

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	12/05/2020
Planning Development Manager authorisation:	TF	12/05/2020
Admin checks / despatch completed	CC	12/05/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	12/05/2020

Application: 19/01862/FUL **Town / Parish:** Thorpe Le Soken Parish Council

Applicant: Mr Mark Kirkham

Address: Ostlers Cottage High Street Thorpe Le Soken

Development: Gable to roof at rear elevation.

1. Town / Parish Council

No comments

2. Consultation Responses

Essex County Council
Heritage
27.04.2020

Built Heritage Advice pertaining to an application for: A retrospective application for a dormer gable to roof at rear elevation with French door for fire egress.

The property is located within Thorpe Le Soken Conservation Area and can be considered a non-designated heritage asset based on the Heritage Statement included within the application.

ECC Heritage unable to support this application.

The design is of poor quality, disrupting the architectural aesthetic and historic catslide roof to the building, the large surface area of which has historically made a positive contribution to the Conservation Area. The introduction of the constructed works disrupts the character of this roof and detrimentally impacts upon this section of the Conservation Area causing less than substantial harm to the significance of the designated heritage asset, making paragraph 196 of the NPPF relevant.

The dormer gable and French door make an incongruous addition to the language of Ostler's Cottage, detracting from its appearance and architectural articulation. As such, harm is caused to the non-designated heritage asset Ostlers Cottage, in the same manner as to the Conservation Area above, negatively impacting on the significance of the heritage asset and making paragraph 197 of the NPPF relevant.

As a minimum, ECC Heritage recommend that the sill height be raised, and the window replaced with a design of appropriate quality that is in keeping with the both the character of the Conservation Area and the architectural language of Ostler's Cottage.

3. Planning History

14/30393/PREAPP	Replace existing 4 wooden/timber windows on front elevation with high quality UPVC sash windows.	04.11.2014
18/30198/PREAPP	Erection of gable to roof of rear elevation.	06.12.2018
19/01862/FUL	Gable to roof at rear elevation.	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
EN17 Conservation Areas

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

SPL3 Sustainable Design
PPL8 Conservation Areas

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)

Proposal

This application seeks permission for a gable roof at the rear elevation of Ostlers Cottage situated in the High Street in Thorpe Le Soken. The property lies within the Conservation Area and settlement development boundary of Thorpe Le Soken.

Design, Appearance and Heritage

Policy EN17 of the adopted Tendring District Local Plan (2007) seeks to ensure that developments within a Conservation Area preserves and enhances the Conservation Area setting. Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017) seeks to ensure that any new development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to desirability of preserving or enhancing the special character and appearance of the area.

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).

The applicant has submitted a Heritage Statement which supports the extension to Ostlers Cottage which has already been carried out which is regrettable. The statement is comprehensive and touches on the reasoning for the extension and the heritage of the building.

Heritage advice was sought from Place Services at Essex County Council and they confirmed they do not support the application. Essex County Council stated that the design is of poor quality, disrupting the architectural aesthetic and historic catslide roof to the building, the large surface area of which has historically made a positive contribution to the Conservation Area. The introduction of the constructed works disrupts the character of this roof and detrimentally impacts upon this section of the Conservation Area.

The application site is described within the Thorpe le Soken Conservation Area appraisal using the following statement; *"To the west, a High Street frontage made more broken and random by modern alterations leads to an attractive sequence of listed and unlisted buildings again on the footpath edge, all with mainly vernacular details"*. Notwithstanding the comments from Essex Council Council as the proposed gable is to the rear of the host dwelling, it is considered that there will be no significant harm to the appearance of the street scene or the Conservation Area. There are other examples of roof alterations and extensions within the surrounding area, it is a minor addition and as the proposal has been constructed from bricks and roof tiles to match the existing dwelling, it is considered that the proposal will not cause significant harm to the special character and appearance of the Conservation Area.

Impact upon Residential Amenity

Due to the position and scale of the extension there will be no significant impact in terms of loss of light, loss of privacy or outlook caused to the neighbouring properties.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed east elevation 1:125, proposed rear elevation with fire exit doors to flat roof 1:50 and proposed ground floor and 1st floor plans.

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? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO