns and are compliant with the above mentioned policies. In terms of impact on the private amenity of the neighbouring property, it is accepted that the windows in question will be visible from the Stours. However, the windows are at such a distance that they are only likely to provide oblique views across the courtyard, and will not impinge on the private amenity space or enjoyment of the Stours to a level which would be considered materially detrimental.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:

Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

Site Plan

Block Plan

Floor Plan	Plan Ref: BARN A	Version: 001
Floor Plan	Plan Ref: BARN A	Version: 002
Elevations	Plan Ref: BARN A	Version: 003
Elevations	Plan Ref: BARN A	Version: 004
Elevations	Plan Ref: BARN B	Version: 001b
Elevations	Plan Ref: BARN B	Version: 002b
Elevations	Plan Ref: BARN B	Version: 003b

- 1 The development hereby permitted shall only be undertaken in accordance with the plans hereby approved as listed above. The proposed development shall be undertaken in accordance with all other conditions imposed under the terms of planning permission ref: 08/00112/FUL and those details approved under 11/00038/DAC and 14/00088/DAC.

Reason

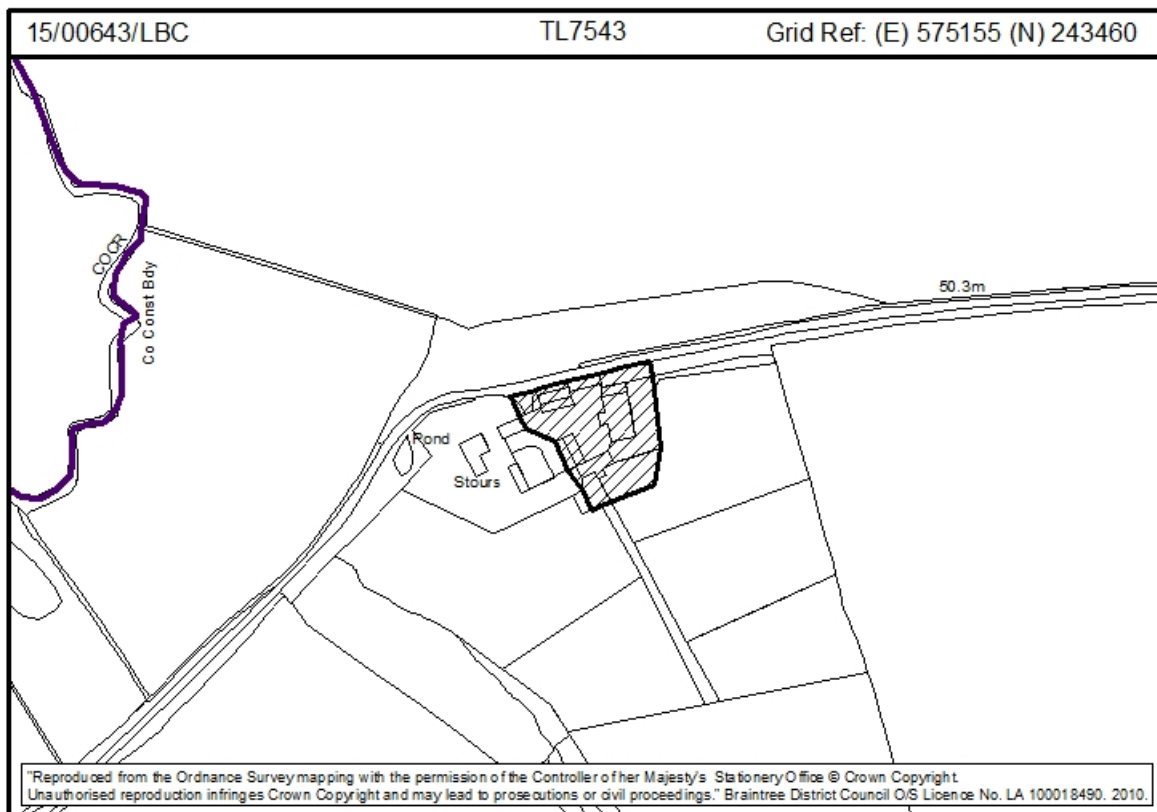
For the avoidance of doubt and in the interests of proper planning.

