

**DELEGATED DECISION OFFICER REPORT**

<b>AUTHORISATION</b>	<b>INITIALS</b>	<b>DATE</b>
File completed and officer recommendation:	NH	25/08/2020
Planning Development Manager authorisation:	SCE	26.08.2020
Admin checks / despatch completed	DB	26.08.20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	26.08.2020

**Application:** 20/00753/LBC **Town / Parish:** Ardleigh Parish Council

**Applicant:** Mr & Mrs Derby

**Address:** Lodge Farm Barn Lodge Lane Ardleigh

**Development:** Internal alterations.

### 1. **Town / Parish Council**

Ardleigh Parish Council Not comments on this application

### 2. **Consultation Responses**

Essex County Council Built Heritage Advice pertaining to an application for: Internal alterations.  
Heritage  
25.08.2020

The application concerns the Grade II listed Barn Approximately 40 Metres North West Of Lodge Farmhouse (List UID: 1147771).

I am unopposed to this application.

### 3. **Planning History**

01/00378/FUL	Proposed conversion and extension of existing cartlodge to form garden room and changing facilities	Approved	27.04.2001
01/00382/LBC	Proposed conversion and extension of existing cartlodge to form garden room and changing facilities	Approved	27.04.2001
97/00806/FUL	Proposed insertion of first floor to form bedroom. Proposed erection of purpose made conservatory with slate roof over	Approved	01.08.1997
97/00807/LBC	Proposed insertion of first floor to form bedroom, proposed erection of purpose made conservatory with slate roof over	Approved	07.08.1997
18/01162/FUL	Conversion & linking of former stables & shelter shed to create	Approved	28.09.2018

	single dwelling including erection of 1.8m high walls.		
18/01163/LBC	Conversion & linking of former stables & shelter shed to create single dwelling including erection of 1.8m high walls.	Approved	28.09.2018
19/01088/LBC	Conversion & linking of former stables & shelter shed to create single dwelling (minor revisions to previous approval 18/01163/LBC)	Approved	04.10.2019
19/01110/FUL	Removal of condition 6 and variation of condition 2 of planning permission 18/01162/FUL to reflect minor material amendments to window sizes, boundary treatments, site subdivision, and window/door details.	Approved	04.10.2019
20/00222/DISCON	Discharge of conditions 3 (external materials), 4 (Rooflight details) and 5 (Hardstanding materials) for approval 19/01088/LBC.	Approved	14.04.2020
20/00261/DISCON	Discharge of conditions 6(external materials) and 7(hardstanding materials) for planning approval 19/01110/FUL.	Approved	14.04.2020

#### **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, with further hearing

sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities ‘Garden Communities’ proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector’s advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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

The application site relates to Lodge Farm Barn, Lodge Lane, Ardleigh. The site falls outside of a recognised Settlement Development Boundary within both the Saved Tendring District Local Plan (2007) and the Tendring District Local Plan 2013-2033 and Beyond Publication Draft, with the nearest settlement being Ardleigh approximately 0.5 miles to the north-east. The character of the surrounding area beyond the site in question is largely rural, with large areas of grassed and agricultural land to all sides. That notwithstanding, there are examples of residential properties to both the north-east and south-west along Colchester Road.

The building's listing is as follows;

*Barn Approx. 40 Metres North West of Lodge Farmhouse*

*Barn. C19. Timber framed and weatherboarded, brick plinth, grey slate roof. 2 midstreys. An intact frame incorporating some re-used timber. Side purlin ridge board roof. Through bracing to walls. Unusual features are the cast iron hanging knees and bolted halved and bladed top plate scarfs. Included for group value.*

### Description of Proposal

The application seeks listed building consent for internal alterations to partition walls.

### Appraisal

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

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.

The Councils Historic Environment Team have been consulted on this application and have stated that the team is unopposed to this application.

It is therefore considered that the proposed works will not detrimentally harm the character, appearance or historic fabric of the curtilage listed buildings.

Other Considerations

Ardleigh Parish Council have not commented on the application.

There have been no other letters of representation received.

**6. Recommendation**

Approval - 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 plan:

-Drawing No. 2220-01

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.

<p><b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b></p>	<p>YES</p>	<p>NO</p>
<p><b>Are there any third parties to be informed of the decision? If so, please specify:</b></p>	<p>YES</p>	<p>NO</p>