

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	13/04/2021
Planning Development Manager authorisation:	SCE	13.04.2021
Admin checks / despatch completed	DB	13.04.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	13.04.2021

Application: 20/01171/FUL **Town / Parish:** Great Oakley Parish Council

Applicant: Mr & Mrs John Chiswell

Address: Essex House High Street Great Oakley

Development: External and internal alterations.

1. Town / Parish Council

Great Oakley Parish
Council
21.11.2020

Please note - the works to the front elevation will require scaffolding, the pavement is very narrow there and it will be necessary for pedestrian access to be maintained safely, it is a traffic pinch point and if pedestrians with pushchairs, mobility scooters etc cannot pass on the pavement they will need safe passage on the road.

2. Consultation Responses

Essex County Council
Heritage
12.04.2021

Built Heritage Advice pertaining to an application for: External and internal alterations.

Essex House is Grade II listed as the Post Office and Village Shop (List UID: 1391206) and is located within Great Oakley Conservation Area.

Following the submission of revised proposals, I am 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 refurbishment or alterations shall 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.
- Prior to the refurbishment and installation of new windows and joinery, a schedule of drawings that show details of proposed joinery repairs, new windows, doors, in section and elevation at scales

between 1:20 and 1:1 as appropriate, showing details of glazing type, framing, glazing bars, fascias, moulding profiles, 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.

3. Planning History

TPC/16/86	Fell 2 Sycamores and 1 Prunus	Current	17.09.1986
01/01792/TCA	Fell one Willow tree and one triple stemmed Sycamore Tree both situated in rear garden	Approved	30.11.2001
02/00251/FUL	Change of use of shop area of premises to living accommodation - no structural alterations or changes of access	Approved	03.04.2002
09/01051/TPO	1 No. Yew - reduce by 30% and remove dead wood	Approved	02.11.2009
12/60221/HOUEN Q	Replacing existing defective bay windows, replace facade and flat roof, replacing 2 No. first floor windows and blocking up existing front door.		24.05.2012
14/00448/FUL	External and internal alterations.	Approved	16.05.2014
14/00449/LBC	Works to Listed Building comprising of 1 - Replacement of 2 no first floor windows to front elevation. 2 - The repair, refurbishment and redecoration of the existing shop front and adjacent door surround. The overall height of the shop front shall also be reduced to improve the weathering/ up stand detail between it and the first floor windows above. 3 - Replace existing bay windows to shop front and repair/ build supporting dwarf walls. 4 - Remove existing redundant door opening to centre of shop front and replace with sash window. 5 - Renew lead work to shop front. 6 - Replace existing entrance door to left hand side of the front elevation and infill redundant door opening internally. 7 - Carry out necessary repairs to existing render on the front	Approved	16.05.2014

elevation and redecorate.

20/01173/LBC External and internal alterations. 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. 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 Essex House, a Grade II Listed Building located within the Great Oakley Conservation Area and within the settlement boundary.

Proposal

The application seeks planning permission for amendments to the front elevation of the host dwelling.

Assessment

The main considerations for this application are design and appearance (including heritage impact), impact upon neighbours and other considerations.

1. 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.

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 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 repairs proposed to the front elevation of 'Essex House'. Although the works will be visible to the High Street, the works are considered to improve the appearance of the building.

The Council's Historic Environment Officer has been consulted on this application and has stated that Essex House is Grade II listed as the Post Office and Village Shop (List UID: 1391206) and is located within Great Oakley Conservation Area.

The Officer has stated that following submission of revised proposals, the officer is unopposed to this application subject to conditions relating to a written scheme of investigation, a programme of historic building recording and a schedule of drawings have been provided demonstrating the proposed joinery repairs, new windows, doors. These conditions have been imposed on the Listed Building Consent application.

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.

2. 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.

3. Other Considerations

Great Oakley Parish Council have commented on this application and supports this application. The Council notes that the works to the front elevation will require scaffolding, the pavement is very narrow there and it will be necessary for pedestrian access to be maintained safely, it is a traffic pinch point and if pedestrians with pushchairs, mobility scooters etc cannot pass on the pavement they will need safe passage on the road.

In response to the Councils concerns, the use of scaffolding is a temporary measure and the onus will be on the applicant to ensure public safety.

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 plan:

Drawing No. 20820/02 Rev C

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