TESSA LAMBERT
DEVELOPMENT MANAGER

PART B

APPLICATION NO: 15/00643/LBC
 DATE: 22.05.15
 VALID:
 APPLICANT: Mr B Rooke
 Paddocks & Oak Meadow Barns, Lower Stokes Road,
 Ashen, Sudbury, CO10 8JQ
 DESCRIPTION: Application for a Minor Material Amendment to approval
 08/00112/FUL (Change of use of group of traditional
 buildings to two no. residential units) - Change to internal
 layout and insertion of skylights and windows
 LOCATION: Stours, Lower Stoke Road, Ashen, Essex, CO10 8JQ

For more information about this Application please contact:
 Mrs F Fisher on:- 01376 551414 Ext. 2503
 or by e-mail to: fayfi@braintree.gov.uk



SITE HISTORY

93/00967/LBC	Proposed re-roofing of barn - (Application returned as site plans have not been received within 28 days)		
94/00634/FUL	Replacement of thatched roof on building with a corrugated tin roof	Granted	01.07.94
06/00347/FUL	Change of use of group of farm buildings to B1 (office) use including external alterations	Granted	31.03.06
06/00348/LBC	Change of use of group of farm buildings to B1 (office) use including external alterations	Granted	31.03.06
08/00112/FUL	Change of use of group of traditional buildings to two no. residential units	Granted	11.03.08
08/00113/LBC	Change of use of group of traditional buildings to two no. residential units	Granted	11.03.08
08/02260/FUL	Change of use of outbuilding to form an annexe, with minimal changes to the external elevations and internal arrangement	Granted	27.01.09
08/02261/LBC	Change of use of outbuilding to form an annexe, with minimal changes to the external elevations and internal arrangement	Granted	27.01.09
10/00526/FUL	Erection of detached buildings within curtilage of the site to provide stables/associated accommodation and a cart lodge	Refused	21.07.10
10/00527/LBC	Erection of detached buildings within curtilage of the site to provide stables/associated accommodation and a cart lodge	Refused	21.07.10
11/00038/DAC	Discharge of conditions relating to approved	Part Grant, Part	15.03.11

	application 08/00112/FUL - Change of use of group of traditional buildings to two no. residential units	Refused	
11/00299/FUL	Erection of extension to existing detached store/garage to provide cartlodge	Granted	27.04.11
11/00300/LBC	Erection of extension to existing detached store/garage to provide cartlodge	Granted	27.04.11
14/00088/DAC	Application for approval of details reserved by conditions 2, 3, 4, 5, 6, 7, 8, 9, 10 of approved application 08/00112/FUL	Part Grant, Part Refused	16.04.14
14/00089/DAC	Application for approval of details reserved by conditions 2 and 3 of approved application 08/02261/LBC	Granted	14.07.14
14/00090/DAC	Application for approval of details reserved by conditions 3, 4, 5 of approved application 11/00300/LBC	Granted	14.07.14
14/01206/MMA	Amendment to approved applications 11/00299/FUL and 11/00300/LBC to change the height of cartlodge	Granted	28.10.14
14/01207/LBC	Amendment to approved applications 11/00299/FUL and 11/00300/LBC to change the height of cartlodge	Granted	28.10.14
15/00642/MMA	Application for a Minor Material Amendment to approval 08/00112/FUL (Change of use of group of traditional buildings to two no. residential units) - Change to internal layout and insertion of skylights and windows	Pending Decision	
15/00047/NMA	Application for a non- material amendment following grant of planning application 08/00112/FUL -	Granted	23.07.15

Change of use of group of
traditional buildings to two
no. residential units

POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS5	The Countryside
CS8	Natural Environment and Biodiversity
CS9	Built and Historic Environment

Braintree District Local Plan Review

RLP38	Conversion of Rural Buildings
RLP56	Vehicle Parking
RLP69	Sustainable Urban Drainage
RLP70	Water Efficiency
RLP73	Waste Minimisation
RLP74	Provision of Space for Recycling
RLP76	Renewable Energy
RLP77	Energy Efficiency
RLP80	Landscape Features and Habitats
RLP90	Layout and Design of Development
RLP100	Alterations and Extensions and Changes of Use to Listed Buildings and their settings
RLP101	Listed Agricultural Buildings
RLP105	Archaeological Evaluation
RLP106	Archaeological Excavation and Monitoring

INTRODUCTION

This application, together with application reference 15/00642/MMA, requests amendments to an extant planning permission (08/00112/FUL – dealt with under delegated powers) and also Listed Building Consent for the proposed alterations.

The application is being presented to the Planning Committee due to the application being “called in” by Councillor Mrs Parker.

