

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	24/06/19
Planning Development Manager authorisation:	AN	24/6/19
Admin checks / despatch completed	SB	25/06/19

**Application:** 19/00678/FUL                      **Town / Parish:** Ardleigh Parish Council

**Applicant:** Mr David Coxs

**Address:** Plains Farm Plains Farm Close Ardleigh

**Development:** Proposed rebuild of existing cartlodge.

### 1. Town / Parish Council

Ardleigh Parish Council      No comment.

### 2. Consultation Responses

Essex County Council  
Heritage

The proposal is for the dismantling and rebuilding of the existing cartlodge, which forms part of the setting of the Grade II Listed Plains Farmhouse building, an early C17, timber framed and rendered red brick building, the roof of which is gabled in plain tiles.

The existing cartlodge is a soft-wood timber-framed structure, with black-painted timber boarding to its external walls. The roof is of two parts with differing heights, the taller of which is covered with pantiles, the remaining part of the roof being covered with corrugated steel. A search of the historic mapping covering the site shows a building of similar dimensions in exactly the same place, as early as the OS 1st edition, 1862-96, with subsequent editions also showing an identical structure. The heritage statement submitted with the application does not mention a likely date for the cartlodge's construction, nor the extent of any surviving early fabric within the building. Therefore, it is possible that some nineteenth century fabric (or earlier) could remain within the building to be demolished. There is therefore potentially more historical significance to the relationship between the existing cartlodge and the Listed Building.

In this instance the heritage statement has not made a full assessment of the buildings significance and therefore, it is not compliant with paragraph 189 of the NPPF. I therefore cannot support this application in principle at this time.

I would recommend the applicant commissions a historic building assessment, detailing the date of the earliest fabric and subsequent phases of development, in order that the significance of the building can be fully understood.

With regard to the design of the proposed new building, the opportunity to enhance the setting of the listed building has not been fully realised with the choice of roofing materials. The proposal would simply replicate the existing profile steel roof covering, while a material that complements the tiles of the Listed building, or replicates



the existing pantiles of the cartlodge, would help to enhance the setting of the Listed Building.

### 3. Planning History

00/00571/FUL	Swimming pool and enclosure	Withdrawn	27.02.2001
00/00709/LBC	Swimming pool and enclosure. Red brick, black feather edge boarding and glazed link red plain tile roof	Withdrawn	27.02.2001
01/00830/FUL	Retention of two portacabins used for office accommodation and mess room facilities permitted under TEN/97/1072 for a further five years additional to condition 01.	Approved	01.08.2001
01/00831/FUL	Stationing of additional portacabin for office purposes adjacent to existing office buildings	Approved	01.08.2001
02/00437/FUL	Change of use of former timber storage barn to workshop, garage and dispatching, partial external recladding and timber entrance doors	Approved	20.06.2002
02/00438/FUL	Extension/conversion of existing workshop to office for Cox Landscapes Limited	Approved	19.06.2002
96/01109/FUL	(Plains Farm, Ipswich Road, Ardleigh) Change of use from farming to premises and land for horticultural/landscaping contractor including production of fencing.	Approved	12.11.1996
97/01072/FUL	Retention of two portakabins used for office accommodation and mess room facilities	Approved	17.10.1997
99/00143/FUL	Change of use agricultural to landscape contractors use	Refused	05.11.1999
99/00654/LBC	Alterations to windows - painted softwood to replace Crittal metal windows	Approved	26.07.1999
99/01692/FUL	Change of use agricultural to landscape contractors use	Refused	27.01.2000
87/00051/LBC	Erection of 6 det dwelling houses and garages	Approved	14.04.1987
87/01641/LBC	5 New houses with garages and resitting road	Approved	10.11.1987



90/00139/FUL	Two pairs of semi detached houses with integral garages.	Refused	20.03.1990
82/00463/LBC	Change of use of old farm buildings to self contained flats	Refused	15.06.1982
07/01485/FUL	Proposed demolition and replacement of existing outbuilding.	Withdrawn	18.01.2008
08/00668/LBC	Demolition of outbuilding within curtilage of listed building.	Approved	23.06.2008
08/01620/FUL	Change of use of former timber storage barn to workshop, garage and dispatching, partial external recladding and timber entrance doors. Removal of Condition 02 attached to planning permission 02/00437/FUL.	Approved	28.01.2009
08/01621/FUL	Extension / conversion of existing workshop to office. Removal of Condition 02 attached to planning permission 02/00438/FUL.	Approved	28.01.2009
08/01622/FUL	Removal of Condition 03 attached to planning permission TEN/96/1109 for change of use from farming to premises and land for horticultural / landscaping contractor including production of fencing.	Approved	28.01.2009
12/00977/FUL	Replacement outbuilding, following demolition of outbuilding within the curtilage of a listed building.	Withdrawn	14.08.2015
12/01096/LBC	Replacement outbuilding, following demolition of outbuilding within the curtilage of a listed building.	Withdrawn	14.08.2015
18/00403/FUL	Erection of residential annexe on partial footprint of previously demolished stable block.	Approved	27.06.2018
18/00404/LBC	Erection of residential annexe on partial footprint of previously demolished stable block.	Approved	27.06.2018
18/01128/FUL	Erection of residential annexe on partial footprint of previously demolished stable block. (Proposed additional window to office to existing approved application 18/00403/FUL).	Approved	15.10.2018
18/01129/LBC	Erection of residential annexe on partial footprint of previously demolished stable block. (Proposed additional window to	Approved	30.08.2018



	office to existing approved application 18/00404/LBC).		
18/01473/FUL	Removal of condition 4 of 18/00403/FUL - external facing and roofing materials.	Approved	
18/01545/DISCON	Discharge of condition 4 (Materials) to approved planning application 18/00403/FUL and Condition 3 (Materials) to 18/00404/LBC.	Approved	24.09.2018
19/00679/LBC	Proposed rebuild of existing cartlodge.	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

EN23 Development Within the Proximity of a Listed Building

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

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

SPL3 Sustainable Design

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 Plains Farm, Plains Farm Close, Ardleigh. The site contains a Grade II Listed Building to the southern end, with numerous other outbuildings throughout. The immediate character is one of a semi-rural appearance, Whilst the site has an open character, there are numerous buildings throughout giving it a semi-rural feel. Further out to the west sees numerous residential and commercial development; further out to the south and east are large areas of grassed and 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.

### Building Listing

House, former farmhouse, early C17. timber framed and rendered with red brick, gabled, south wall and some red brick in rear wall. Roof is gabled in plain tiles. Of two storeys with attics with extensive single storey extensions. Single storey red brick brewhouse with gabled plain tile roof and gable end stack, attached to front (former rear) elevation. Two storey red brick C19 extension to present rear (east) with gabled roof. Present front (west) elevation has off centre rectangular ridge line stack and gabled porch of red brick with arched entrance and bargeboards. First floor has a 20 pane double hung sash window either side of a narrower double hung sash window with central vertical glazing bar. Ground floor has a similar 20 pane double hung sash either side of the porch. Brewhouse has mixture of casements and sash windows. Rear roof of main block has 2 three light C20 small paned sash and a tripartite small paned double hung sash on ground floor. Rear extension has mixture of C19 small paned casements and sash windows. Extensive C20 rear and side extensions with flat roofs.

### Proposal

This seeks planning permission for the demolition and re-construction of an outbuilding located to the west of the Grade II Listed Building, which is also a curtilage listed building.

The replacement outbuilding will be single storey, measuring 4.8m in height, 12m in width and 8.4m in depth, and will be constructed with black painted timber and black polyester sheeting.

### Assessment

#### 1. Visual/Heritage Impacts

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek 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. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

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.



Policy EN22 of the Saved Plan states that development involving proposals to extend or alter a Listed Building will only be permitted where; it would not result in the damage or loss of features of special architectural or historic interest; and the special character and appearance or setting of the building would be preserved or enhanced. Policy EN23 of the Saved Plan states that proposals for development that would adversely affect the setting of a Listed Building, including group value and long distance views, will not be permitted. These requirements are carried forward to Policy PPL9 of the Emerging Publication Draft (June 2017) which also requires the use of building materials, finishes and building techniques that respect the listed building and its setting.

The existing and proposed cartlodes are sited to the south-western corner of the site. While the building is prominent within the site itself, the overall site is well set back from Plains Farm Close by approximately 150 metres. Given this, it is considered there will be a neutral impact to the character of the surrounding area as a result of a proposed cartlodge, subject to the design.

