

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|----------|
| File completed and officer recommendation: | MP | 09/10/18 |
| Planning Development Manager authorisation: | AN | 29/10/18 |
| Admin checks / despatch completed | SB | 31/10/18 |

ML

Application: 18/01391/LBC **Town / Parish:** Little Clacton Parish Council

Applicant: Mr & Mrs K Clarke

Address: Bovills Hall St Osyth Road West Little Clacton

Development: Alterations to a curtilage listed building, including additional doors and windows.

1. Town / Parish Council

Little Clacton Parish
Council

2. Consultation Responses

N/A

3. Planning History

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|---------------|---|---------------|------------|
| 93/00442/FUL | (Bovills Farm, Little Clacton) Filling with surface material from Little Clacton Bypass | Determination | 08.07.1993 |
| 94/00742/CMTR | (Bovills Farm, Little Clacton) ESS.36.94.TEN - Construction of screen bond and infilling with surplus material from the Little Clacton and Weeley Heath By-Pass | Determination | 13.10.1994 |
| 08/00907/FUL | Change of use of existing traditional buildings to B1 office use (Bovills Hall Farm Barn). | Withdrawn | 28.07.2008 |
| 08/00908/LBC | Change of use of existing traditional buildings to B1 office use (Bovills Hall Farm Barn) | Withdrawn | 28.07.2008 |
| 09/00483/FUL | Change of use from agricultural farm yard to temporary storage compound for utility works. | Approved | 23.07.2009 |
| 09/00697/FUL | Change of use of existing Grade II traditional buildings to a B1 office use. | Approved | 03.11.2010 |
| 09/00698/LBC | Alterations to the fabric and structure of the building in connection with planning | Approved | 18.01.2010 |

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| | application for change of use. | | |
| 12/00187/FUL | Change of use of existing Grade 2 traditional buildings to a B1 light industrial use, B2 general industrial use and B8 storage. | Refused | 16.04.2012 |
| 12/00188/LBC | Alterations to the building in connection with planning permission for a change of use. | Approved | 16.04.2012 |
| 14/01705/FUL | Change of use of agricultural barn to two dwellings and associated amenity space. | Approved | 08.01.2015 |
| 14/01706/LBC | Change of use of agricultural barn to two dwellings and associated amenity space. | Approved | 08.01.2015 |
| 15/00181/LBC | To replace the asbestos guttering on two outbuildings to the south west of Bovills Hall, which are believed to be curtilage listed, and outlined blue on the attached plan. Replacement gutters to be cast iron 115 half-round painted black. | Approved | |
| 15/01694/COUNO T | Conversion of barn to single dwelling. | Determination | 14.01.2016 |
| 17/00409/LBC | Removal of attached hoods within inglenook fireplaces to fit pot hanger cowl to external chimneys. | Approved | 15.05.2017 |
| 18/00106/FUL | Change of use from Sui Generis to B2, and installation of a cesspit. | Approved | 18.04.2018 |
| 18/01390/FUL | Change of use of storage building into ancillary living accommodation. | Current | |

4. **Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN22 Extensions or Alterations to a Listed Building

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

PPL9 Listed Buildings

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.

5. Officer Appraisal

Site Description

The application site is an outbuilding within the curtilage of Bovills Hall, which is located to the north-eastern section of St Osyth Road West, within the parish of Little Clacton. Bovills Hall is a Grade II Listed Building. The immediate character is one of a semi-rural appearance; with residential development to the north and south. Further out are large areas of 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.

Bovills Halls listing is as follows:

LITTLE CLACTON ST. OSYTH ROAD TM 11 NE 7/113 Bovill's Hall 17.11.66 II GV House. C15/C16 of possibly earlier origin with later alterations and additions. Timber framed and rough rendered. Red plain tiled roofs. Off centre red brick chimney stacks, to west and east ranges and external stack to west range. L-plan with forward east range (right). The western range (left) with outshot to left and centre gable. Right range gabled stair turret wall incorporated into left range front wall. 2 storeys. 1:2 first floor windows to L-plan face. 2:2 windows to ground floor, that to left a bay, of various small paned casements and vertically sliding sashes. C20 hipped tiled roof to porch at inner angle, plank and muntin door. Internally much timber frame exposed with close studding and heavy chamfered bridging joist. Halved and bridled top plate scarfs. The left wing with later corridor below the gable. Jowled storey posts. Arched braces to tie beams, original doorway, back to back inglenook fireplaces one with semi-circular back. 2 C18 corner cupboards, and some moulded doors. Early board front door. The 5 bay right range with similar frame the stair turret now incorporated into the front corridor and with a later staircase. The southern bay probably of older origin. Very large chimney stack, back to back fireplaces, that to kitchen with brick firing arch and oven over with cast iron door.

Proposal

This application seeks Listed Building Consent for alterations involved in relation to the conversion of the existing storage building within the curtilage of Bovills Hall, which is itself curtilage listed, into ancillary living accommodation.

The proposal will see the removal of the lean-to roof, inclusion of patio doors, a replacement front door, one obscure glazed rear elevation window, one side elevation window, replacement front

windows, the replacement of the existing front elevation double doors with windows and repair works to the cupola. Internal amendments include replacement flooring, the removal of a partition wall and the inclusion of stud partitions to create an area habitable for living accommodation.

Appraisal

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

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.

In this instance, the proposal seeks various alterations to the curtilage listed property, as explained in further detail above. All works proposed are minor in nature and are in aid of restoring the existing dilapidated building. Whilst there were initial concerns that the proposed windows in particular were of a more modern design not in-keeping with the existing building, amended plans have been submitted by the agent for the application that have addressed this. Other works will include the removal of the more modern asbestos roof serving the lean-to extension, and repairs to the cupola, which is a key feature on this building; its repair would aid in the buildings renaissance. Internal works including a stud partition is easily reversible. Whilst the removal of the internal wall is not desirable, the merits of this building lie with its external appearance which forms a strong part of the setting of Bovills Hall, and therefore there will not be significant harm to the historic importance as a result.

It is therefore considered that the proposed works will not detrimentally harm the character, appearance or historic fabric of the curtilage listed building.

Other Considerations

Little Clacton Parish Council have not commented but recommend approval to the full application of the same proposal so long as measures are in place to ensure the proposal is connected to Bovills Hall and does not become an independent residential dwelling or used for commercial purposes.

There have been no other letters of representation 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, drawing numbers 1 and 2 Revision B, and the untitled Block Plan and Site Location Plan.

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

- 3 Before any work is commenced drawings to a scale of not less than 1:20 fully detailing the new or replacement windows and doors to be used and indicating materials and method of glazing shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be installed/carried out in complete accordance with the approved details.

Reason - To protect the special character and architectural interests and integrity of the listed building.