



## **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16<sup>th</sup> June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

## **5. Officer Appraisal**

### Site Description

The application site is Witheys, Dead Lane, Ardleigh, which along with the adjacent property 'Beaumaris' form a pair Grade II Listed Cottages. The surrounding area is semi-rural in character, with some nearby, predominantly detached, residential properties; however further out there are large areas of grassed or agricultural land. The site falls outside of a recognised settlement development boundary within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

### Building Listing

Pair of cottages. C18/C19. Timber framed and plastered. Thatched roof. End and central red brick chimney stacks. One storey and attics, each cottage with 2 eyebrow dormers. 6 window range of C20 casements. Vertically boarded doors off centre of each cottage. Frame of through braced studs. Included for group value.

### Proposal

This listed building consent proposes various works to the property. The works proposed include;

- o Repair works to the thatched roof, including removal of existing wire netting and part of the old straw, a re-thatch using wheat straw and wire netting and renewed eaves where necessary;
- o Removal of existing render from the front elevation wall to assess existing laths and timber frame. Following this any failed and decayed laths will be removed and replaced with new sawn oak laths to match existing, and failed and decayed structural timber shall be removed and replaced with green oak to match existing, with all works reversible, and addition of lime render to the front wall;
- o Reduce the level of the front landscaping to a minimum of 150mm below finished floor level, followed by the grass being reinstated;

- o Excavate and install a French drain along the front of the property, parallel with the front wall directly below the eaves of the thatch approximately 200mm from the wall;
- o Works the Crittall type windows; return the window frames and surrounds of to their original black finish; service and replace broken glass and redecorate the frames in a zinc phosphate primer followed by a minimum two coats of black satin metal paint; repair the softwood surrounds, where the failed timber will be removed and replaced with treated softwood scarfed to match existing; and
- o Remove sections of cement pointing without mechanical assistance, to be replaced with non-hydraulic lime mortar trowelled in and completed with a brushed non-ironed finish.

### Appraisal

The only consideration as part of this application is the above mentioned amendments on the character, appearance and historic fabric of the listed building.

Paragraph 189 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is retained by draft Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Paragraph 196 of the Framework adds that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 189 of the Framework also requires the submission of a Heritage Statement, or any other means of describing the significance of the heritage asset, including any contribution made by their setting. The Heritage Statement should be of a level of detail proportionate to the asset's importance. A detailed Heritage Statement has been submitted with the application. The Heritage Statement outlines the rationale behind the proposals and justifies the alterations from a heritage perspective.

In this instance, the proposal seeks various alterations to the dwelling, which are all of an external nature and are all repair works. Due to the various works involved with the application, a detailed Heritage Statement has been submitted. This has outlined details of the buildings listing and the works involved, providing justification of each element.

Whilst the works will impact upon key elements of the historic character of the building, particularly to the front elevation and roof, justification has been provided, detailing that past interventions previously considered as good practice at the time are no longer compatible with current conservation principles, and some materials have naturally aged. The works are therefore mainly repairs and are seeking to enhance the property. The repair works will not alter the external appearance of the Listed Building, with all of the repairs being replaced with matching materials, and it is considered the works will help to contribute to the overall conservation of this important building.

### Conclusion

The impact of the proposed works will be minor and beneficial, will assist in the long-term preservation of the asset, and will not detrimentally affect the building's special architectural and historic interest and significance.

The scope and strategy of the proposed works are considered commensurate and appropriate to the building's value as a grade II designated heritage asset and in accordance with a sustainable approach to conservation, as outlined within the NPPF and local planning policy.

It is concluded that the works, therefore, accord with national and local planning policies and conservation and wider heritage principles. Approval of this proposal would enhance the listed building and represents compliance with the duty within the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, to protect and enhance the special character and setting of the listed building.

### Other Considerations

Ardleigh Parish Council has not commented.

No further letters of representation have been received.

### **6. Recommendation**

Grant Listed Building Consent.

### **7. Conditions**

- 1 The works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason - To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, titled 'Ground and First Floor Plans' and 'Elevations', and the submitted document titled 'Witheys Report'.

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

### **8. Informatives**

Positive and Proactive Statement

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