

Braintree District Council

Town and Country Planning Act 1990 (as amended)
Town & Country Planning (General Permitted Development) (England) Order 2015
Schedule II, Part 3

Application No.: 24/02188/COUPA

Date Received: 8th October 2024

APPLICANT:

Foxes Farm Produce
Mr French
Bullbanks Farm
Halstead Road
Eight Ash Green
Colchester
CO6 3PT

AGENT:

Foxes Rural Ltd
Mrs Melanie Bingham-Wallis
Bullbanks Farm
Halstead Road
Eight Ash Green
Colchester
CO6 3PT

DESCRIPTION:

Prior approval for the change of use of agricultural building to a dwellinghouse (Class C3), and for associated operational development - Change of use to 4 No. residential dwellings.

LOCATION:

Land Opposite Millbrooks Farm Mill Lane Colne Engaine Essex

APPROVED PLAN(S):

Plan Description	Plan Ref	Plan Version
Proposed 1st Floor Plan	PFP02	N/A
Location Plan	SP01	N/A
Proposed Block Plan	BP01	N/A
Car park plan	CPP01	N/A
Existing Elevations	EEP01	N/A
Existing Elevations	EEP01	N/A
Existing Floor Plan	EEP01	N/A
Proposed Elevations	PEP01	N/A
Proposed Elevations	PEP02	N/A
Proposed Ground Floor Plan	PFP01	N/A

DECISION:

Braintree District Council as local planning authority has considered your application and submitted plans listed above, and confirms that under Class Q of Part 3 of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015, that prior approval of the authority is required and given.

Planning Decision Notice

Your attention is drawn to the following:

1. The use of the building falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order must be completed within a period of three years starting with the date of this decision.
2. The development shall be carried out in accordance with the details provided with the application only.
3. You are advised that the new dwelling will not benefit from any permitted development rights for dwellinghouses in Part 1 of Schedule 2 to the General Permitted Development Order.
4. You are advised to notify the local planning authority of the presence of any significant unsuspected contamination which becomes evident during the development of the site. Contaminated land is defined in Part 2A of the Environmental Protection Act 1990(3).

Condition 1

The development hereby permitted shall only be implemented in accordance with the approved plans/documents listed above.

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

Condition 2

The development hereby permitted shall only be implemented in accordance with the approved plans/documents listed above.

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

Condition 3

Each vehicular parking space shall have minimum dimensions of 2.9m x 5.5m.

Reason: To ensure adequate space for parking off the highway is provided in the interests of highway safety in accordance with Policy DM8 of the Development Management policies as adopted as county council supplementary guidance in 2011.

Informative(s)

In forwarding the decision for this application, I have to draw your attention to the following:

Planning Decision Notice

Informative 1

A Tree Preservation Order exists near the site (reference 11/82 - T10) which is protected under a separate statutory basis and should not be removed or altered under any circumstances as part of this development. Further information can be found online at <https://www.braintree.gov.uk/planning-building-control/protected-trees-hedges>.

Dated: 15th January 2025

Signed:



Sarah Ashton

Head of Planning

Causeway House, Bocking End, Braintree, Essex CM7 9HB

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- For householder and minor commercial applications you must appeal within **12 weeks** of the Council's decision. For other application types you must appeal within **6 months** of the Council's decision.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder or minor commercial appeals] of the date of this notice, whichever period expires earlier.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on telephone no. 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.
[Further details are on GOV.UK.](#)

Land Purchase

If proposals are refused, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council for the area in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 as amended.

Compensation

In certain circumstances, a claim may be made against the Local Planning Authority for compensation where permission is refused by the Secretary of State on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 as amended.

