

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	07/05/2019
Planning Development Manager authorisation:	SCE	07-05-19
Admin checks / despatch completed	pw	7/5/19

SR

**Application:** 19/00030/FUL                                      **Town / Parish:** Lawford Parish Council  
**Applicant:** Mr and Mrs Edmond  
**Address:** Shirburn Mill Mill Hill Lawford  
**Development:** Part single and part two storey extension and alterations.

### 1. Town / Parish Council

Lawford Parish Council          Council has no objection to this application

### 2. Consultation Responses

Not Applicable

### 3. Planning History

92/00043/FUL	Proposed replacement of felted flat roof to existing two storey rear extension, with Natural Slated pitched roof, enlarging existing single storey extensions	Approved	31.03.1992
92/00044/LBC	Replacement of felted flat roof to existing two storey rear extension. Enlargening of existing single storey extensions to rear and left hand flank elevations.	Approved	31.03.1992
98/00632/LBC	(Shirburn Mill, Lawford) Repair of basement wall and roof structure. Installation of handrailing and rainwater goods. Reconstruction of existing garden wall	Approved	10.07.1998
18/00096/FUL	Erection of a detached two storey dwelling & single storey cartlodge. Repairs to existing mill, along with conversion to residential annexe.	Approved	11.12.2018
18/00097/LBC	Repairs to existing mill to facilitate conversion to residential annexe.	Approved	11.12.2018
19/00030/FUL	Part single and part two storey extension and alterations.	Current	
19/00031/LBC	Part single and part two storey extension and alterations.	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

EN1 Landscape Character

EN5 Areas of Outstanding Natural Beauty (AONB's)

EN22 Extensions or Alterations to a Listed Building

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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

SPL3 Sustainable Design

PPL3 The Rural Landscape

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 lies outside of any settlement development boundary within both the adopted and emerging local plans and within the Dedham Vale Area of Outstanding Natural Beauty. This application refers to Shirburn Mill House, a Grade II Listed building which has a group value with Shirburn Mill. Shirburn Mill is a Grade II listed building which was placed on the at risk register in 2010.

The listing description is as follows:

House. Early C19. Red brick. Hipped grey slate roof. Rear chimney stack. 2 storeys. Lower range to right curved to right with hipped roof. Central bay breaks forward. 3 window range of small paned vertically sliding sashes, moulded surrounds tumble-in arches to ground floor. Central panelled door with 2 upper lights, reveal panels, frieze flat canopy, fluted pilasters and fluted columns.

### Proposal

This application seeks planning permission for a part single and part two storey extension and alterations. The single storey extension will measure 6 metres in width, 4.5 metres in depth with an overall height of 3 metres (3.5 metres including the roof light). The two storey extension will measure 3.9 metres in width, 5 metres in depth with an overall height of 6.2 metres.

This application is also accompanied by a Listed Building Consent reference 19/00031/LBC for a part single and part two storey extension and alterations.

The plans have been amended as the officer had concerns with the length of the proposed two storey extension. The plans were amended to incorporate a blind recessed window which is considered to reduce the prominence of the two storey extension.

### Assessment

The main considerations for this application are the principle of development, design and appearance, impact upon neighbours, heritage impact and landscape impact.

#### Principle of development

The site is outside the Settlement Development Boundary (SDB). Saved policy HG12 states that proposals for an extension to an existing dwelling outside the SDB will be permitted provided that, among other things, the extension is of a size, scale and height in keeping with the character of the locality, is well related and in proportion to the original dwelling, retains sufficient space around the dwelling to protect its setting and would not adversely affect adjoining properties. The principle is acceptable subject to the proposal complying with the following considerations.

#### Design and Appearance and 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.

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 EN22 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 respect the listed building and its setting.

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.

A heritage statement has been provided in accordance with the above requirements.

The application seeks the removal of the C20 single storey lean to extension currently serving the larder, which will be replaced with a single storey extension. As the single storey lean to extension is 20th century, the removal of this is not considered significant as it is not part of the original dwelling.

The proposed single storey extension will be located to the rear of the host dwelling and it will not be visible from the streetscene of Mill Hill. The proposal will be constructed using glass panes all of equal size, moulded pilasters and decorative frieze running around the perimeter of the roof which will complement the existing late Victorian architecture. Due to the single storey nature of the proposal, the use of matching materials to those used within the host dwelling and the design being that of a traditional orangery, it is considered that the extension will not cause any significant impact upon the street scene.

The two storey extension will be located to the south easterly elevation and therefore there will be views of the proposal from Mill Hill, however due to the proposal being set back by approximately 50 metres as well as the landscaping denoting the boundary of the application site, it is considered that the proposal will not cause any significant impact upon the street scene of Mill Hill. The materials proposed; soft red facing brickwork, natural slate roof and black uPVC are all materials that will match the host dwelling. In terms of the design of the proposal, the width, eaves height and roof pitch are considered to match the existing rear range of the house and the existing subservient rear roof. A recessed blind window is located on the south easterly elevation of the extension to help break up the extension and reduce its prominence.

The application seeks alterations to the internal layout of the host dwelling. The ground floor of the dwelling involves the removal of several walls located within the kitchen which will open out onto the proposed breakfast room. The application also involves the blocking up of existing windows and proposes a new opening to access the master bedroom to the first floor of the two storey extension. Although this will result in the loss of some historic fabric, it is not considered significant enough to warrant a reason for refusal.

As the proposed extensions are situated to the north east and the south west of the host dwelling it is considered that the extensions will not be visible to The Mill and therefore the proposals will not impact upon the setting of the Listed Building. Views may be possible of the extensions from 'The Cottage', however due to the significant distance of 50 metres to the neighbouring boundary as well as mature vegetation which will help to screen the proposal, the extensions will not impact upon the setting of the Listed Building.

Therefore, there is not considered to be significant harm identified to harm the setting of the Listed Building, and the proposal is therefore acceptable against this criteria.

#### Impact upon Neighbouring Amenities

Given the significant separation distances and vegetation between the proposed dwellings and the neighbours at The Cottage, Mill Cottage and Shirburn Mill House, there would not be any significant harm to neighbouring amenities.

#### Landscape Impact

Policy EN5 of the Tendring District Local Plan 2007 states that development which would harm or otherwise fail to conserve the natural beauty of the landscape of an AONB, including views

towards it from outside, will not be permitted. Policy PPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) states that development proposals affecting protected landscapes must pay particular regard to the conservation and enhancement of the special character and appearance of the Dedham Vale AONB.

The application is for a single storey rear and two storey side extension. It is considered that due to the proposals being constructed from matching materials to those used within the host dwelling as well as the extensions being of a scale in keeping with the Shirburn Mill House, there will have no significant impact on the landscape of the area.

#### Other Considerations

Lawford Parish Council does not object to 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 begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning 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 No. 5616.05 Revision A, Drawing No. 5616.06 and Design, Access and Heritage Statement dated 7th January 2019.

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

- 3 Before any above ground works are commenced drawings to a scale of not less than 1:20 fully detailing the new windows and doors and their surrounds to be used and indicating: materials; cross sections for glazing bars, sills, heads etc at a scale of 1:20; method of opening; 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 - The application relates to a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

### 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.

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