

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	31/08/2018
Planning Development Manager authorisation:	SCE	31.08.18
Admin checks / despatch completed	SB	03/08/18.

AP

Application: 18/01046/FUL **Town / Parish:** Great Oakley Parish Council

Applicant: Mr M Godfrey (Chairman)

Address: Red House High Street Great Oakley

Development: Demolition of Red House to allow for proposed Community Hub Building incorporating restaurant/tea rooms with 3no. one bedroom flats above. Use of land as community car park.

1. Town / Parish Council

Great Oakley Parish Council Great Oakley Parish Council planning committee fully support the Community Hub and their ambitions and agree the site needs redevelopment. We are concerned that 40 covers is too much and will exacerbate existing local parking issues so would suggest a reduction in restaurant capacity is included in the approval.

2. Consultation Responses

Tree & Landscape Officer The application relates to two separate areas of land; one being the Red House and immediately adjacent land and the other a parcel of agricultural land in Farm Road; to the south east of the Red House.

In terms of the land in the vicinity of the Red House there are no trees or other significant vegetation that would be affected by the development proposal. There is little scope for or benefit to be gained by new soft landscaping.

With regard to the area of agricultural land it is important to note that the land is constrained by an existing countryside hedgerow that is afforded protection by the Hedgerow Regulations 1997.

The proposed use of the agricultural land as car park does not appear to necessitate the removal of any major sections of the hedgerow as access and egress would be by way of existing field entrances. It may require widening but this would not significantly compromise the integrity of the hedgerow.

The creation of the entrance to the car park would however require the removal of a small tree to the west of the proposed access. Whilst the removal of the tree is not desirable it would not, in itself, have a significant adverse impact on the character or appearance of the area.

In terms of the change of the use of the land from agricultural land to car park it is considered that although moderate in scale it would

cause harm to the character of the area as it would contribute to the urbanisation of the village and the gradual erosion of the countryside.

If planning permission were likely to be granted then a condition should be attached to secure details of soft landscaping on the exposed perimeter of the car park to soften its appearance and screen it from view from the surrounding countryside; in particular from Public Right of Way 20 from where clear views on the site can be enjoyed.

ECC Highways Dept

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

- Prior to first occupation of the proposed residential development, the proposed vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

- Prior to the proposed access for the dwellings on the proposed residential development being brought into use, a 1.5m. x 1.5m. pedestrian visibility splay, relative to the highway boundary, shall be provided on both sides of that access and shall be retained and maintained free from obstruction clear to ground thereafter. These splays must not form part of the vehicular surface of the access.

- Prior to first use of the proposed car park, each of the two proposed vehicular accesses shall be constructed at right angles to the highway boundary and to a width of 3.7 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

- No unbound materials shall be used in the surface treatment of any of the proposed vehicular accesses within 6m of the highway boundary.

- Prior to the first use of the proposed car park, the car parking and turning area, shall be provided in accord with the details shown in Drawing Numbered 1814-06-C except for the vehicular accesses. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.

- Prior to the occupation of the proposed residential development, details of the provision for the storage of bicycles for each dwelling sufficient for all occupants of that dwelling, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

- No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- wheel and under body washing facilities
- the means or method of protecting the travelling public within the highway whilst working from height above and adjacent to the highway

- Prior to the first use of the proposed car park, the applicant / developer shall provide appropriate M.o.T approved signage at each ingress and egress indicating "entry" and "exit" and one way directional signage throughout the car park.

Building Control and
Access Officer

No adverse comments at this time.

Food Health and Safety

I refer to proposed Planning Application 18/01046/FUL and have no objections to make.

I would recommend that prior the instalment of the restaurant/tea room(s), that the proprietor consults with Officers from this department to ensure compliance with the relevant food legislation and requirements.

Environmental Protection

In order to minimise potential nuisance to nearby existing residents caused by demolition/construction works, Environmental Protection ask that the following below is conditioned;

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

' The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.

' No materials produced as a result of the site development or clearance shall be burned on site.

' All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.

' Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed. Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

In reference to the (proposed layout diagram) full details of proposed kitchen have not been provided or the use of extractor/mechanical units mentioned.

In the case extractor/mechanical units are to be installed, the units must satisfy BS4142 assessment i.e. the end use(s) must not be deemed to have 'adverse impact' on all nearby noise-sensitive premises. A detailed report of the assessment shall be submitted to EP for approval.

Essex County Council
Archaeology

The above planning application has been identified as having the potential to harm non-designated heritage assets.

The EHER record and Tendring Historic Environment Characterisation Project, demonstrate that the proposed development lies within an area of historic and archaeological interest. The proposed development lies within the Conservation Area of Great Oakley which is medieval in origin. The Chapman & Andre map of

1777 depicts buildings along the High Street at this time. The age of the Red House is unknown however its prominent position along the High Street suggests it was a significant building. The building is in a poor state of repair; however there may be fixtures and fittings surviving which relate to its origin and evolution over time. A historic building record should be completed prior to its demolition to establish the date and function of the building.

The proposed development lies within a HEC zone which is characterised by elements of early prehistoric activity as well as later prehistoric and Roman settlement. Within the immediate area there is the possibility of surviving archaeological deposits of medieval date associated with the historic dispersed settlement pattern and Great Oakley contains listed vernacular buildings including timber framed and weather-boarded and brick built cottages with clay tiled roofs, and some thatch.

The following recommendations are made in line with the Department for Communities and Local Government National Planning Policy Framework:

RECOMMENDATION: Historic building record and archaeological monitoring.

1. No development or demolition can commence until a historic building record has been secured and undertaken in accordance with a Written Scheme of Investigation, which has been submitted by the applicant, and approved by the planning authority. Following completion of the historic

building record, the applicant will submit to the local planning authority a report ready for deposition with the EHER.

2. No development or preliminary ground-works can commence until a programme of archaeological monitoring has been secured and undertaken in accordance with a Written Scheme of Investigation, which has been submitted by the applicant, and approved by the planning authority.

3. Following completion of the archaeological fieldwork, the applicant will submit to the local planning authority a post-excavation assessment (within six months of the completion date, unless otherwise agreed in advance with the planning authority), which will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason for recommendation

The Tendring Historic Environment Characterisation project and Essex HER show that the proposed development is located within an area with a surviving historic building and potential for below ground archaeological deposits. The development would result in harm to non-designated heritage assets.

Further Recommendations:

A brief outlining the level of historic building recording and archaeological investigation will be issued from this office on request. Tendring District Council should inform the applicant of the recommendation and its financial implications.

3. Planning History

17/30188/PREAPP	Change of use of ground floor to community cafe and first floor conversion to 3No. 1 bedroom apartments.	13.11.2017
18/01046/FUL	Demolition of Red House to allow	Current

for proposed Community Hub
Building incorporating
restaurant/tea rooms with 3no. one
bedroom flats above. Use of land
as community car park.

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

ER7 Business, Industrial and Warehouse Proposals

HG3 Residential Development Within Defined Settlements

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG10 Conversion to Flats and Bedsits

COM1 Access for All

COM4 New Community Facilities (Including Built Sports and Recreation Facilities)

COM23 General Pollution

EN1 Landscape Character

EN17 Conservation Areas

EN20 Demolition within Conservation Areas

EN29 Archaeology

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL1 Managing Growth

SPL3 Sustainable Design

HP2 Community Facilities

LP1 Housing Supply

- LP2 Housing Choice
- LP3 Housing Density and Standards
- LP4 Housing Layout
- PPL3 The Rural Landscape
- PPL7 Archaeology
- PPL8 Conservation Areas
- CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Conservation Area Character Appraisals

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 16th 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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing

deliver over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

This application relates to two red line sites one is situated to the northern end of Farm Road, where this road joins the main B1414 High Street. This site currently supports a two-storey residential dwelling (Red House), noticeable by its red colouring and prominent position within the village. This site is located within the Great Oakley Conservation Area. The neighbouring property to the south-east is the Maybush Inn Public House, and this property was saved from closure as a public house by the applicant in 2016. The property has since been reopened on behalf of the community as a co-operative

The second red line site relates to an area of arable farm land situated at the south-eastern end of Farm Lane outside of the conservation area. This area of land is in agricultural use and is enclosed to the lane by a mature hedgerow. The land has an informal access at its northern end and there is an existing concrete access at its southern end.

