

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	15/10/19
Planning Development Manager authorisation:	TF	15/10/19
Admin checks / despatch completed	CC	16/10/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	16/10/19

Application: 19/01195/LBC **Town / Parish:** Ardleigh Parish Council

Applicant: Mr David Cox

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 (Initial comments
dated 23 September
2019)

The application is a revised scheme for the replacement of an existing cartlodge, which lies within the curtilage of the Grade II Listed, early seventeenth century farm house of Plains Farm. The concern from a heritage perspective is the loss of the existing cartlodge, which retains both hardwood and softwood fabric, and secondly the impact of the proposed scheme on the Listed Building.

The Heritage Statement identifies corner posts, studs, wallplates and beams as being hardwood elements surviving within the pantiled (feed shed) part of the building. The statement concludes that existing building is unremarkable and of no architectural or historical importance. The association of the existing building with the Listed farmhouse and the survival of hardwood timbers still remains as important contributors to its significance. The heritage statement states that the proposed building is the "same overall height and similar width and length", and the heritage statement concludes that there is no apparent change in size or shape. The heritage statement therefore proposes that the impact of the scheme on the heritage assets would be Neutral/Slight (positive).

However, the change in size and shape is very apparent. In particular the massing of the roof and the alteration to the angle of the roof pitch. The impact of the proposed scheme on the setting of the Listed Building, and the loss of the existing cartlodge building would cause less than substantial harm to the Listed Building's significance. The existing cartlodge building is typical of a traditional building form seen in Essex, where a short span is extended with an outshot or lean-to structure. Within the traditional building forms of Essex, spans are limited, often being no more than 6.5m. New buildings, particularly those within the curtilage of a Listed building, need to conform to traditional forms and dimensions.

The untraditional form of the proposed scheme was mentioned in the conservation and Historic Buildings response for the previous

application, but no attempt has been made to address this issue in the revised proposal. Some mention has been made of the possible reuse of timbers for reasons of economy, but there has also been no attempt to examine the reuse and retention of the existing building and the applicant has not sufficiently demonstrated that the only viable option is the demolition of the cartlodge within the curtilage of the Listed Building and the less than substantial harm to the heritage asset this would cause. Therefore, I cannot support this proposal.

Essex County Council
Heritage (Amended
comments following
submission of revised
drawings, dated 2 October
2019)

The revised plans that have been submitted address the issue of the inappropriate scale and form of the previously proposed structure. The matching of the existing slope of the roof and the lowering of the eaves does produce a more traditional form.

The existing building is curtilage listed and forms a part of a whole with the farmhouse. The loss of the building, and loss of significance, has to be considered holistically with the farmhouse rather than just looking solely at the building itself (it's just one part of a designated heritage asset). However, the significance of the farmhouse would remain intact even if the historic fabric within the outbuilding were lost, and the setting of the farmhouse with its associated outbuildings would largely be preserved, albeit with a modern building in place of a 19th century one.

The Heritage Statement that was provided gives an understanding of the existing building and evidence of the piecemeal survival of historic fabric. Some difficulty remains as there is still missing the "clear and convincing justification" for the demolition of the building (National Planning Policy Framework, para. 194), and there is a small amount of harm caused by the loss of the historic fabric and with it the authenticity of the building. However, the legibility of the site would be retained by the proposed development (that of farmhouse and outbuilding), but the authenticity would be lost, although this would arguably only be perceivable inside the building as the weatherboarding and more modern additions to the building would likely be replaced in any reuse scheme.

As a result of the improved design, the level of harm is now very low when considering the significance farmhouse overall. With the improved design, the setting of the Listed farmhouse remains intact. Despite the lack of clear justification for the demolition of the existing building, on balance the improved design and better understanding of the existing building (relatively low survival of the historic hardwood frame) result in a satisfactory outcome. I therefore have no further objections to the scheme as described in the amended drawings (Proposed Plan Drawing No 3 and Proposed Elevation Drawing No 4), using the specified materials.

