

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	08/04/2021
Planning Development Manager authorisation:	TF	08/04/2021
Admin checks / despatch completed	DB	09.04.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	09/04/2021

Application: 21/00275/LBC **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr B Eagle - J.W & F.D Eagle

Address: Walton Hall Farm Old Hall Lane Walton On The Naze

Development: Proposed demolition of an existing outbuilding and replacement with new stables building along with the conversion of an existing outbuilding to provide ancillary facilities. Provision for new car parking and proposed removal of existing water storage tank

1. Town / Parish Council

Frinton and Walton Town Council
15.03.2021

Recommends approval

2. Consultation Responses

Essex County Council
Heritage
26.03.2021

Built Heritage Advice pertaining to an application for: Proposed demolition of an existing outbuilding and replacement with new stables building along with the conversion of an existing outbuilding to provide ancillary facilities. Provision for new car parking and proposed removal of existing water storage tank.

The Grade II listed Barn Approximately 40 Metres North East Of Walton Hall And East Of Barn Qv 4/90 (List UID: 1337141) and Barn Approximately 40 Metres North Of Walton Hall And West Of Barn (List UID: 1317124). are located immediately adjacent to the site. The historic western part of the east-west range that this application pertains to is considered curtilage listed. The Grade II listed Navigation Tower at Walton Hall (List UID: 1165806) is located in proximity to the Site.

ECC Heritage are supportive of this application in principle and support the principle of a holistic masterplan approach to the sympathetic conservation of the above identified barns and curtilage listed outbuildings at the site, through optimum viable uses consistent with their conservation.

Following the submission of minor revisions, ECC Heritage are unopposed to this application subject to the following recommended conditions:

- Prior to the commencement of any works, and of building recording, a Written Scheme of Investigation (WSI) shall be submitted to and approved by the Local Planning Authority.

- No demolition or conversion can commence until a programme of historic building recording commensurate with Historic England Level 2 as set out in Understanding Historic Buildings, Historic England (2016), has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the Local Planning Authority. A bound hard copy and digital copy of the recording report will be deposited with the County Historic Environment Record prior to the occupation of the development, or within three months of the recording survey being completed, whichever is the sooner. Project details and a digital copy of the report will be uploaded to the Archaeology Data Service OASIS website by the contractor.
- Rainwater goods shall be black painted or powder-coated metal and shall be permanently maintained as such.
- Prior to commencement of above ground works, a schedule of external finish materials, including brickwork and pantiles to match the existing including specification of brick bond style, shall be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such.
- Prior to installation of doors and windows, a schedule of drawings that show details of proposed windows and doors, including any louvres, in section and elevation at scales between 1:20 and 1:1 as appropriate, showing details of framing, glazing bars, cills and pentice boards/drips, and ironmongery, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- Prior to first use, a drawing and specification showing details of proposed boundary treatments and landscaping shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

3. Planning History

21/00274/FUL	Proposed demolition of an existing outbuilding and replacement with new stables building along with the conversion of an existing outbuilding to provide ancillary facilities. Provision for new car parking and proposed removal of existing water storage tank	Current
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4. Relevant Policies / Government Guidance

National Planning Practice Guidance

Tendring District Local Plan 2007

NPPF National Planning Policy Framework February 2019

EN23 Development Within the Proximity of 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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

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 has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have 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 relates to Walton Hall farm which is a collection of farm buildings comprising of two Grade II listed barns, outbuildings and farm storage areas with existing vehicular access from Old Hall Lane. The application buildings are within the curtilage of two Grade II listed barns.

The listing description for the barn to the south of the application site is as follows:

4/90 Barn approx. 40 metres north of Walton Hall and west of barn q.v. 4/89 GV II Barn. C18/C19 or earlier. Timber framed and weatherboarded. Red plain tiled roof with later outshot to south. Vertically boarded door to west wall. Raised floor suggests one time use as a granary. Listing NGR: TM2623623702

The listing description for the barn to the east of the application site is as follows:

4/89 Barn approx. 40 metres north east of Walton Hall and east of barn q.v. 4/90 GV II Barn. C18/C19. Timber framed and weatherboarded. Red pantiled roof. 3 gabled midstreys with bargeboards and finials and a gabled extension to north east. Lean-to extensions between midstreys. The west face with 5 upper windows, 2 small lights and 2 doorways. A large barn of probably 11 bays. Side purlin queen strut roof with ridge board. Listing NGR: TM2628223700

Proposal

The application seeks listed building consent for proposed demolition of an existing outbuilding and replacement with new stables building along with the conversion of an existing outbuilding to provide ancillary facilities. Provision for new car parking and proposed removal of existing water storage tank

Assessment

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

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.

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 Councils Historic Environment Officer has been consulted on this application and has stated that the Grade II listed Barn Approximately 40 Metres North East Of Walton Hall And East Of Barn Qv 4/90 (List UID: 1337141) and Barn Approximately 40 Metres North Of Walton Hall And West Of Barn (List UID: 1317124). are located immediately adjacent to the site. The historic western part of the east-west range that this application pertains to is considered curtilage listed. The Grade II listed Navigation Tower at Walton Hall (List UID: 1165806) is located in proximity to the Site.

The officer is supportive of the application in principle and supports of the principle of a holistic masterplan approach to the sympathetic conversion of the above identified barns and curtilage listed outbuildings at the site, through optimum viable uses consistent with their conservation.

Following the submission of minor revisions, the officer is unopposed to the application subject to conditions relating to a written scheme of investigation, no demolition or conversion can commence until a programme of historic building recording has been submitted and approved in writing by the local planning authority. A condition will be imposed to ensure that the rainwater goods are black painted or powder coated metal, a schedule of external finish materials including the brickwork and pantiles to match the existing including specification of brick bond style, a schedule of drawings showing the details of the proposed windows and doors including any louvres, in section and elevation and a drawing and specification detailing the proposed boundary treatments and landscaping.

It is therefore considered that the proposed works will not cause any harm to the historic fabric or character of the Listed Building, and the proposal is therefore acceptable against this criteria.

Other Considerations

Frinton and Walton Parish Council recommend approval.

No letters of representation have been 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 Ref- PA-10-B - Proposed Site Plan
- Drawing Ref- PA-11-A - Proposed Floor Plans and Elevations

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 No development or preliminary groundworks of any kind shall take place until a Written Scheme of Investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of heritage impact.

- 4 No demolition or conversion can commence until a programme of historic building recording commensurate with Historic England Level 2 as set out in Understanding Historic Buildings, Historic England (2016), has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the Local Planning Authority.

Reason - In the interests of heritage impact.

- 5 All rainwater goods should be painted black or powder coated metal and shall be permanently maintained as such.

Reason - The application relates to a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

- 6 No development shall be commenced until a schedule of external finish materials including brickwork and pantiles to match the existing including specification of brick bond style shall be submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and permanently maintained as such.

Reason - To ensure materials are of a very high quality to respect the building and its setting.

- 7 Before any work is commenced drawings to a scale of not less than 1:20 fully detailing the new windows and doors and their surrounds to be used and indicating: materials; cross sections for glazing bars, cills, heads, louvres, pentice boards/drips, ironmongery etc at a scale of 1:20; and method of glazing shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be installed/carried out in complete accordance with the approved details.

Reason - The application relates to a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

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