

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|----------|
| File completed and officer recommendation: | NH | 07/05/19 |
| Planning Development Manager authorisation: | SCE | 07.05.19 |
| Admin checks / despatch completed | PW | 7/5/19 |

GR

Application: 19/00031/LBC **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

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| 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 | |

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 (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 Full Planning application reference 19/00031/FUL 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.

Appraisal

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.

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 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 streetscene.

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.

Other Considerations

Lawford Parish Council does not object to this application.

No letters of representation have been received.

Conclusion

It is considered that the proposal will not result in any adverse impact on the character, appearance and historic fabric of the listed building. The application is therefore recommended for approval.

6. Recommendation

Approval - Listed Building Consent

7. Conditions / Reasons for Refusal

- 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 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 work is 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
Not Applicable

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| 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 |