

Braintree District Council

Town and Country Planning Act 1990 (as amended)

Application No.: 19/00716/FUL

Date Received: 18th April 2019

APPLICANT:

Mr & Mrs G French
Foxes Farm Produce
Aldham
Colchester
Essex
CO6 3PT

AGENT:

Whirledge And Nott
Mrs Elizabeth Milne
Unit 4 Lubards Farm
Hullbridge Road
RAYLEIGH
SS6 9QG

DESCRIPTION:

Agricultural barn and associated hardstanding.

LOCATION:

Land At Mill Lane Mill Lane Colne Engaine Essex

APPROVED PLAN(S):

Site Plan	
Floor Plan	Plan Ref: Indicitive
Proposed Floor Plan	Plan Ref: A1
Proposed Elevations	Plan Ref: A2
Proposed Elevations	Plan Ref: A3

DECISION:

The Braintree District Council as local planning authority hereby gives notice of its decision to **GRANT** planning permission in accordance with the above plan(s) and subject to the following conditions and reasons:

Condition 1

The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

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

Condition 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.

Planning Decision Notice

Condition 3

The development shall not be occupied until the car parking area indicated on the approved plans, including any parking spaces for the mobility impaired has been hard surfaced, sealed and marked out in parking bays. The car parking area shall be retained in this form at all times. The car park shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.

Reason

To ensure adequate parking space is provided in accordance with the Council's adopted Parking Standards.

Condition 4

The hard surface yard area shall be constructed of porous materials and shall be permanently maintained as such.

Reason

To ensure the use of appropriate materials having regard to the importance of this scheme in a rural area and to ensure that the choice of materials will harmonise with the character of the surrounding development.

Policies:

The Development Plan policies taken into account when deciding this application are listed below. The policies can be viewed in full at Causeway House or on the Council's website – www.braintree.gov.uk

Braintree District Local Development Framework Core Strategy 2011

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

Braintree District Local Plan Review 2005

- RLP2 Town Development Boundaries and Village Envelopes
- RLP56 Vehicle Parking
- RLP71 Water Supply, Sewerage & Drainage
- RLP81 Trees, Woodland Grasslands and Hedgerows
- RLP89 Agricultural Buildings
- RLP90 Layout and Design of Development

Braintree District Publication Draft Local Plan 2017

- LPP1 Development Boundaries
- LPP8 Rural Enterprise
- LPP45 Parking Provision
- LPP50 Built and Historic Environment
- LPP71 Landscape Character and Features

Planning Decision Notice

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and has granted planning permission in accordance with the presumption in favour of sustainable development, as set out in the National Planning Policy Framework.

Dated: 13th September 2019

Signed:



Christopher Paggi
Planning Development Manager
Causeway House, Bocking End, Braintree, Essex CM7 9HB