It should be noted that within the reasons given by Councillor Mrs Parker, the Committee should be made aware of the following:-

Point 3 - *Whether the proposed wall dividing the yard between the two barns would compromise the integrity of the original farmyard.*

This element of the proposed alterations has been removed.

Point 4 - *Whether the new vehicular access to barn A should be permitted.*

The “new vehicular access”, to the East of the site, was referred to in the Design and Access Statement (Page 5) of the original 2008 planning permission, whereby it states “Vehicular access to the converted barn will be via two existing access”.

PROPOSAL AND SITE DESCRIPTION

The application site is located to the South of Lower Stokes Road in the area of countryside to the North of Ashen and the East of Stoke by Clare. Historically the site included the farmhouse of Stours, a workshop style building and a courtyard of barns and stables.

This application, together with the MMA application, requests minor changes to the already approved plans attached to planning permission 08/00112/FUL and request corresponding Listed Building Consent to convert the two barn buildings into dwellings. The development commenced in 2011, but full ownership of the barns has only recently been transferred to the applicants, Mr & Mrs Rooke. The site has been separated, in ownership terms, from the main farmhouse, Stours.

The changes proposed have been revised during the course of the life of this application and consist of the following:-

Barn A

West Elevation - 2 additional windows in ground floor with slight alteration to positioning of original proposed windows
 2 rooflights in roof slope
 Change of glazing style in top of midstrey

North Elevation - Additional windows and creation of door opening.

East Elevation- Insertion of windows in ground floor and insertion of 2
Roof lights

Internal rearrangement of rooms and creation of additional mezzanine floor

Barn B

North Elevation - Insertion of window at first floor height
 New store and boiler filtration room
 Insertion of addition window
 Increase in glazing height

- South Elevation - Insertion of additional windows at ground floor and first floor
- West Elevation - Insertion of window in first floor
Rearrangement of window and doors in ground floor
- East Elevation - Replacement of window with high level window and 2 additional windows

CONSULTATIONS

Historic Buildings Advisor – No objections subject to alterations to the alignment of the proposed brick wall (now removed from proposal). Conditions regarding window details, samples of materials and details of paving and hard landscaping should be approved.

REPRESENTATIONS

Please refer to previous report for 15/00642/MMA.

REPORT

1. Principle of Development

Please refer to previous report for 15/00642/MMA.

2. Impact on Heritage Asset

Policy RLP 100 of the Braintree District Council Local Plan Review development involving internal or external alterations to listed buildings will only be permitted if the proposed works or uses do not harm the setting, character, structural stability and fabric of the building and do not result in the loss of or significant damage to the building or structure's historic and architectural elements of special importance.

The Design and Access Statement makes clear and concise justification for the proposed changes. It states that the proposed additional windows are required to add light and air and are positioned in locations which are restrictive so as not to unnecessarily harm the historic fabric of the barns. Barn B is to be converted into a four bedroom with the majority of the main building to remain open with only a first floor bedroom dwelling proposed at the eastern end. The bedroom will have sufficient privacy so will not require screening and therefore enabling the roof of the barn to remain visible internally for the full length of the building. The open and spatial character of the building will therefore be retained with the combined living/dining/kitchen.

Barn A is to be converted into a three/four bedroom dwelling and by extending the mezzanine to relocate the living area to the first floor, the internal staircase will be relocated from in front of the screen to be positioned in the aisle areas

to the south west side. This will help the barn look and feel less cluttered in its centre and greatly improve the light airy feel of the barn.

Although the internal mezzanine alterations will result in increased first floor area, the internal layouts will continue to take into consideration the existing open aspect of the barns and will remain sympathetically designed with the original barn layouts. Historic Buildings Advisors consider these works to be proportionate to what is necessary to make the barns a habitable space.

The proposed alterations are considered compliant with the above mentioned heritage policies.

CONCLUSION

Please refer to previous report for 15/00642/MMA.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:
Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

Site Plan		
Floor Plan	Plan Ref: BARN A	Version: 001
Floor Plan	Plan Ref: BARN A	Version: 002
Elevations	Plan Ref: BARN A	Version: 003
Elevations	Plan Ref: BARN A	Version: 004
Elevations	Plan Ref: BARN B	Version: 001b
Elevations	Plan Ref: BARN B	Version: 002b
Elevations	Plan Ref: BARN B	Version: 003b

- 1 The works hereby permitted shall be carried out in accordance with the approved plans listed above.