Proposal

The proposal is to create a new community hub building, by demolishing the existing Red House and rebuilding this property (and extending) to adjoin the Maybush Inn. The proposal will involve the formation of a restaurant/tea room, reception, kitchen, lobby, W.Cs and store areas at ground floor level (with underpass providing access to rear).

The first floor will support 3no. one-bedroom flats, each providing a living room, kitchen, bathroom and double bedroom. A shared garden area is created to the rear of the Maybush Inn.

Each flat will be provided with a dedicated car parking space to the rear of the building. A new turning area will be provided. Site deliveries and waste provision will also be catered for to the rear of the property.

Additional parking provision is to be made available via a 600sqm area of land situated to the south-eastern end of Farm Road. This land will serve as a community car park and host recycling facilities.

Appraisal

Heritage Impact

The Council has a statutory duty to ensure that developments protect or enhance the character and appearance of the conservation area. In this instance the proposal is to totally demolish 'Red House' and re-build. The Great Oakley Conservation Area Review refers specifically to Red House and states 'The Red House, in a state of exterior disrepair, is pivotal in turning the corner from High Street into Farm Road'. The appraisal structure map also identifies this area of the High Street as an important space within the conservation area given its location adjacent to a small square and shows The Red House as occupying a key facade and important boundary.

Therefore to demolish the building the criteria of saved policy EN20 (Demolition within Conservation Areas) must be met. This policy states that the demolition of a building that makes a contribution will only be permitted where;

- supporting evidence is submitted with the application which demonstrates that the building is beyond economic repair; or
- viable alternative uses cannot be found and an applicant has supplied evidence to demonstrate this to the satisfaction of the local planning authority; and

- the redevelopment would preserve the area's character and would produce substantial benefits that would outweigh the loss of the building or structure.

The National Planning Policy Framework (2018) states at paragraph 201 that 'not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole'.

As stated above the Great Oakley Conservation Area Appraisal identifies 'The Red House' as pivotal due to its sensitive corner plot siting facing onto an important space within the conservation area. The form, age, materials and location of the building therefore means it forms a key facade facing onto the High Street and Farm Road and one which positively contributes to the character and appearance of the Great Oakley Conservation Area.

Consequently, the demolition of this building is considered to cause substantial harm to the Great Oakley Conservation Area and therefore the requirements of paragraph 195 of the NPPF apply. This paragraph states that, 'where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss'. Further, paragraph 189 of the NPPF states that, 'local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting'.

In this instance insufficient information has been provided to demonstrate that the requirements of saved policy EN20 and the relevant paragraphs of the NPPF stated above have been met. A fully detailed heritage statement outlining the significance of the heritage asset affected and the potential impact of the proposal upon its significance has not been provided. Furthermore, mention is made of the building being beyond economic repair due to deterioration over many years including area of rotten timbers and wall plates. However this assertion has not been demonstrated through a building condition survey.

The submitted planning statement also makes reference to the fact the building is to be utilised as a community hub with three 'affordable' housing units above and therefore the public benefits outweigh any harm to the heritage asset. However, little information is submitted to demonstrate that a restaurant/tea room community hub would provide significant public benefits for the community. Furthermore, the three flats at first floor level would be market housing and not classed within the true definition of affordable.

Consequently in the absence of a historic statement providing an analysis of the affected heritage assets and a justification for the proposals or any wider public benefits the proposal is considered to be contrary to the aforementioned local and national planning policies.

Detailed Design

Saved policy EN17 concerns development within conservation areas and states that development must preserve or enhance the character or appearance of the conservation area. The policy goes on to add that development will be refused where it would harm the character or appearance of the conservation area including historic plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain or significant natural or heritage features. The policy also states that development will not be supported where the height, siting, form, massing, proportions, elevation, design or materials would not preserve or enhance the character of an area.