Planning Decision Notice

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

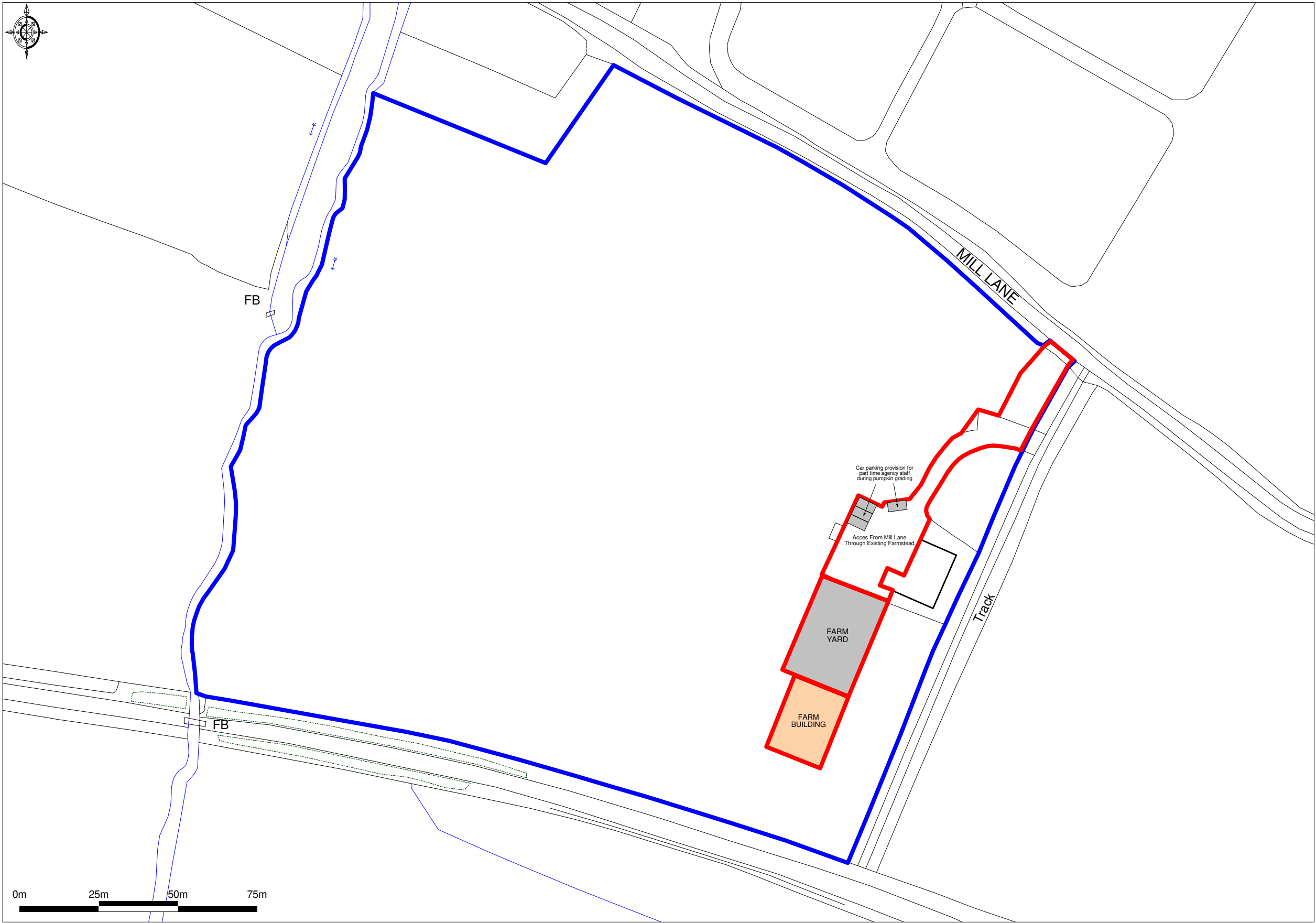
If proposals are refused, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any 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.

