

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	01/03/19
Planning Development Manager authorisation:	SCE	04.03.19
Admin checks / despatch completed	RW	5/3/19

ER

Application: 18/01749/FUL **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Mr Stephen Brading

Address: Owl Cottage 16 The Street Ramsey

Development: Demolish and rebuild a section of garden wall.

1. Town / Parish Council

Ramsey and Parkeston Parish Council supports this application.

2. Consultation Responses

N/A

3. Planning History

TPC/98/40	Works to 2 Hollies	Current	28.04.1998
TPC/95/30	Fell Conifers and holly	Current	31.07.1995
94/00559/FUL	Rear extension and alterations	Approved	23.08.1994
95/01164/FUL	(Owl Cottage, The Street, Ramsey) Alterations and Extensions	Approved	08.11.1995
11/00404/TCA	1 No. Tree of Heaven - remove 20ft of growth from the top of the tree	Approved	26.04.2011
13/60018/HOUEN Q	replacement of ground floor bathroom facilities.	No PP required	23.01.2013
18/01749/FUL	Demolish and rebuild a section of garden wall.	Current	
18/01750/LBC	Demolish and rebuild a section of garden wall.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

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

EN17 Conservation Areas

EN22 Extensions or Alterations to a Listed Building

EN23 Development Within the Proximity of a Listed Building

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

SPL3 Sustainable Design

PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 (including Site Description and Proposal)

Site Description

The application site is Owl Cottage, 16 The Street, Ramsey, Harwich which is a terrace of three listed cottages. The application site is located within the development boundary of Ramsey and within a Conservation Area.

The listed description is as follows:

3 cottages, formerly 4. Comprising pair of early/mid-C17 cottages (Nos.16 & 17 which are now Owl Cottage, and No.15) plus C18 addition (No.14). Timber-framed, refronted in rendered brickwork with tiled roof having central and end brick chimney stacks both rebuilt on exterior. Nos. 15 and Owl Cottage are one storeyed with attics, 3 bays. Three gabled dormers and C20 casements below. Owl Cottage has cambered doorcase. Sawtooth eaves cornice. No. 14 has projecting gable and horned sash. Interior: no. 16 element has open fireplace with wooden bressumer, stop-chamfered spine beam and end wall with unusual serpentine bracing similar to examples in nearby Harwich.

This row of cottages forms an integral part of the architectural pattern of the village and the C17 cottages contain interesting serpentine bracing within their timber frame.

Proposal

The application seeks retrospective planning permission for the demolition and rebuilding of a section of wall to the south west of the host dwelling. The wall measures 15 metres in length, 22 cm in depth with an overall height of 2 metres. The wall will be constructed from salvaged bricks, reclaimed bricks and Imperial Weathered soft red bricks with lime cement.

Assessment

The main considerations for this application are the design and appearance, impact upon neighbouring amenities and heritage impact.

Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposed demolition and rebuild section of the garden wall will be visible from the street scene of The Street, however due to the proposal being set back by approximately 6 metres away from the street scene as well as the fact that the application is to rebuild the existing wall using reclaimed bricks, it is considered that the proposal will create a visual improvement.

Impact upon neighbouring amenities

The wall is located to the south western elevation of Owl Cottages and therefore although the neighbouring dwelling to the north east will have views of the wall, due to the approximate distance of 4 metres and the proposal is to replace the existing wall, it is considered that the proposal will not have any significant impact upon neighbouring amenities.

The proposal will be visible to the neighbouring dwelling to the South East '18 The Street'. However as the application is to demolition and rebuild the existing wall which is in a state of repair, it is considered that the proposal will be beneficial to the neighbouring dwelling and therefore it will not cause any significant impact.

Heritage Impact

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act imposes a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

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.

Policy EN17 of the Tendring District Local Plan 2007 and Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document (July 2016) state that development within a Conservation Area must preserve or enhance the special character or appearance of the Conservation Area.

Paragraph 189 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is reflected by saved policy EN23 of the Tendring District Local Plan (2007) and emerging Policy PPL9 of the Tendring District Council Local Plan 2013-2033 and Beyond Publication Draft (June 2017). Both these policies also confirm that development should be of a scale, design and use that respects the listed building and its setting.

The proposal will restore the boundary wall to its original state using reclaimed bricks from the rubble or matching reclaimed bricks. The bond and mortar will also match the existing. The proposal is considered acceptable in listed building terms being a repair to an existing wall in a suitable and sympathetic manner.

The plans submitted show an extensive array of on-site photographs that show the existing brick plinth in a state of decay. The proposed works will see replacement works to the brick boundary wall. Given that the works are all with the intention of maintaining the buildings historic fabric, including the removal of decayed areas and re-use of materials where possible, and that the proposal is not in a good state of repair, the works will be beneficial to the buildings preservation. The works will result in a small visual enhancement to the curtilage listed building. 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.

Therefore, there is not considered to be significant harm identified to harm the setting of the Listed Building or impact upon the Conservation Area, and the proposals are therefore acceptable against this criteria.

Other Considerations

Ramsey and Parkeston Parish Council supports this application.

No letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. **Recommendation**

Approval - Full

7. Conditions / Reasons for Refusal

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and document: Site Location Plan Scale 1:1250, Block/Site Plan 1:200 on A4, Drg No. A0 SMH 2/o, Scale plan of garden wall section Scale 1:100 and Design, Access and Heritage Statement dated 29th October 2018

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.

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