

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | NH | 27/01/2021 |
| Planning Development Manager authorisation: | TF | 27/01/2021 |
| Admin checks / despatch completed | DB | 27/01/2021 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | CC | 27.01.2021 |

Application: 20/01578/FUL **Town / Parish:** Weeley Parish Council

Applicant: Mr Harry Wenden

Address: Weeley House 70 The Street Weeley

Development: Proposed internal alterations and thermal upgrade to loft space.

1. Town / Parish Council

Weeley Parish Council No objection to this application
21.12.2020

2. Consultation Responses

Essex County Council The application is for proposed internal alterations and thermal
Heritage upgrade to loft space.
25.01.2021

Number 70 is a Grade II listed building.

No objection to this application, which provides a sympathetic use of the loft space. It has been assumed that all new windows are timber.

It is recommended that a condition is attached requiring a schedule of repair for the dormer windows.

3. Planning History

| | | | |
|---------------|---|--------------------------------|------------|
| 94/00688/OUT | (Gardens of Weeley House, The Street, Weeley) Five one-bedroom Retirement Homes | Refused | 03.08.1994 |
| 94/01254/OUT | (Garden of Weeley House, The Street, Weeley) 5 one bedroom retirement homes | Refused | 24.01.1995 |
| 97/00728/FUL | (Weeley House, 70 The Street, Weeley) Change of use of former shop area to be incorporated into existing dwelling | Withdrawn | 20.11.1998 |
| 16/00021/LUEX | Change of use of shop to residential. | Lawful Use Certificate Granted | 01.03.2016 |

| | | | |
|--------------|--|----------|------------|
| 17/01567/OUT | Proposed detached dwellings & double garage on land to the rear of Weeley House. | Refused | 01.12.2017 |
| 18/01848/LBC | Proposed replacement of top three sash windows on East Side facia. | Approved | |
| 19/00802/LBC | Proposed replacement of upper 3 sash windows on East Side facia. | Approved | 09.08.2019 |
| 19/01537/FUL | Proposed detached house. | Refused | 03.02.2020 |
| 20/00117/LBC | Proposed brickwork repairs to facade and parapet wall. | Approved | 26.03.2020 |
| 20/01578/FUL | Proposed internal alterations and thermal upgrade to loft space. | 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

EN22 Extensions or Alterations to a Listed Building

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

SPL3 Sustainable Design

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) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally

compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council is now making arrangements to formally adopt Section 1 of the Local Plan in its modified state and this is expected to be confirmed at the meeting of Full Council on 26th January 2021 – at which point will become part of the development plan and will carry full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan. In the interim, the modified policies in the Section 1 Local Plan, including the confirmed housing requirement, can be given significant weight in decision making owing to their advancement through the final stages of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) is now expected to proceed in 2021 and two Inspectors have already been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site refers to Weeley House, a Grade II Listed building located within the settlement development boundary of Weeley.

Proposal

The application seeks planning permission for internal alterations and thermal upgrade to loft space. The works include;

- reconstruction of dormer windows
- repair to dormer window
- two roof windows
- replacement guttering

Assessment

The main considerations for this application are the design and appearance (including heritage impact) and the impact upon the neighbour amenities.

Design and Appearance (Including Heritage Impact)

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.

Paragraph 189 of the Framework also requires the submission of a Heritage Statement, or any other means of describing the significance of the heritage asset, including any contribution made by their setting. The Heritage Statement should be of a level of detail proportionate to the asset's importance. A detailed Heritage Statement has been submitted with the application. The Heritage Statement outlines the rationale behind the proposals and justifies the alterations from a heritage perspective.

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 plans submitted demonstrate the reconstruction of the dormer windows which will be weatherproofed with lead flashing and the external render reinstated with lime render. The window will also be replaced with a single light casement. The small dormer that faces the valley of the main roof will also be replaced, however this will not cause any impact upon the streetscene due to its position within the roof form. There are two new rear roof windows proposed which will be of a conservation style. As they are situated to the rear of the dwelling, there will be no impact upon The Street.

ECC Heritage has been consulted on this application and has stated that there is no objection to this application which provide a sympathetic use of the loft space. It has been assumed that all new windows are timber. A condition has been imposed for the Listed Building Consent to ensure that a schedule of repair for the dormer windows is provided.

It is therefore considered that the proposed works are considered acceptable in terms of design and appearance as well not causing any harm to the historic fabric or character of the Listed Building, and the proposal is therefore acceptable against this criteria.

Impact upon Neighbouring Amenities

Although the proposed works will be visible to the neighbouring amenities, it is considered that the changes will not cause any significant impact upon the neighbouring amenities.

Other considerations

Weeley Parish Council have no objection to this application.

No letters of representation have been received.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning 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 No. 03B - Proposed Loft Floor Plan
- Drawing No. 04 - Proposed Roof Plan
- Drawing No. 05D - Proposed Cross Sections
- Drawing No. 06C - Proposed Cross Sections
- Drawing No. 08B - Proposed Elevations
- Drawing No. 09 - Glazing Bar Details

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 |