Planning Decision Notice



0 10 20 50 100

SCALE BAR 1:500



DIMENSIONS ARE IN MILLIMETERS
UNLESS STATED OTHERWISE

THIS DRAWING IS FOR PLANNING AND
AESTHETIC PURPOSES ONLY

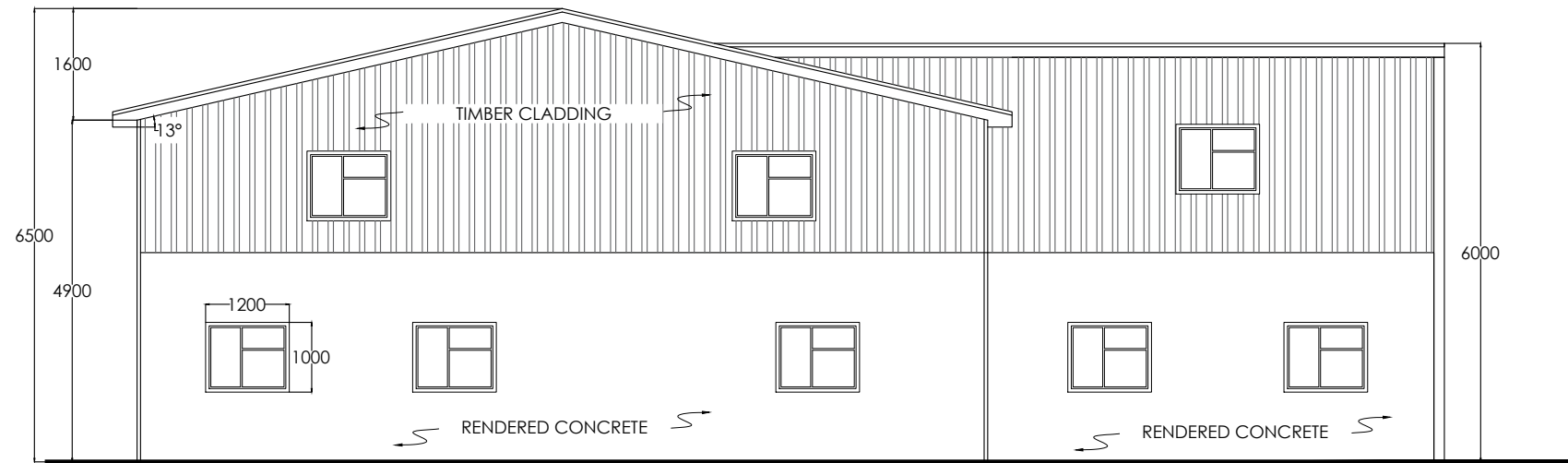


FOXES RURAL LTD
BULLBANKS FARM, HALSTEAD ROAD,
EIGHT ASH GREEN, COLCHESTER,
ESSEX, CO6 3PT

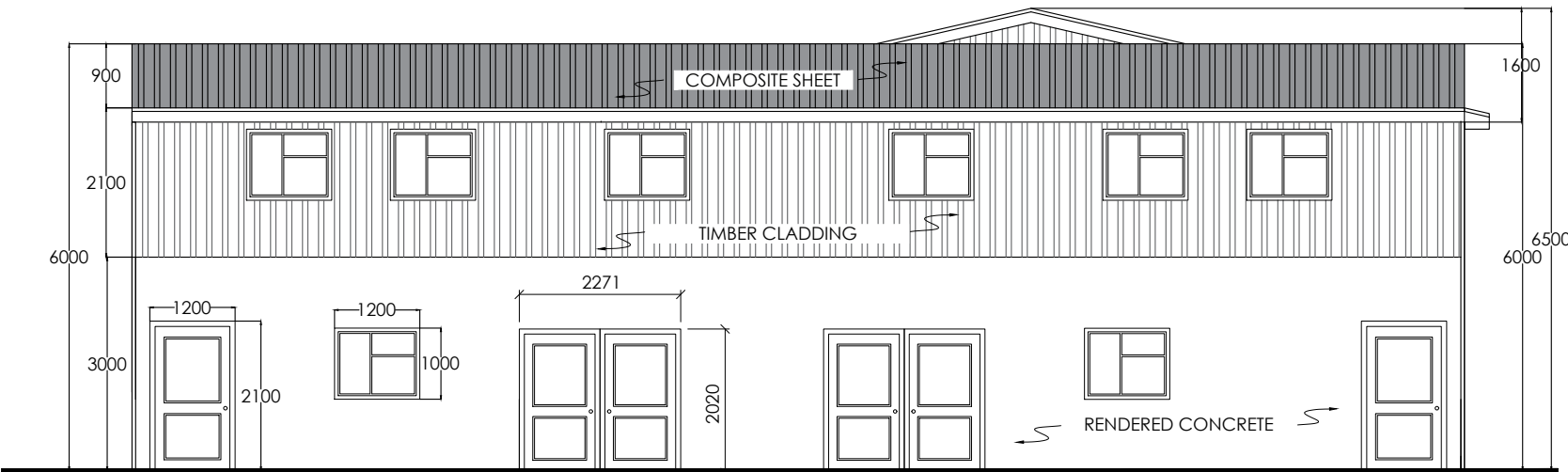
TEL: 01206 481 981
E-MAIL:
WEBSITE: WWW.FOXESRURAL.CO.UK