Notwithstanding the concerns raised above in respect of the demolition of the existing building, the detailed design of the replacement building is not considered to preserve or enhance the special character of this section of the Great Oakley Conservation Area. In the Great Oakley Conservation Area Appraisal it states that the High Street frontage in this location is the most consistently developed frontage in the village as all the properties rise from the back of the pavement and have

roofs parallel to the main road. The uninterrupted roof slopes and eaves of these properties also contribute to their consistent appearance. In this case the High Street elevation would include large first floor windows that would break the eaves line and partly occupy the roof slope. This would be at odds with the appearance of the properties situated along the High Street to the north-east and would erode the sense of consistency that the appraisal identifies as being a key characteristic of this section of the conservation area. To the Farm Road elevation a first floor link is proposed with an undercroft below to access the flats and parking areas to the rear. The link also includes windows that break the eaves which is again at odds with the appearance of properties along this Farm Road frontage. Furthermore, the construction of the weather boarded link and undercroft, which proposes to enclose the gap between The Red House and Maybush Public House, would appear overly urban and out of character in this section of Farm Road which comprises of stand-alone buildings. The enclosure of this gap within the street scene with a feature out of keeping with the pattern of built form in the locality would not preserve or enhance the appearance of the conservation area.

Car Park Visual Impact

The proposed car parking area is to be situated within an agricultural field located at the south-eastern end of the built form present along Farm Road. The parking area would accommodate 24 parking spaces and a recycling area. No details of the intended surface finish of the car park are provided at this time. Notwithstanding this point, the construction of a large car parking area and recycling point measuring approximately 75m in length would cause harm to the character of the area as it would represent an unjustified intrusion into open countryside and contribute to the urbanisation of the village and the gradual erosion of the countryside. Whilst the mature hedgerow along Farm Road is to be retained views of the parking area would be particularly harmful from the public footpath running from east to west along the southern boundary of the site.

The Council's Trees/Landscaping Officer agrees with the view that the car park would be harmful but in respect of the impact upon trees states the following;

The creation of the entrance to the car park would however require the removal of a small tree to the west of the proposed access. Whilst the removal of the tree is not desirable it would not, in itself, have a significant adverse impact on the character or appearance of the area.

Residential Amenities

The redevelopment of the site would not result in any additional harm to local residents in respect of privacy, outlook or the light they receive. The building would occupy largely the same footprint and would include the rear facing window as it does currently. At the rear the parking and bin store areas would be located where a current garage building is situated and would not therefore cause any harm in respect of noise or disturbance to existing residents.

The tea room/restaurant use at ground floor may require extraction equipment. This could however be conditioned to control its position and noise levels. Environmental Health has agreed that this is acceptable. Further conditions controlling the demolition process in view of the proximity of nearby residents would be included if approval is forthcoming.

In terms of amenity space the flats will be provided with a communal space of a size that accords with the requirements of saved policy HG9.

Highway Safety

Essex County Council Highway have no objections to the development providing the following requirements are conditioned/reflected on the submitted plans;

- Prior to first occupation of the proposed residential development, the proposed vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7 metres.
- Prior to the proposed access for the dwellings on the proposed residential development being brought into use, a 1.5m. x 1.5m. pedestrian visibility splay shall be provided on both sides of the access.

- Prior to first use of the proposed car park, each of the two proposed vehicular accesses shall be constructed at right angles to the highway boundary and to a width of 3.7 metres.
- No unbound materials shall be used in the surface treatment of any of the proposed vehicular accesses within 6m of the highway boundary.
- Prior to the first use of the proposed car park, the car parking and turning area, shall be provided in accord with the details shown in Drawing Numbered 1814-06-C.
- Prior to the occupation of the proposed residential development, details of the provision for the storage of bicycles for each dwelling sufficient for all occupants of that dwelling, of a design this shall be approved in writing with the Local Planning Authority.
- No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and under body washing facilities
 - v. the means or method of protecting the travelling public within the highway whilst working from height above and adjacent to the highway.
- Prior to the first use of the proposed car park, the applicant / developer shall provide appropriate M.o.T approved signage at each ingress and egress indicating "entry" and "exit" and one way directional signage throughout the car park.

