

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	30 th Aug
Planning Development Manager authorisation:	CEB	30/08/19
Admin checks / despatch completed	ER	30/8/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	LC	30/8/19

Application: 19/00895/LBC **Town / Parish:** Thorpe Le Soken Parish Council

Applicant: Thorpe Le Soken Baptist Church

Address: Thorpe Le Soken Baptist Church High Street Thorpe Le Soken

Development: Demolish existing garden shed.

1. Town / Parish Council

No comments received

2. Consultation Responses

No comments received

3. Planning History

00/00472/LBC	Internal alterations	Approved	04.05.2000
00/00498/TCA	Trim Yew trees to accommodate erection of portacabin granted consent under 99/01537/FUL	Current	17.04.2000
00/01578/FUL	Temporary siting of portacabin 3.04m x 6.09m on site of previously demolished outside toilets to use during refurbishment of church floor (renewal of planning permission 99/01537/FUL)	Approved	26.10.2000
01/00041/FUL	Demolition of existing unsafe red brick boundary wall and rebuild to exactly the same specification. Repair and restoration of mesh fence along same boundary between Church and Crown P.H.	Approved	14.03.2001
01/00042/LBC	Demolition of existing unsafe red brick boundary wall and rebuilding to exactly the same specification. Repair and restoration of mesh fence along same boundary between Church and Crown P.H.	Approved	14.03.2001

01/01635/FUL	Renewal of planning permission 00/01578/FUL for siting of a portacabin until December 2002	Refused	26.11.2001
02/00719/FUL	Removal of temporary store and erection of permanent store building	Approved	28.05.2002
95/00743/LBC	Alterations to Sunday School rooms	Determination	20.07.1995
99/01508/TCA	Fell Conifer tree to the rear of Chapel House	Approved	02.11.1999
99/01537/FUL	Temporary siting of portacabin 3.04m x 6.09m on site of previously demolished outside toilets to use during refurbishment of church floor until 31st December 2000	Approved	29.11.1999
04/00077/FUL	Change of use of one downstairs room from drop in centre to part-time village post office.	Approved	26.02.2004
17/01798/TCA	Conifer, Elder - fell. Reduce Bay tree and Prunus down to 6 ft. Reduce 2 Yew trees, cut back Yew branches away from path.	Approved	14.11.2017
19/00895/LBC	Demolish existing garden shed.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN23 Development Within the Proximity of a Listed Building

EN17 Conservation Areas

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

PPL8 Conservation Areas

PPL9 Listed Buildings

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) 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)

Description of Development

The application seeks consent to remove a dilapidated timber shed which is located in the south-west corner of the site, adjacent the boundary with The Crown public house. Although it is not possible to determine the age of the shed, it is very clearly not an original structure. The shed is finished externally in feather-edge timber panelling and a tin roof. The structure is leaning dangerously and the door can no longer be opened.

Listed Building

The Listing is described as:

Baptist church. 1803. Timber framed, weatherboarded and roughcast, roofed with old grey slates. Rectangular plan facing SW, with single-storey block to rear. 2 storeys. Ground floor, 2 C19/early C20 sashes of 16 lights. First floor, 2 original sashes of 4 + 8 lights, with crown glass. C20 double doors, with original gabled canopy on scrolled brackets, boarded later on left side only. Front elevation roughcast, remainder weatherboarded. Hipped roof of shallow pitch with lead hip-ridges and long overhanging eaves with paired brackets. The left return has on the ground floor 2 original sashes of 16 lights, and 2 of 12 lights, and on the first floor 2 original sashes of 4 + 8 lights. The right return has on the ground floor 2 original sashes of 16 lights and on the first floor 2 original sashes of 4 + 8 lights. Most of the original sashes contain crown glass. The rear block has a hipped slate roof. The rear elevation of the main hall has on the upper storey 2 sashes of 12 lights with semi-circular heads. The interior is of one storey with at the SW end a gallery with panelled front supported on cast iron stanchions, added in 1820 (E.A. Wood, A History of Thorpe-le-Soken to the year 1890, 1975, 64, 105).

Development affecting the setting of a Listed Building can have as dramatic, and if not properly controlled, as severe an impact as unacceptable alterations to the building itself. The setting of a Listed Building is a material planning consideration when considering planning applications.

Paragraph 192 of the NPPF requires the Local Planning Authority, when determining applications for development, to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 196 of the NPPF requires 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, where appropriate, securing its optimum viable use.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The severely dilapidated shed detracts from the attractive setting of the Listed Building and its removal is considered to enhance the significance of the heritage asset.

6. Recommendation

Approval - Listed Building Consent

7. Conditions / Reasons for Refusal

1 No conditions.

8. Informatives

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