

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	19 th May
Planning Development Manager authorisation:	AN	19/05/2020
Admin checks / despatch completed	CC	22.05.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	22.05.2020

Application: 20/00438/LBC **Town / Parish:** Great Bentley Parish Council

Applicant: Mr J Carr

Address: Moynes Farm Wick Road Great Bentley

Development: Replacement render works to first floor areas of south and part of north and east elevations.

1. Town / Parish Council

Parish Clerk At the Planning Committee meeting held on 7th May 2020 Great Bentley Parish Council resolved to make no comment on this application.

2. Consultation Responses

Essex County Council Heritage While I do not condone conducting works to a listed building without the correct approvals from the local authority, I support this application and recommend that it is approved.

3. Planning History

95/00698/FUL	Proposed garden room	Refused	12.03.1996
95/00761/LBC	Rear extension as garden room	Refused	12.03.1996
96/00368/LBC	Rear extension	Refused	29.10.1996
96/00369/FUL	Rear extension	Refused	29.10.1996
97/00027/AGRIC	Barn and seven grain bins	PNR	28.11.1997
10/01157/FUL	Form single-storey extension linking the rear of the main house to the end of the single-storey outbuilding.	Refused	13.12.2010
10/01159/LBC	Form single-storey extension linking the rear of the main house to the end of the single-storey outbuilding.	Refused	13.12.2010
11/01425/FUL	Change of lawful use from highway to residential curtilage.	Approved	04.01.2012
12/00706/FUL	Demolition of existing single storey	Withdrawn	13.08.2012

	extension & replacement with 2 no. single storey extensions with rooms in their roofs. Internal & external alterations & extension to existing annexe. Erection of 3 bay cart-lodge.		
12/00707/LBC	Demolition of existing single storey extension & replacement with 2 no. single storey extensions with rooms in their roofs. Internal & external alterations & extension to existing annexe. Erection of 3 bay cart-lodge.	Withdrawn	13.08.2012
12/01246/FUL	Demolition of existing single storey extension and replacement with two single storey extensions with rooms in their roofs. Internal and external alterations and extension to existing annexe. Erection of a 3 bay cart lodge.	Approved	02.01.2013
12/01247/LBC	Demolition of existing single storey extension and replacement with 2 no. single storey extensions with rooms in their roofs. Internal and external alterations and extension to existing annexe. Erection of a 3 bay cart lodge.	Approved	02.01.2013
13/00835/FUL	Demolition of existing single storey extension and replacement with 2 no. single storey extensions with rooms in roofs. Extension, internal & external alterations to existing residential annexe and erection of 3 bay cartlodge.	Refused	20.09.2013
13/00836/LBC	Demolition of existing single storey extension and replacement with 2 no. single storey extensions with rooms in their roofs. Extension, internal & external alterations to existing residential annexe. Erection of 3 bay cartlodge.	Refused	20.09.2013
14/01740/FUL	Part demolition of single storey structure & construction of single storey extension, removal of lean-to roofs & replacement with duo-pitched roofs containing rooms within roof space. Extension & alteration to existing residential annexe. Erection of 3 bay cart lodge.	Approved	12.01.2015
14/01741/LBC	Part demolition of single storey structure & construction of single storey extension, removal of lean-	Approved	12.01.2015

	to roofs & replacement with duo-pitched roofs containing rooms within roof space. Extension & alteration to existing residential annexe. Erection of 3 bay cart lodge.		
15/00683/DISCON	Discharge of conditions 03 (materials), 04 (windows and doors) and 05 (programme of archaeological work) of planning permission 14/01740/FUL.	Approved	14.12.2015
15/01082/LBC	Replacement single glazed windows, the removal of false first floor framing and render to the rear wing and replacement with new lime render, lime render over two small sections of brickwork on west elevation, and the replacement of plastic rainwater goods, and erection of new with cast iron rainwater goods.	Approved	16.09.2015
17/00150/LBC	Repair works to main axial roof and re-pointing of chimney stack above the roof line.	Approved	07.03.2017
17/00889/DISCON	Discharge of condition 03 (method of work) of Listed Building Consent 17/00150/LBC.	Approved	20.07.2017
20/00438/LBC	Replacement render works to first floor areas of south and part of north and east elevations.	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