The existing cartlodge is a soft-wood timber-framed structure, with black-painted timber boarding to its external walls. The roof is of two parts with differing heights, the taller of which is covered with pantiles, the remaining part of the roof being covered with corrugated steel. The proposed design, with the choice of replicating the existing profile steel roof covering, has failed to enhance the setting of the listed building. The proposal would simply replicate the existing profile steel roof covering, while a material that complements the tiles of the Listed Building, or replicates the existing pantiles of the cartlodge, would help to enhance the setting of the Listed Building.

A search of the historic mapping covering the site shows a building of similar dimensions in exactly the same place, as early as the Ordnance Survey 1st edition, 1862-96, with subsequent editions also showing an identical structure. The heritage statement submitted with the application does not mention a likely date for the cartlodge's construction, nor the extent of any surviving early fabric within the building. Therefore, it is possible that some nineteenth century fabric (or earlier) could remain within the building to be demolished. There is therefore potentially more historical significance to the relationship between the existing cartlodge and the Listed Building.

In this instance the heritage statement has not made a full assessment of the buildings significance and therefore, it is not compliant with paragraph 189 of the NPPF.

The identified less than substantial harm caused to the heritage asset is not outweighed by significant public benefits. Consequently, the proposals fails to accord with paragraph 196 of the National Planning Policy Framework 2019 and the afore-mentioned local and national planning policies.

## 2. Impact upon Neighbours

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The nearest neighbouring property is approximately 35m to the west, and therefore there will be a neutral impact to their existing amenities as a result of the proposed annexe.

### Other Considerations

Ardleigh Parish Council have not commented on the application.

There have been no other letters of representation received.

## 6. Recommendation

Refusal.



## **7. Reason for Refusal**

- 1 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.

Policy EN22 of the Saved Plan states that development involving proposals to extend or alter a Listed Building will only be permitted where; it would not result in the damage or loss of features of special architectural or historic interest; and the special character and appearance or setting of the building would be preserved or enhanced. Policy EN23 of the Saved Plan states that proposals for development that would adversely affect the setting of a Listed Building, including group value and long distance views, will not be permitted. These requirements are carried forward to Policy PPL9 of the Emerging Publication Draft (June 2017) which also requires the use of building materials, finishes and building techniques that respect the listed building and its setting.

In this instance the proposal is for the dismantling and rebuilding of the existing cartlodge, which forms part of the setting of the Grade II Listed Plains Farmhouse building.

The submitted heritage statement does not mention a likely date for the cartlodge's construction, nor the extent of any surviving early fabric within the building. A search of the historic mapping covering the site shows a building of similar dimensions in exactly the same place, as early as the Ordnance Survey 1st edition, 1862-96, with subsequent editions also showing an identical structure. Therefore, it is possible that some nineteenth century fabric (or earlier) could remain within the building to be demolished. There is therefore potentially more historical significance to the relationship between the existing cartlodge and the Listed Building.

Further, with regard to the design of the proposed new building, the opportunity to enhance the setting of the listed building has not been fully realised with the choice of roofing materials, simply replicating the existing profile steel roof covering instead of a material that compliments the tiles of the Grade II Listed Building.

The heritage statement has not made a full assessment of the buildings significance and therefore, it is not compliant with paragraph 189 of the National Planning Policy Framework (2019). The identified less than substantial harm caused to the heritage asset is not outweighed by significant public benefits. Consequently, the proposals fails to accord with paragraph 196 of the National Planning Policy Framework (2019) and the afore-mentioned local and national planning policies.

## **8. Informatives**

### **Positive and Proactive Statement**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Future Application:



Within any future re-submission of this application, a robust heritage statement, that provides evidence for the approximate date of the building's construction and the extent of any early/original fabric, is categorically required. The demolition of the building will undoubtedly have an impact on the setting of the Listed building and the heritage statement will need to assess this impact. In addition, the impact of any new design upon the Listed building's setting will also need to be assessed. This level of detail is in proportion to the to the importance of the Listed building and its setting and is no more than is required to understand the potential impact of the proposal, as stated in paragraph 189 of the NPPF.