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	Approved	01.08.2001

mess room facilities permitted under TEN/97/1072 for a further five years additional to condition 01.

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	Approved	28.01.2009

	and dispatching, partial external recladding and timber entrance doors. Removal of Condition 02 attached to planning permission 02/00437/FUL.		
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 office to existing approved application 18/00404/LBC).	Approved	30.08.2018
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
19/00678/FUL	Proposed rebuild of existing cartlodge.	Refused	25.06.2019

19/00679/LBC	Proposed rebuild of existing cartlodge.	Refused	25.06.2019
19/01085/OUT	Proposed development of up to 116 dwellings including affordable homes, areas of landscaping, public open space, points of access and associated infrastructure works.	Current	
19/01194/FUL	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

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 (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

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 miniture of C19 small paned casements and sash windows. Extensive C20 rear and side extensions with flat roofs.

Proposal

This application requires Listed Building Consent as the works involve the re-construction of an outbuilding located to the west of the Grade II Listed Building, which is a curtilage listed building.

The replacement outbuilding will be single storey, and will be constructed with black painted timber and Sandtoff roof ties.

Site History

Under planning reference 19/00679/LBC, a similar proposal was rejected Listed Building Consent as the submitted Heritage Statement had not made a full assessment of the buildings significance and therefore was not compliant with paragraph 189 of the National Planning Policy Framework (2019). The identified 'less than substantial harm' caused to the heritage asset was not considered to be outweighed by significant public benefits, and therefore also failed to accord with paragraph 196 of the National Planning Policy Framework (2019).

Appraisal

The only consideration as part of this application is the above mentioned amendments on the character, appearance and historic fabric of the listed building.

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 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.

Initially, following consultation, the Council's Historic Environment consultant stated the change in size and shape would be very apparent, in particular the massing of the roof and the alteration to the angle of the roof pitch. The impact of the proposed scheme on the setting of the Listed Building, and the loss of the existing cartlodge building, was considered to cause 'less than substantial harm' to the Listed building's significance.

However, in response to these comments, revised plans have been provided within the current application to overcome these objections. As a consequence, the Council's Historic Environment consultant has stated that the revised plans address the issue of the inappropriate scale and form of the previously proposed structure, with the matching of the existing slope of the roof and the lowering of the eaves producing a more traditional form.

The existing building is curtilage Listed and forms a part of a whole with the farmhouse. The loss of the building, and loss of significance, has to be considered holistically with the farmhouse rather than just looking solely at the building itself. However, the significance of the farmhouse would remain intact even if the historic fabric within the outbuilding were lost, and the setting of the farmhouse with its associated outbuildings would largely be preserved, albeit with a modern building in place of a 19th century one.

The Heritage Statement provided gives an understanding of the existing building and evidence of the piecemeal survival of historic fabric. Some difficulty remains as there is still missing the "clear and convincing justification" for the demolition of the building as noted within Paragraph 194 of the NPPF (2019)), and there is a small amount of harm caused by the loss of the historic fabric and with it the authenticity of the building. However, the legibility of the site would be retained by the proposed development (that of the farmhouse and outbuilding), but the authenticity would be lost, although this would arguably only be perceivable inside the building as the weatherboarding and more modern additions to the building would likely be replaced in any reuse scheme.

As a result of the improved design, the level of harm is now very low when considering the significance farmhouse overall. Therefore with the improved design, the setting of the Listed farmhouse remains intact. Despite a lack of clear justification for the demolition of the existing building, on balance the improved design and better understanding of the existing building result in a satisfactory outcome.

Other Considerations

Ardleigh Parish Council have not commented on the application.

There have been no other letters of representations received.

6. Recommendation

Grant Listed Building Consent

7. Conditions

- 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 numbers 02, 03, 04 - all received 30 September 2019, and the document titled 'Heritage Statement for a Replacement Outbuilding'.

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 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.