One parking space is proposed for each property which is in accordance with the requirements of the parking standards. The 24 space parking area proposed for the restaurant use is of sufficient size to accord with the parking standards. Further parking is available within the square opposite the site.

Other Considerations

Essex Place Services have requested that a Historic building record and archaeological monitoring is secured through conditions if permission is granted. The Council's Building Control Team have no adverse comments at this time.

Great Oakley Parish Council fully supports the Community Hub and their ambitions and agree the site needs redevelopment. We are concerned that 40 covers is too much and will exacerbate existing local parking issues so would suggest a reduction in restaurant capacity is included.

The application has attracted 33 objections and 13 letters of support. The representations received are summarised below;

Support

- Lack of repair has led to the Red House being an eye sore
- New plans are sympathetic to the surrounding area and low cost housing is of benefit to the village
- Building in its current form cannot meet required use and building regulations
- Restaurant will provide food for less able local people
- Building is in disrepair and needs to be replaced

Objections

- Irreversible alteration of the historic streetscape in Gt Oakley
- No structural evaluation of building has been provided
- Building could be maintained and refurbished
- Poor parking opportunities in the local area
- One of the oldest houses in Gt Oakley and should be restored
- Car park has poor access with no lighting or pavements
- Recycling points would encourage dumping of rubbish
- Important building within the conservation area and not beyond economic repair

- Car park too detached from redevelopment and will lead to people parking in and around building causing congestion
- Traffic up lane will be increased causing noise and disturbance
- No local need for a restaurant and not optimum use for building.

6. Recommendation

Refusal

7. Reasons for Refusal

- 1 The National Planning Policy Framework (NPPF) states Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The Council has a statutory duty to ensure that developments protect or enhance the character and appearance of the conservation area. In this instance the proposal is to totally demolish 'Red House' and re-build. The Great Oakley Conservation Area Review refers specifically to Red House and states 'The Red House, in a state of exterior disrepair, is pivotal in turning the corner from High Street into Farm Road'. The appraisal structure map also identifies this area of the High Street as an important space within the conservation area given its location adjacent to a small square and shows The Red House as occupying a key facade and important boundary.

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- supporting evidence is submitted with the application which demonstrates that the building is beyond economic repair; or
- viable alternative uses cannot be found and an applicant has supplied evidence to demonstrate this to the satisfaction of the local planning authority; and
- the redevelopment would preserve the area's character and would produce substantial benefits that would outweigh the loss of the building or structure.

The National Planning Policy Framework (2018) states at paragraph 201 that 'not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole'.

The Great Oakley Conservation Area Appraisal identifies 'The Red House' as pivotal due to its sensitive corner plot siting facing onto an important space within the conservation area. The form, age, materials and location of the building therefore means it forms a key facade facing onto the High Street and Farm Road and one which positively contributes to the character and appearance of the Great Oakley Conservation Area.

Consequently, the demolition of this building is considered to cause substantial harm to the Great Oakley Conservation Area and therefore the requirements of paragraph 195 of the NPPF apply. This paragraph states that, 'where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss'. Further, paragraph 189 of the NPPF states that, 'local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting'.

In this instance insufficient information has been provided to demonstrate that the requirements of saved policy EN20 and the relevant paragraphs of the NPPF stated above have been met. A fully detailed heritage statement outlining the significance of the heritage asset affected and the potential impact of the proposal upon its significance has not been provided. Furthermore, mention is made of the building being beyond economic repair due to deterioration over many years including area of rotten timbers and wall plates. However this assertion has not been demonstrated through a building condition survey.

The submitted planning statement also makes reference to the fact the building is to be utilised as a community hub with three 'affordable' housing units above and therefore the public benefits outweigh any harm to the heritage asset. However, little information is submitted to demonstrate that a restaurant/tea room community hub would provide significant public benefits for the community. Furthermore, the three flats at first floor level would be sold as market housing and not classed within the true definition of affordable.