CLIENT NAME:	FOXES FARM PRODUCE
PROJECT NO:	929
TITLE:	BLOCK PLAN
ADDRESS:	CO6 2HX

DATE: 30 SEPTEMBER 2024	SCALE: 1:500 @ A3	SHEET: BP01
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5 NORTH ELEVATION
SCALE: 1:200 @ A3



4 SOUTH ELEVATION
SCALE: 1:200 @ A3



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TEL: 01206 481 981
E-MAIL:
WEBSITE: WWW.FOXESRURAL.CO.UK

CLIENT NAME: FOXES FARM PRODUCE

PROJECT NO: 929

TITLE: PROPOSED ELEVATION PLAN

ADDRESS: CO6 2HX

DATE:

30 SEPT 2024

SCALE:

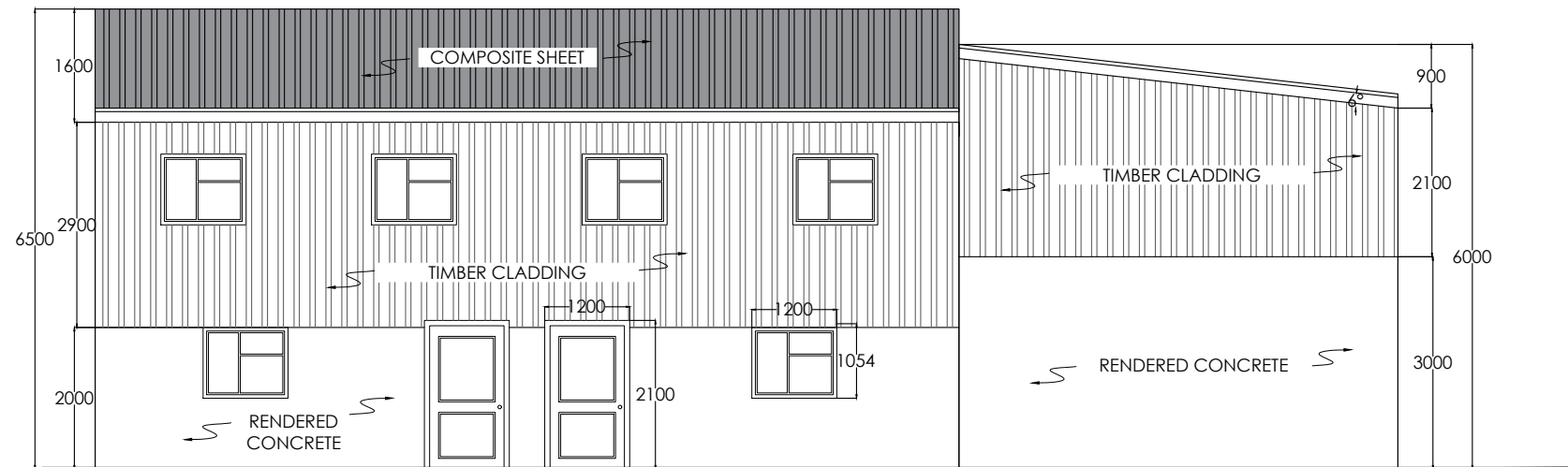
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SHEET:

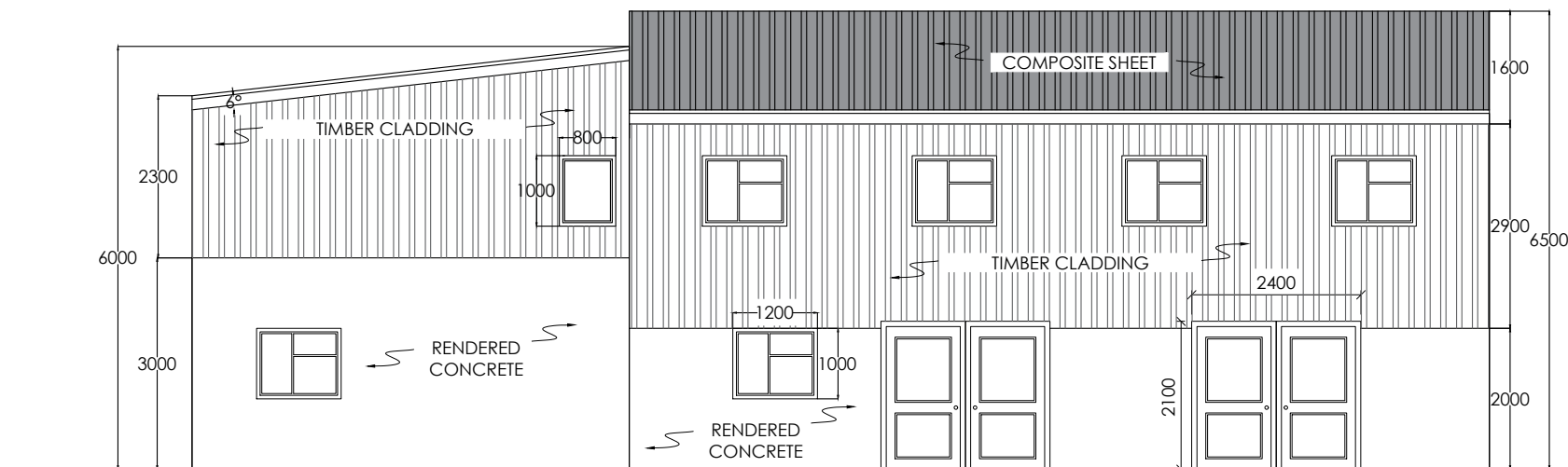
PEP02

SCALE BAR 1:100





2 WEST ELEVATION
SCALE: 1:200 @ A3



3 EAST ELEVATION
SCALE: 1:200 @ A3



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EIGHT ASH GREEN, COLCHESTER,
ESSEX, CO6 3PT

TEL: 01206 481 981
E-MAIL:
WEBSITE: WWW.FOXESRURAL.CO.UK

CLIENT NAME: FOXES FARM PRODUCE

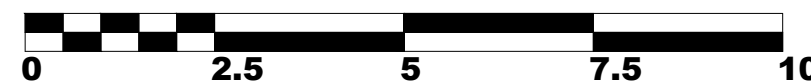
PROJECT NO: 929

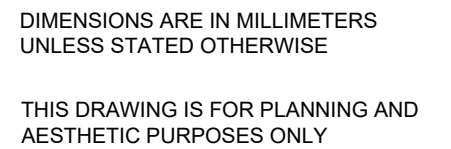
TITLE: PROPOSED ELEVATION PLAN

ADDRESS: CO6 2HX

DATE: 30 SEPT 2024
SCALE: 1:100 @ A3
SHEET: PEP01

SCALE BAR 1:100



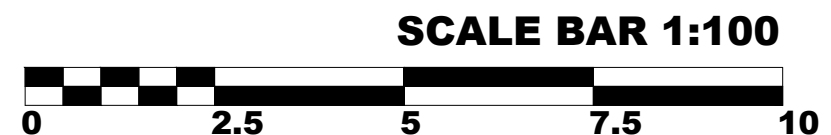


FOXES RURAL LTD
BULLBANKS FARM, HALSTEAD ROAD,
EIGHT ASH GREEN, COLCHESTER,
ESSEX, CO6 3PT

TEL: 01206 481 981
E-MAIL:
WEBSITE: WWW.FOXESRURAL.CO.UK

CLIENT NAME: FOXES FARM PRODUCE
PROJECT NO: 929
TITLE: PROPOSED FIRST FLOOR PLAN
ADDRESS: CO6 2HX

DATE:	SCALE:	SHEET:
30 SEPT 2024	1:100 @ A3	PPF02





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TEL: 01206 481 981
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CLIENT NAME: FOXES FARM PRODUCE