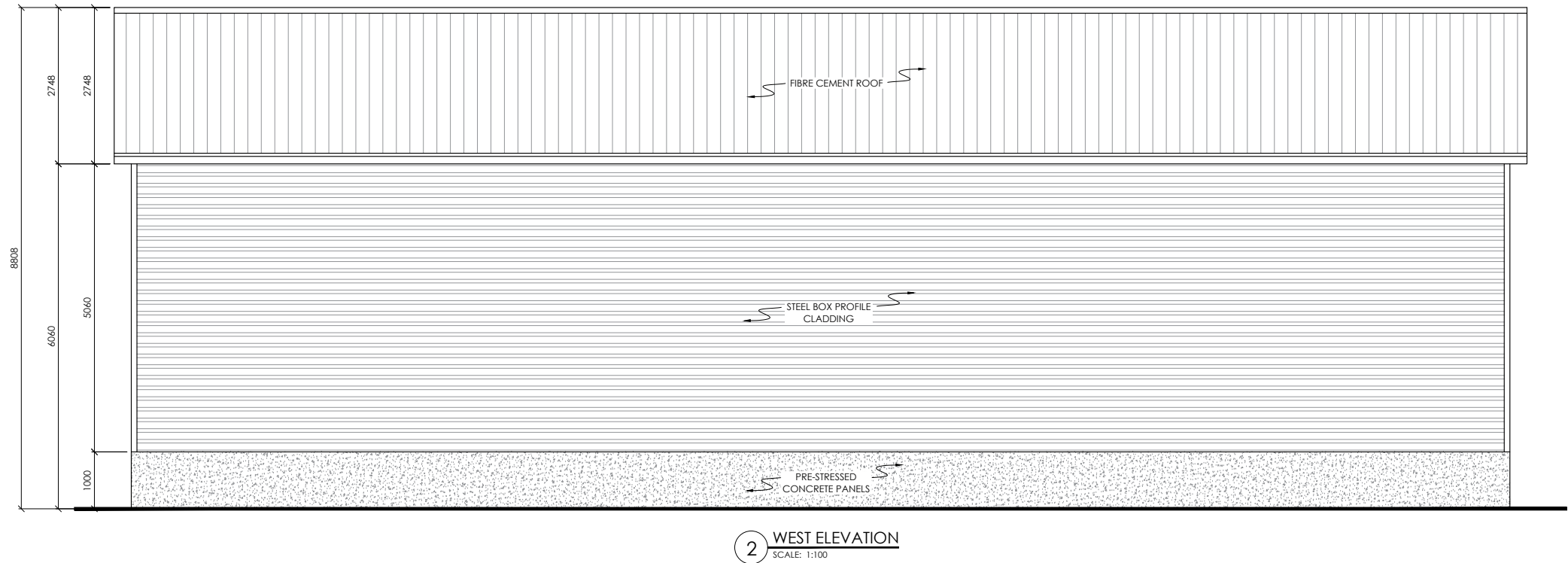
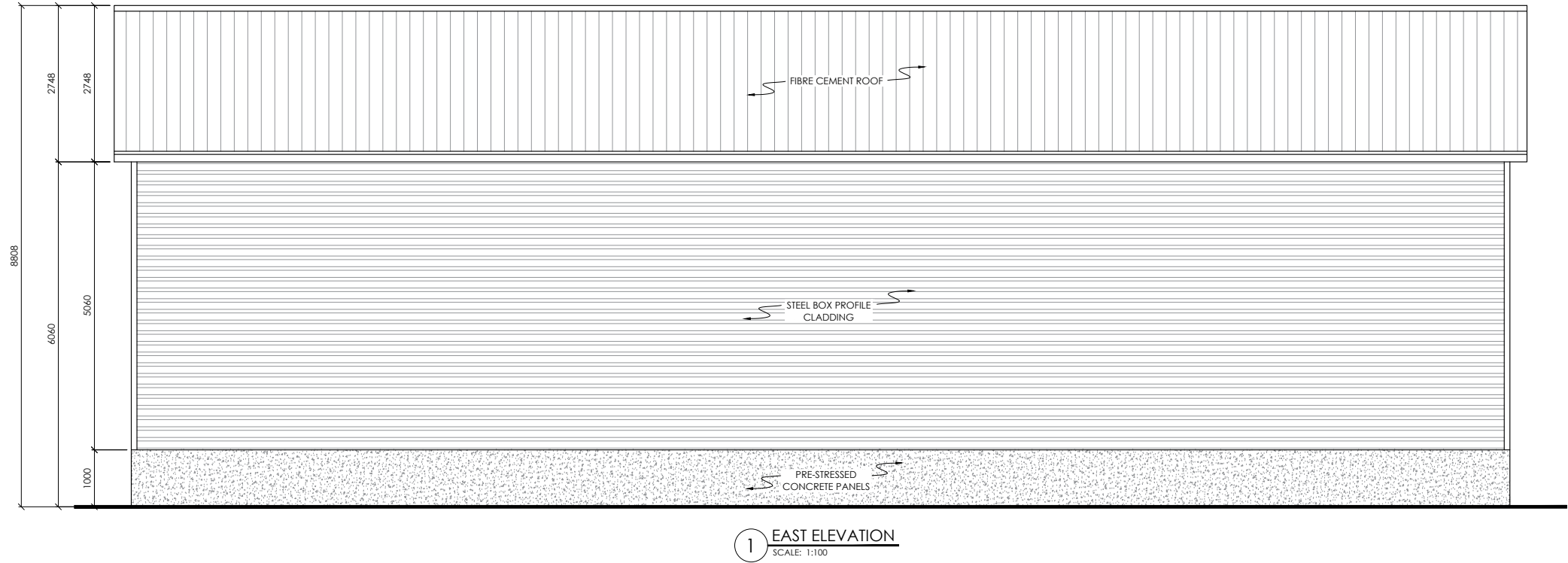
Compensation