Reason

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

- 2 Prior to the commencement of works utilising these materials, sample panels of 1 square metre minimum shall be erected on site to show areas of new, exterior walling, and approved in writing by the local planning authority.

Where appropriate, these panels shall indicate:

- brick bond, copings, mortar mix, colour and pointing profile
- render mix, finish and colour
- flintwork finish to be used.

The works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

Reason

To ensure the proposed works do not prejudice the architectural or historic merits of the listed building.

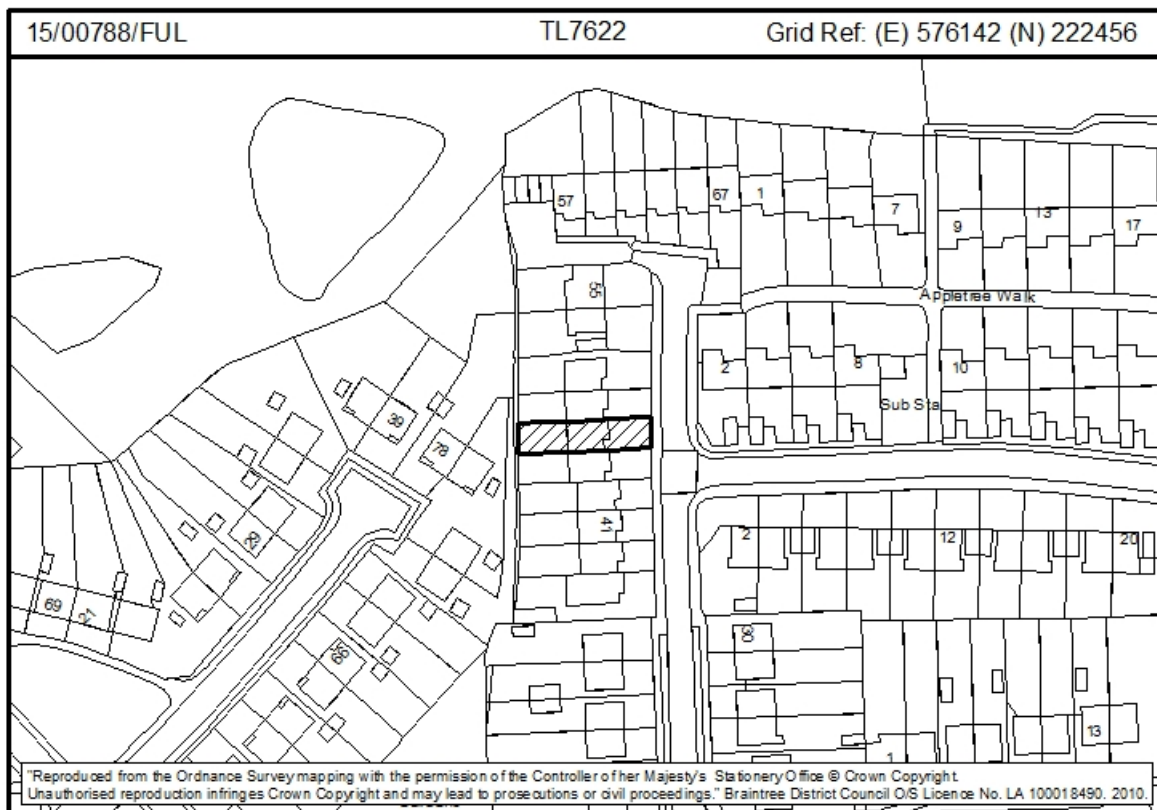
TESSA LAMBERT
DEVELOPMENT MANAGER

AGENDA ITEM NUMBER 5d

PART B

APPLICATION NO: 15/00788/FUL DATE: 18.06.15
VALID:
APPLICANT: Mr & Mrs P Bentham
47 The Ridgeway, Braintree, Essex, CM7 1ED
AGENT: Ian R Matthews
6 Millers Close, Bocking, Braintree, Essex
DESCRIPTION: Erection of single storey front addition to enlarge existing kitchen
LOCATION: 47 The Ridgeway, Braintree, Essex, CM7 1ED

For more information about this Application please contact:
Chris Mohtram on:- 01376 551414 Ext.
or by e-mail to: chris.mohtram@braintree.gov.uk



SITE HISTORY

None

POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP3 Development within Town Development Boundaries and Village
 Envelopes
RLP17 Extensions and Alterations to Dwellings in Towns and Villages
RLP56 Vehicle Parking
RLP90 Layout and Design of Development

Supplementary Planning Guidance

Essex Parking Standards: Design and Good Practice (2009)

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

The applicant is a member of staff.