PROJECT NO: 929

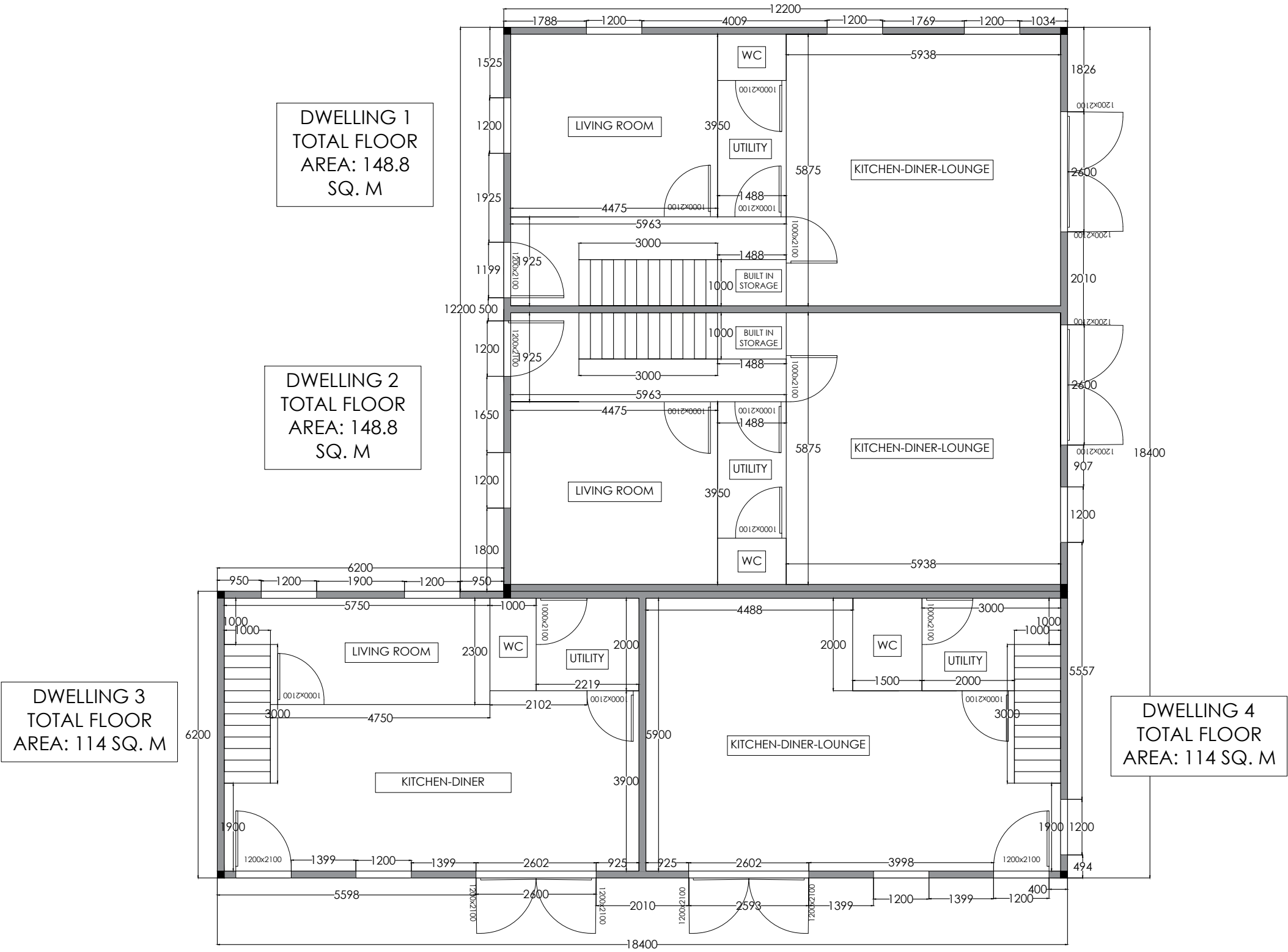
TITLE: PROPOSED GROUND
FLOOR PLAN

ADDRESS: CO6 2HX

DATE:
30 SEPT 2024

SCALE:
1:100 @ A3

SHEET:
PPF01



DWELLING 1
TOTAL FLOOR
AREA: 148.8
SQ. M

DWELLING 2
TOTAL FLOOR
AREA: 148.8
SQ. M

DWELLING 3
TOTAL FLOOR
AREA: 114 SQ. M

DWELLING 4
TOTAL FLOOR
AREA: 114 SQ. M

1a GROUND FLOOR PLAN
SCALE: 1:200 @ A3

SCALE BAR 1:100

