

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	13.6.19
Planning Development Manager authorisation:	AN	13/6/19
Admin checks / despatch completed	XNE	13/06/19.

Application: 19/00263/LBC **Town / Parish:** Lawford Parish Council
Applicant: Mrs Elizabeth Quin
Address: Wisdoms Barn Hungerdown Lane Lawford
Development: Proposed replacement of windows and patio doors throughout property apart from the actual barn.

1. Town / Parish Council

Mrs Peachey - Lawford
Parish Council

Council has no objection to this application

2. Consultation Responses

None received

3. Planning History

05/00013/AGRIC Erection of new building Determination 31.03.2005

09/01102/LBC Conversion of redundant agricultural barn to form 1 no. residential dwelling with associated works; demolition of existing agricultural buildings; conversion of existing agricultural building to stable block, as amended by drawing nos. 805/09/100 RevB, 805/09/101 RevA, 805/09/102 RevA, 805/09/103 RevB and 805/09/04 RevA received on 21 December 2009, and amended structural survey received on 21 December 2009. Approved 05.02.2010

09/01103/FUL Conversion of redundant agricultural barn to form 1 no. residential dwelling; erection of 3-bay cartlodge (following demolition of existing cartlodge); conversion of agricultural building to stable block; change of use of agricultural land to domestic garden; alteration to existing vehicular access and associated works, as amended by Approved 05.02.2010

drawing nos. 805/09/100 RevB, 805/09/101 RevA, 805/09/102 RevA, 805/09/103 RevB and 805/09/04 RevA received on 21 December 2009, and amended structural survey received on 21 December 2009.

10/00992/FUL	Conversion of redundant agricultural barn to form 1 no. residential dwelling; including part conversion / part re-build of former piggery building; erection of 3-bay cartlodge (following demolition of existing cartlodge); conversion of agricultural building to stable block; change of use of agricultural land to domestic garden and grazing land; alteration to existing vehicular access and associated works.	Approved	09.11.2010
10/00993/LBC	Conversion of redundant agricultural barn to form 1 no. residential dwelling with associated works including part conversion / part rebuild of former piggery building; demolition of existing agricultural buildings; conversion of existing agricultural building to stable block.	Approved	09.11.2010
14/01065/FUL	Proposed conversion of existing outbuilding to form study space and playroom.	Approved	05.09.2014
14/01067/LBC	Proposed conversion of existing outbuilding to form study space and playroom.	Approved	05.09.2014
19/00263/LBC	Proposed replacement of windows and patio doors throughout property apart from the actual barn.	Current	

4. **Relevant Policies / Government Guidance**

National Planning Practice Guidance

NPPF National Planning Policy Framework February 2019

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

EN23 Development Within the Proximity of a Listed Building

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

SPL3 Sustainable Design

PPL9 Listed Buildings

Local Planning Guidance

Essex Design Guide

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)

The site is at Wisdoms Barn on the northern side of Hungerdown Lane and is outside of any defined settlement as established in the saved and draft local plans. The site is used as a residential dwelling and is composed of a former barn and other outbuildings. The former barn ("Wisdoms Barn") is a Grade II Listed Building.

The historic building survey shows that the site was unoccupied until the mid C18th. The old farmhouse (dated to the C16th in the listings) was accompanied by a newly built modern threshing barn. Constructed almost entirely out of reused timbers from earlier buildings it may have represented the rebirth of a farmstead so small it didn't merit a name on the map.

The listing Description mentions that the Barn is of 'C16 origin' and this description has been carried through subsequent accounts. However there is nothing in the carpentry of the Barn to suggest it is any earlier than the C18th. Most of the timbers are reused from earlier buildings as was the custom at the time and the archaic carpentry mark left on one of the straight braces indicates at least one mediaeval building was broken up.

The farmyard was fully developed by 1838 with buildings roughly corresponding to the position of those existing today. It must be assumed that they were all timber-framed as they have left no trace when removed.

The farm appears to remain static until just before the Second World War when it was converted into a piggery and planning applications for agricultural buildings on the site were submitted as

recently as 2005. In 2009 the first of a number of applications were approved to convert the buildings on the site to residential.

Description of Proposal

The application seeks Listed Building Consent to make changes to a number of window/door openings to buildings other than the barn itself within the curtilage. None of the buildings themselves are listed; notwithstanding this, Planning (Listed Buildings and Conservation Areas) Act 1990 provides that buildings and other structures that pre-date July 1948 and are within the curtilage of a listed building are to be treated as part of the listed building.

No enlargement of the width of openings is proposed; the consent typically proposes replacing the timber frames with aluminium frames, manufactured in colour 7016 which has a dark grey appearance. Currently most of the frames in the buildings are a pale grey. It is proposed to make 10 changes and these are detailed here:-

Spare Bedroom 6	Pair of patio doors	replace frame only
Spare Bedroom 6	Set of seven elongated fixed windows	replace frame replace outer two units with openable units
Kitchen	Set of two openable doors with fixed sidelights	replace frame replace whole unit for bi-fold doors
Kitchen/Family room	Pair of patio doors	Replace unit with a window
Bedroom 3	Two windows	replace frame only
Bedroom 2	Pair of patio doors	replace frame only
Bedroom 1	Pair of patio doors with fixed sidelights	Replace frame replace outer two units with openable units
WC	Single window	replace frame only

Appraisal

The adopted Tendring District Local Plan (2007) "Saved" Policy QL9 seeks to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. The dwelling is located outside the settlement boundary.

Design and Appearance

The Government attach 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 130 is to always seek to secure high quality design.

Visually the changes to the external faces of the buildings would be indiscernible from the existing openings and are entirely appropriate for the dwelling.

Listed Building

Saved Policy EN23 requires that development within the proximity of a Listed Building that would adversely affect the setting of a Listed Building, including group value and long distance views will not be permitted. Emerging Policy PPL9 states that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance, fabric. Further that the proposal is explained and justified through an informed assessment and understanding of the significance of the heritage asset and its setting; and are of a scale, design and use materials and finishes that respect the listed building and its setting.

There are no works proposed to the listed building itself. Primarily the works are a like-for-like replacement in terms of the size of the openings. In terms of the impact on the setting of the listed building, the frame colour proposed is considered to enhance the setting of the listed building as it would more closely match the dark-stained weatherboarding of the barn itself. Although aluminium is a modern finish for window frames in comparison to the existing timber, it is considered the dark colour of these frames would be indiscernible from timber. Accordingly the listed building and its setting would be respected.

6. Recommendation

Approval - Listed Building Consent

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 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 plan: un-numbered WINDOW AND PATIO DOOR SPECIFICATONS received 15th February 2019.

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?		No
Are there any third parties to be informed of the decision?		No