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

SITE PLAN - NEW AGRICULTURAL BUILDING AT MILL LANE, COLNE ENGAIN





ADDRESS:

PROJECT NAME:
AGRICULTURAL BUILDING
CLIENT NAME:

TITLE:
EAST AND WEST ELEVATION

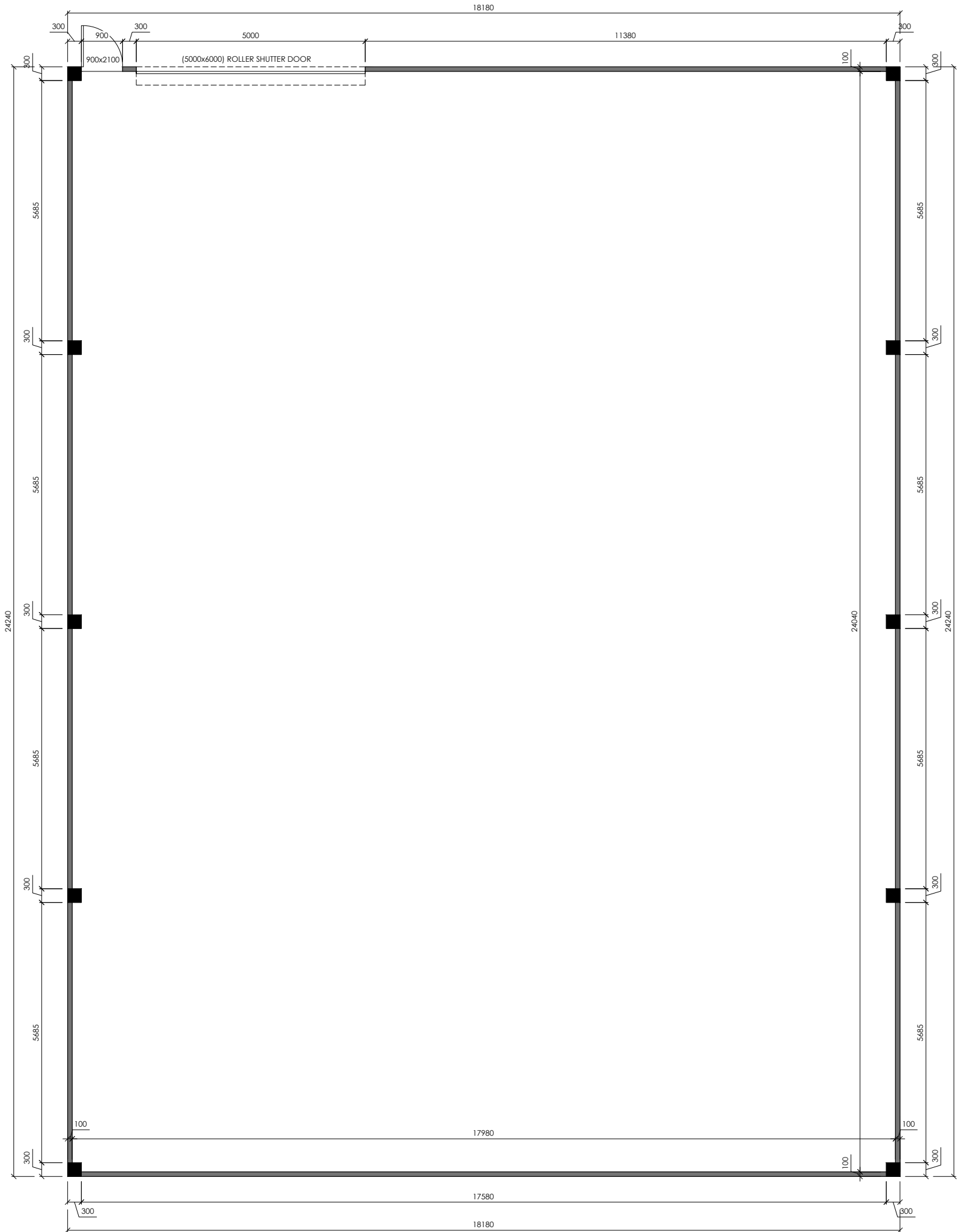
DRAWINGS PROVIDED BY:

DATE:
MAR 1,19

SCALE:
1:100 @ A3

SHEET:

A3



1 FLOOR PLAN
TOTAL LIVING AREA = 440.40 SQ.M.
SCALE: 1:100

ADDRESS:

PROJECT NAME:
AGRICULTURAL BUILDING
CLIENT NAME:

TITLE:
FLOOR PLAN

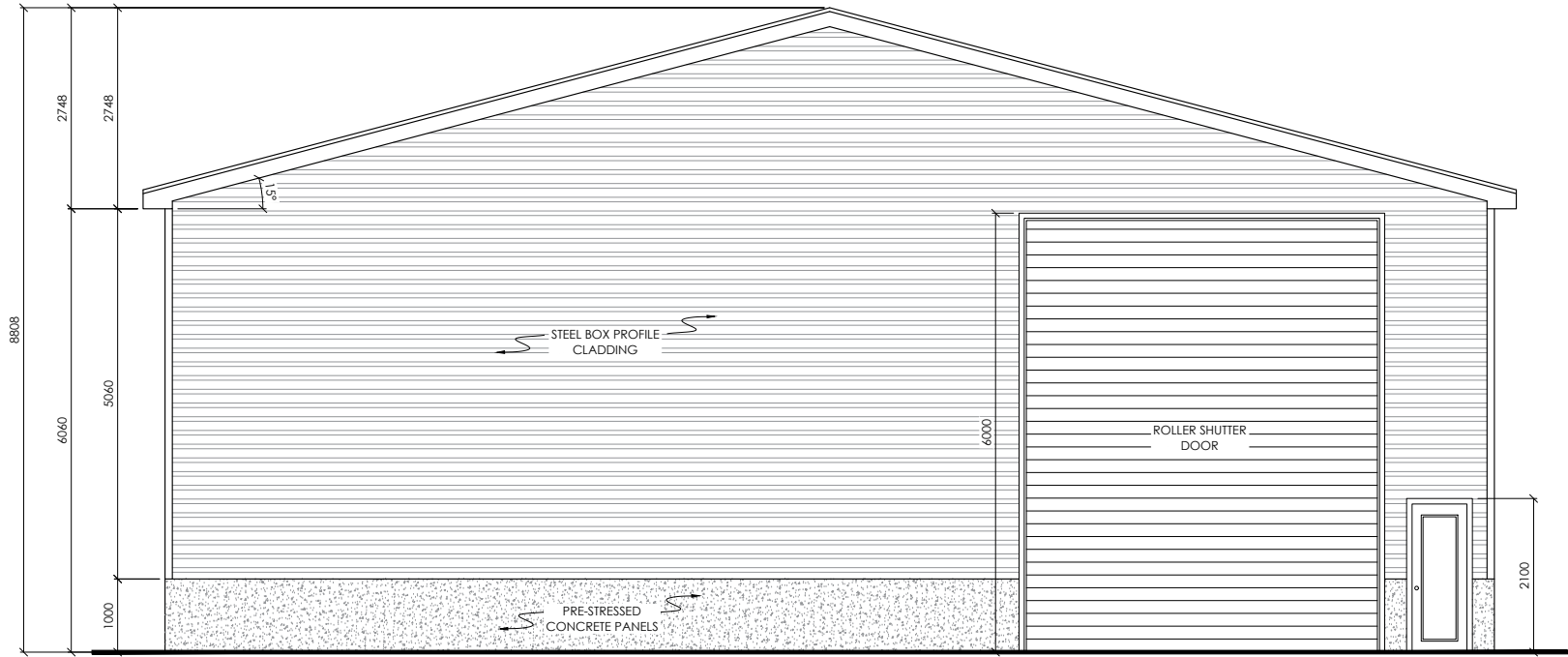
DRAWINGS PROVIDED BY:

DATE:
MAR 1, 19

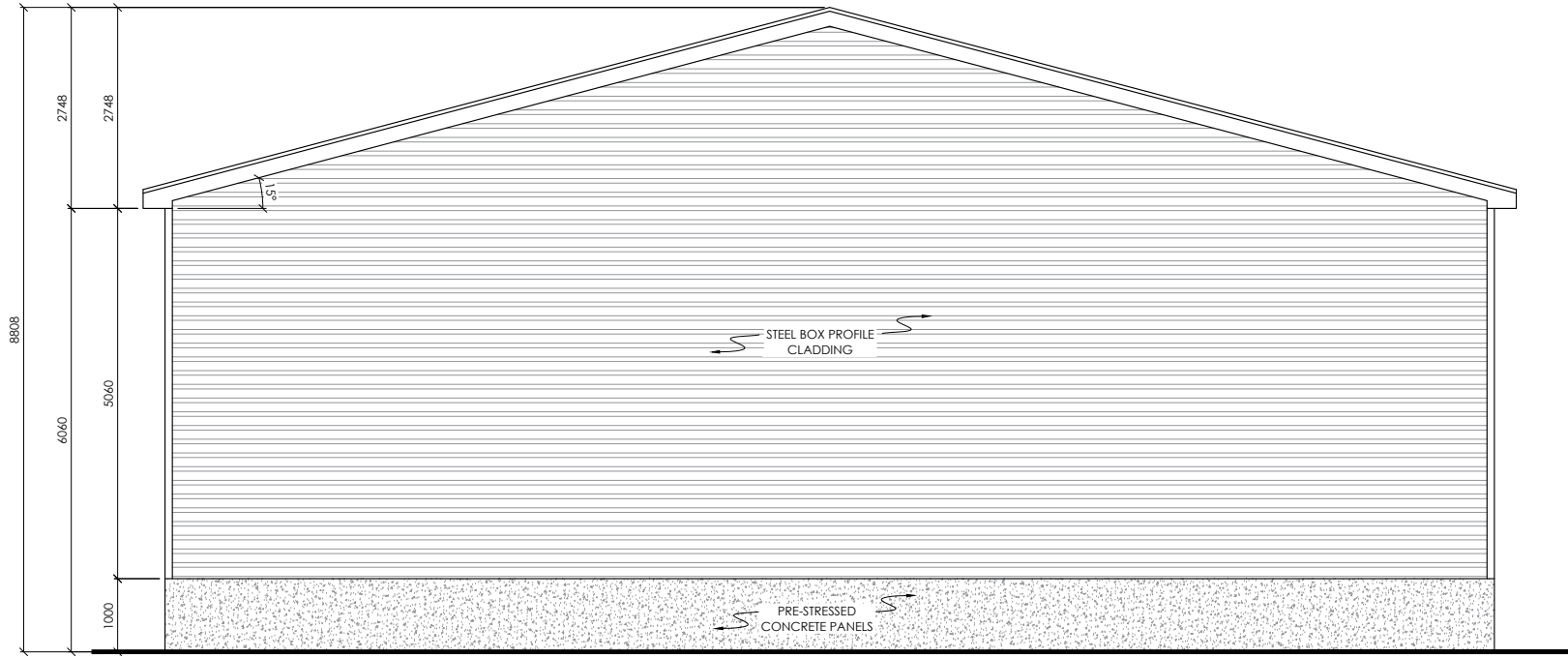
SCALE:
1:100 @ A3

SHEET:

A1



1 NORTH ELEVATION
SCALE: 1:100



2 SOUTH ELEVATION
SCALE: 1:100

ADDRESS:

PROJECT NAME:
AGRICULTURAL BUILDING
CLIENT NAME:

TITLE:
NORTH AND SOUTH ELEVATION

DRAWINGS PROVIDED BY:

DATE:

MAR 1,19

SCALE:

1:100 @ A3

SHEET:

A2