EN23 Development Within the Proximity of a Listed Building

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

PPL9 Listed Buildings

Local Planning Guidance

Essex Design Guide

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)

Site Description

Moynes Farm is a 16th/17th century Grade II listed farmhouse and is the principal building in a former working farm complex for which it was originally built. The site consists of the historic farmhouse and more modern farm buildings comprising a 19th century brick outbuilding (recently converted to form annexe) and a timber framed cart lodge which appears to have been relocated to the south of the house to form a summerhouse. Immediately to the north of the house is a recently erected timber framed 3 bay cartlodge and log store. The application site is some distance from any settlement and is set within extensive grounds located between Aingers Green and Weeley Heath; it sits within a triangular plot having entrances at each end of the site frontage; the frontage contains a substantial beech hedge and trees.

Proposal

As part of a cosmetic refurbishment undertaken in the 1920s, the original shiplap boarded external walls at first floor were overclad with a new outer leaf of exposed oak framing with infill panels of sand:cement render. When implementing the works approved under applications 17/1 082/FUL & 15/0182/LBC, it became evident that the expanded metal lath and render was not in good condition, however, the decision taken was to complete the relatively simple cosmetic works of redecorating the render and to consider more extensive replacement works at a later time.

During the process of window replacement works it was identified that the mock Tudor cladding to the original parts of the house was in poor condition. Panels of un-galvanised steel lath and cement render was failing and compromising the weather protection. Therefore a section of the render on the East elevation was removed and replaced with lime render on wood wool slabs. It has been established that this work should be extended to the remaining areas/elevations. The works are the replacement of the external render at first floor to areas of mock Tudor oak frame to South elevation and part North elevation and retention of the render replacement works to the East elevation.

Since completion of the works, there have been issues with water ingress at the head of the ground floor windows on the south elevation. The brittle and inflexible nature of the sand:cement render has over time enabled water to penetrate behind the outer leaf of mock Tudor framework and enter the interior of the building at the vulnerable points where the window openings have been adjusted to locate the window forward of the original shiplap cladding. The full-scale removal under this application will enable the detail at the window head/frame to be exposed and suitable lead flashing/apron to be installed in order to weatherproof the junction.

Listed Building

The property is a Grade II Listed Building, first listed in September 1951.

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.

Policy EN17 of the Saved Plan (Development within a Conservation Area) requires that development must preserve or enhance the character or appearance of the Conservation Area. Development will be refused where it would harm the character or appearance of the Conservation Area, including historic plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain, or significant natural or heritage features. Emerging Policy PPL8 reflects this consideration.

The Listing is described as:-

House. C16/C17 with early C20 alterations and facing. Timber frame encased in C20 red brick and batten decorated plaster. Red plain tiled roof. Red brick off centre chimney stack. 2 feature gables. 2 storeys. 4 window range of vari-light C20 windows with mullions. Hipped red tiled porch, vertically boarded door. Later lean-to left extension. Internal features include jowled storey posts, sidegirts, top plates, stop chamfered bridging joists. Wall studs visible from roof, side purlin roof pegged at ridge. Restored inglenook fireplace. C18/C19 cast iron hob grate in one bedroom backing on to C16/C17 chamfered red brick arched fireplace, stairs by chimney.

Whilst conducting works to a listed building without the correct approvals from the local authority should not be condoned, they comply with aforementioned local and national policies.

6. Recommendation

Approval - Listed Building Consent

7. Conditions / Reasons for Approval

- 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:- Design And Access Statement, drawings LB01 and LB03 (received 26th March 2020).

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?		NO
Are there any third parties to be informed of the decision?		NO