

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	27/06/2019
Planning Development Manager authorisation:	AN	27/6/19
Admin checks / despatch completed	WHE SB	27/06/19 27/06/19.

**Application:** 19/00286/FUL **Town / Parish:** Ardleigh Parish Council

**Applicant:** Mrs Wendy Brothers

**Address:** Beaumaris Dead Lane Ardleigh

**Development:** Replacement single storey rear extension.

### 1. Town / Parish Council

Ardleigh Parish Council have not commented on this application.

### 2. Consultation Responses

N/A

### 3. Planning History

19/00286/FUL	Replacement single storey rear extension.	Current
19/00287/LBC	Replacement single storey rear extension.	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

EN22 Extensions or Alterations to a Listed Building

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

### **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 application site is Beaumaris, Dead Lane, Ardleigh, which along with the adjacent property 'Witheys' form a pair Grade II Listed Cottages. The surrounding area is semi-rural in character, with some nearby, predominantly detached, residential properties; however further out there are large areas of grassed or 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.

The listing is as follows:

1/14 Beaumaris and Witheys

GV II

Pair of cottages. C18/C19. Timber framed and plastered. Thatched roof. End and central red brick chimney stacks. One storey and attics, each cottage with 2 eyebrow dormers. 6 window range of C20 casements. Vertically boarded doors off centre of each cottage. Frame of through braced studs. Included for group value.

Proposal

The application seeks planning permission for the replacement single storey rear extension. The proposal is split into two parts; the hallway and kitchen, diner and bathroom. The hallway will measure 7.8 metres in width, 1.1 metres in depth with an overall height of 2.9 metres. The kitchen, diner and bathroom will measure 8.7 metres in width, 5.1 metres in depth with an overall height of 2.7 metres.

## 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 extension will be located to the rear of the host dwelling and with some views from Dead Lane. The proposal will be constructed from white render to match the host dwelling with a natural zinc standing seam roof covering. A condition has been imposed to ensure that samples of the materials are submitted to and agreed in writing by the Local Planning Authority. It is therefore considered that the proposal will not cause any significant impact upon the street scene.

### Impact upon neighbouring amenities

The proposal will be located approximately 4.5 metres away from the neighbouring boundary to the south east and due to the single storey nature of the extension as well as the flat roof, it is considered that the proposal will not cause any significant impact upon neighbouring amenities. The proposal will be located approximately 1 metre away from the neighbouring boundary to the north east. There are two windows proposed on the north easterly elevation however the plans demonstrate that they will be obscure glazed and therefore a condition will be imposed to ensure that they will be retained thereafter to reduce any impact of overlooking onto the neighbouring amenities. Due to the single storey nature of the proposal as well as the flat roof, it is not considered that the proposal will cause any significant impact upon neighbouring amenities.

### Heritage Impact

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. 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.

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

Following previous Historic Buildings and Conservation comments the applicant has submitted new revised drawings showing a change in design for the proposed extension. The existing extension houses a kitchen and bathroom, the removal of which would allow the repair and conservation of the historic fabric of the Listed Building, which has been plastered in cement render, retaining moisture. The siting of a shower against the wall of the historic building has also led to water ingress to the timber frame. The proposal offers the beneficial opportunity to assess the condition of the historic fabric and repair damage.

The infill panels (lath and plaster, or wattle and daub), along with the condition of studs and a sill beam will be assessed. Tendring District Council are to be informed of the extent of damage and proposals for repair. It is likely repairs would include the replacement of the cement render with a breathable, lime render which would be beneficial. If the lime plaster is subsequently to be painted,

a breathable paint will be required. Structural timbers, studs, a sill beam, laths and plaster should be replaced in like-for like materials as required, with the minimum amount of original fabric to be removed in order to facilitate the repairs.

The Heritage Report states that all stud ends will be mortice, tenoned and oak pegged into the existing or replacement sill beam. Often pegs are reserved for main structural elements, such as posts, rails, beams and joists, while studs are commonly morticed and tenoned in an unpegged joint. The use of pegs on all studs may be inappropriate here, unless it is evident from the areas exposed, that the original studs were also pegged in place. If this is the case, then pegged studs should be replaced where necessary like for like.

The removal of the existing extension would have beneficial effect on the significance of the Listed Building. There have been several modifications to the scheme during this application to address initial problems with the size of the proposed extension, the form of the roof and the overall design. This recent proposed scheme has successfully responded to my concerns regarding the impact on the Listed building. Therefore, there are no objections to the amended plans.

The consultant has requested that conditions are imposed relating to the following:

Further information is required and this will be conditioned to ensure that plans are submitted to detail the arrangement of the entrance door in the left elevation, which appears recessed in the plan drawings, but not in the elevations. A condition will be imposed for the applicant to demonstrate the arrangement of the roofing material where it meets the façade of the extension. In this area a visible wrapping over of the roofing material is to be avoided and a fascia or small parapet may be an option.

It is therefore considered that the proposed works will not cause any significant harm to the historic fabric or character of the Listed Building, and the proposal is therefore acceptable against this criteria.

Other Considerations

Ardleigh Parish Council have not commented on this application

No letters of representation have been received.

## 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 plan: Drawing No. Block Plan Scale 1:500@A3, Drawing No. P&P/108/18/03 Rev B and P&P/108/18/04 Rev B

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

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), the two windows proposed on the northern elevation shown on Drawing No. P&P/108/18/03 Rev B, shall be

non opening and glazed in obscure glass and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of the adjoining property.

- 4 No above ground works shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity as insufficient information has been submitted within the application for full consideration of these details.

## 8. Informatives

### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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