The significant detrimental impact that the development proposal would have upon the conservation area is reflected by the lack of any detailed analysis within the application supporting documents in respect of the significance of the heritage asset affected and an understanding of the potential impact of the proposal upon its significance.

- 2 The proposal for erection of a dwelling is considered contrary to the National Planning Policy Framework 2018, saved Policies QL9, QL10, QL11, HG3 and EN17 of the Tendring District Local Plan (2007) and draft Policies SPL3 and PPL8 and of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017).

The Framework attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The Framework states Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected. Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Saved policy EN17 concerns development within conservation areas and states that development must preserve or enhance the character or appearance of the conservation area. The policy goes on to add that development will be refused where it would harm the character or appearance of the conservation area including historic plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain or significant natural or heritage features. The policy also states that development will not be supported

where the height, siting, form, massing, proportions, elevation, design or materials would not preserve or enhance the character of an area. Saved Policy HG3 states within the defined development boundaries residential development will be permitted provided it satisfies amenity and design criteria and can take place without material harm to the character of the local area. These aims are echoed in the draft policies stated above. Saved Policy QL9 states all new development must make a positive contribution to the quality of the local environment, new buildings must be well designed and maintain local character, and development must relate well to its site and surroundings particularly in relation to its siting, scale and design.

The detailed design of the replacement building is not considered to preserve or enhance the special character of this section of the Great Oakley Conservation Area. In the Great Oakley Conservation Area Appraisal it states that the High Street frontage in this location is the 'most consistently developed frontage in the village as all the properties rise from the back of the pavement and have roofs parallel to the main road'. The uninterrupted roof slopes and eaves of these properties also contribute to their consistent appearance. In this case the High Street elevation would include large first floor windows that would break the eaves line and partly occupy the roof slope. This would be at odds with the appearance of the properties situated along the High Street to the north-east and would erode the sense of consistency that the appraisal identifies as being a key characteristic of this section of the conservation area. To the Farm Road elevation a first floor link is proposed with an undercroft below to access the flats and parking areas to the rear. The link also includes windows that break the eaves which is again at odds with the appearance of properties along this Farm Road frontage. Furthermore, the construction of the weather boarded link and undercroft, which proposes to enclose the gap between The Red House and Maybush Public House, would appear overly urban and out of character in this section of Farm Road which comprises of stand-alone buildings. The enclosure of this gap within the streetscene with a feature out of keeping with the pattern of built form in the locality would not preserve or enhance the appearance of the conservation area.

Consequently, the detailed design of the proposed building is not considered to be sympathetic to the character and appearance of the locality and in the absence of a strong justification for the proposals or any wider public benefits, it is not considered that these proposals would preserve or enhance the Great Oakley Conservation Area.

- 3 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 124 is to always seek to secure high quality design. The NPPF at paragraph 170 also states that the planning system should take account of the different roles and character of different areas and recognise the intrinsic character and beauty of the countryside.

Saved policies QL9 and EN1 of the Tendring District Local Plan 2007 and emerging policy PPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) seek to ensure that development is appropriate in its locality and does not harm the character and appearance of the rural landscape.

The proposed car parking area is to be situated within an agricultural field located at the south-eastern end of the built form present along Farm Road. The parking area would accommodate 24 parking spaces and a recycling area. No details of the intended surface finish of the car park are provided at this time. Notwithstanding this point, the construction of a large car parking area and recycling point measuring approximately 75m in length would cause harm to the character of the area as it would represent an unjustified intrusion into open countryside and contribute to the urbanisation of the village and the gradual erosion of the countryside. Whilst the mature hedgerow along Farm Road is to be retained views of the development would be particularly harmful from the public footpath running from east to west along the southern boundary of the site.

Therefore the parking and recycling area is considered to be detrimental to the rural character and contrary to the aforementioned local and national planning policies.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.

<p>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</p>	<p>YES</p>	<p>NO</p>
<p>Are there any third parties to be informed of the decision? If so, please specify:</p>	<p>YES</p>	<p>NO</p>