

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	13/10/2020
Planning Development Manager authorisation:	TF	19/10/2020
Admin checks / despatch completed	CC	19.10.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	19.10.2020

**Application:** 20/00981/LBC **Town / Parish:** Ardleigh Parish Council  
**Applicant:** Mr Matthew Whitty  
**Address:** Dundas Place Colchester Road Ardleigh  
**Development:** Proposed replacement of two internal staircases and replacement of up to four internal doors

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

Ardleigh Parish Council      No Comments

### **2. Consultation Responses**

Essex County Council      No Objections  
Heritage

### **3. Planning History**

10/00469/FUL	Installation of 2no.solar panels to the south facing roof of the existing residential dwelling.	Refused	12.07.2010
10/00470/LBC	Installation of 2no.solar panels to the south facing roof of the existing residential dwelling.	Refused	12.07.2010
20/00981/LBC	Proposed replacement of two internal staircases and replacement of up to four internal doors	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

EN5 Areas of Outstanding Natural Beauty (AONB's)

EN22 Extensions or Alterations to a Listed Building

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

SPL3 Sustainable Design

PPL3 The Rural Landscape

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)**

### **Proposal**

The application seeks retrospective consent for the replacement of two internal staircases and the replacement of up to four internal doors at Dundas Place, Colchester Road, Ardleigh, Colchester. The Grade 2 Listed Building lies within the development boundary of Ardleigh and also within the Ardleigh Conservation Area.

## Heritage Assessment

The listed description of Dundas Place mainly describes the architectural features of the exterior of the building which are unaffected by this proposal, however it is important to ensure the character of the listed building is preserved.

Paragraph 189 of the National Planning Policy Framework ("the Framework2) 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, including securing its optimum viable use.

Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) states that 'Proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric' although the Plan recognises that the scope for a listed building to adapt to modern life and requirements will itself depend upon a number of considerations and it will not always be possible to incorporate modern design solutions without also causing harm to its special character fabric, or appearance.

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. 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.

The two replacement staircases and four replacement doors are in the same location as the staircases and doors they are replacing, they are therefore not considered to pose significant harm to Dundas Place.

Heritage advice was sought from Place Services at Essex County Council and they confirmed that they do not object to the retrospective works.

## Conclusion

The alterations would not adversely impact upon the historic fabric of the listed building. It is considered that the proposal will not significantly harm the listed building.

## **6. Recommendation**

Approval - Listed Building Consent

## **7. Conditions / Reasons**

No Conditions

## **8. Informatives**

Not Applicable

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