SITE DESCRIPTION

The site is located within the town development boundary of Braintree, within a predominantly residential area dominated by two storey terraced properties with front and rear gardens. The front gardens gently slope away from the adjacent highway.

PROPOSAL

The application seeks planning for the erection of a single storey front extension to enlarge the existing kitchen. The proposed extension has been designed using materials to match the existing dwelling.

CONSULTATIONS

None

REPRESENTATIONS

A site notice was displayed at the site and neighbours were notified by way of a letter. No letters of representation were received from members of the public.

REPORT

Principle of Development

Policy RLP2 of the Braintree District Local Plan Review (BDLPR) states that new development will be confined to town development boundaries and village envelopes, to which this property is situated within. In this regard it is considered there is principally no objection to the extension as proposed by this application subject to the development satisfying amenity, design, environment and highway criteria.

Design and Appearance

The proposal comprises a modest infill extension at the front of the property to accommodate an extended kitchen. The materials proposed will match the existing dwelling and are therefore considered acceptable. Due to its modest size and its appearance the extension would not adversely affect the streetscene.

Impact on Neighbouring Residential Amenities

The projection and scale of the front extension would create no loss of amenity or of privacy for neighbouring properties and is considered acceptable.

Highway Issues

The proposal does not affect the existing parking provision on site.

CONCLUSION

The proposal would create no amenity impact and would be suitable in design and appearance against the host property and wider area.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:
Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

General Plans & Elevations

Plan Ref: 724(S1)

- 1 The development hereby permitted shall be begun on or before the expiration of three years beginning with the date of this permission.

Reason

This Condition is imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed above.

Reason

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

TESSA LAMBERT
DEVELOPMENT MANAGER

Monthly Report on Planning and Enforcement Appeal Decisions Received - July 2015		Agenda No: 6
Corporate Priority:		
Report presented by:		
Report prepared by: Liz Williamson Validation Officer/Appeals Co-ordinator		
Background Papers:		Public Report
Appeal decisions summary		
Options:		Key Decision: No
Information only		
Executive Summary:		
This is a regular report on planning and enforcement appeal decisions received with specific analysis of each appeal decision.		
Decision:		
That the report be noted.		
Purpose of Decision:		
To note a report on appeal decisions.		
Corporate implications [should be explained in detail]		
Financial:	N/A	
Legal:	N/A	
Safeguarding:	N/A	
Equalities/Diversity:	N/A	
Customer Impact:	N/A	
Environment and Climate Change:	N/A	
Consultation/Community Engagement:	N/A	
Risks:	N/A	
Officer Contact:	Liz Williamson	
Designation:	Validation/Appeals Officer	
Ext. No.	2506	
E-mail:	lizwi@braintree.gov.uk	

PLANNING & ENFORCEMENT APPEAL DECISIONS

This is the monthly report on appeals which contains a summary of the outcome of each appeal decision received during the month of July 2015.

The full text of decisions is available on the planning website under each respective planning application or, in respect of enforcement cases, a copy may be obtained from the Planning Enforcement Team (Ext 2529). **Commentary Text (Inspector's Conclusions) is given only** in respect of specific cases where the planning decision has been overturned.

1.	Application Ref/Location	BDC application ref: 14/01278/OUT – 123 Hawkwood Road, Sible Hedingham
	Proposal	Erection of three bed dwelling
	Council Decision	Refused under delegated authority (27.11.14) – CS1, 7, 9, 10, 11, RLP2, 8, 9, 10, 56, 74, 77, 90, 138
	Appeal Decision	Dismissed
	Main Issue(s)	The effect the proposal on the character and appearance of the area; and whether or not the proposal would achieve appropriate living conditions for neighbouring and its own future occupiers, with particular reference to amenity space and outlook.
	Inspector's Conclusion	<p>The appeal site is situated at the end of a residential cul-de-sac, where the houses have a high degree of uniformity in terms of layout, form and appearance, within this, however, there are significant variations between individual dwellings, with a number that appear to have been extended or altered over time. Local front gardens tend to be relatively generous and this contributes to the spacious suburban character of the immediate area. The Inspector continues by saying that she considers that the appeal proposal would have an uncomfortable visual relationship with both the host dwellings and the neighbouring house to the rear. Moreover, having regard to the location of the appeal site and, in particular, its relationship with the adjacent footpath, the proposal would be a highly visible addition to the area. The Inspector continued by saying that the development of the site proposed would result in an incongruous addition to the streetscene, which would appear as an inappropriate and cramped form to development that would detract from the generally spacious character and visual amenities of the area.</p> <p>The Inspector also reported, that although the scheme is in outline, she is not satisfied that the concerns could be adequately addressed by landscaping. Whilst details of the landscaping scheme have not been provided, by its nature, the effect of the planting is likely to alter over time. Moreover, even if the visual impact of the proposal were able to be softened by planting, the existence of screening is not an appropriate</p>

		<p>reason to allow a proposal that would cause harm.</p> <p>The Inspector also notes that the remaining garden that would serve the existing dwelling nor the separate garden proposed for the appeal dwelling would meet the Council's identified standards for private amenity space. Nonetheless, the Council does not dispute the appellant's contention that the gardens proposed would be similar in size to those of some neighbouring properties. Moreover, whilst relatively small, having regard to their orientation and relationship to the dwellings, she considers that the space proposed would not be unreasonable, and non-compliance with these standards should not be a reason to find against the scheme in particular case.</p> <p>Accordingly, the Inspector concludes that the proposal would provide for acceptable living conditions for its own potential future occupiers and the occupiers of neighbouring dwellings.</p> <p>Examples of other 'infill' developments nearby have been drawn to the Inspectors attention and she states that she saw a number of these on her visit to the area. However, whilst these developments vary in their form, design and layout, they generally represent successful additions to the area, which complement the older development around them.</p> <p>The Inspector concludes her report by stating that the proposal would have a detrimentally harmful effect on the character and appearance of the area.</p>
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2.	Application Ref/Location	BDC Application ref: 14/00829/FUL – Earls Colne Farm, Land adj Stonebridge House, Halstead Road, Earls Colne
	Proposal	Erection of Proposed Barn
	Council Decision	Failure to give notice within the prescribed period of a decision on an application for planning permission
	Appeal Decision	Dismissed
	Main Issue(s)	The effect of the proposal on the character and appearance of the surrounding countryside landscape.
	Inspector's Conclusion	<p>The Inspector began her report by stating that the appeal site is situated outside the main built up area of Earls Colne, adjacent to neighbouring agricultural land, but is also within the Colne Valley corridor which contains relatively steep sloping valley sides with a predominately pastoral landscape. Due to its size, location and relationship with the land around it, the appeal site forms an important part of this wider landscape and, in its currently largely undeveloped form, makes a positive and valuable contribution to the rural character of the surrounding area.</p> <p>The Inspector visited the site and noted that it was largely undeveloped and contained a variety of storage structures, containers and equipment close to the site access, and a polytunnel situated within the site, served by a track. The</p>

		<p>proposed location of the appeal building due to the changing ground levels would not be readily visible in wider public views.</p> <p>Nonetheless, the siting of the building would be remote from any other existing structures or related development, at a high point within the holding and would be some considerable distance from the neighbouring Hay House Farm. Accordingly, a significant extension of the existing access track would be required and the elevated position of the building would be clearly visible from within the surrounding sensitive river valley landscapes.</p> <p>The Inspector understands from limited information submitted that that the proposed building would be used for storage for related machinery, chemicals and equipment, together with the storage and processing of biofuel crops grown on site, notably willow.</p> <p>On the evidence available, she was not satisfied that it has been demonstrated that a building of the size and scale proposed is required to support the agricultural and horticultural activities currently taking place on the site, or those which might be considered reasonably likely to take place within the foreseeable future. The Inspector is not satisfied that the location of the proposal within the site has been adequately justified, or that a less harmful alternative location would not be feasible or viable.</p> <p>She concludes by saying that, accordingly, for the above reasons, the proposal would have a significantly harmful effect on the character and appearance of the surrounding countryside landscape.</p> <p><u>Costs Decision</u></p> <p>The Inspector considers that the Council did not act unreasonably in delaying its determination of the application to enable the revisions to be considered. Moreover whilst the delays were lengthy, The Inspectors was not satisfied that improved communication between the parties would have enabled the appeal to have been avoided altogether in this particular case. The Council considers the proposal would not be in accordance with development plan policy and that there are no material considerations, including national planning policy, to indicate that permission should be granted. For the reasons given in the appeal decision, The Inspector shares this view and, as a result have found in favour of the Council in the appeal.</p> <p>The Inspector concludes by saying that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.</p>
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