

## **DELEGATED DECISION OFFICER REPORT**

<b>AUTHORISATION</b>	<b>INITIALS</b>	<b>DATE</b>
File completed and officer recommendation:	NH	12/04/2021
Planning Development Manager authorisation:	SCE	12.04.2021
Admin checks / despatch completed	DB	13.04.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	13.04.2021

**Application:** 20/01173/LBC **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      Not commented on this application

### **2. Consultation Responses**

Essex County Council  
Heritage  
12.04.2021

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 elevation and redecorate.	Approved	16.05.2014
20/01171/FUL	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

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. In this latter regard, as of 26<sup>th</sup> 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 10<sup>th</sup> 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 26<sup>th</sup> 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.

*The listing description is as follows:*

*Shop with residence. C17 or earlier house, re-fronted in late-C18 including shop, and with C19 and C20 alterations and additions. Timber framed core, with rendered brick facade, and wood and glass shop-front.*

*PLAN: 2-bay front with shop at ground floor and residence above and behind.*

*EXTERIOR: Main elevation with ground floor late-C18 shop front comprising central doorcase flanked by pair of rounded advanced shop windows. Continuous cornice with diamond and dentil decoration to base of frieze. Central doorcase with recessed door of 4 panes flanked by pair of fluted pilasters beneath ogee brackets supporting flat hood. Shop windows of 5-over-5 large panes above wood plinth, and fluted pilasters under shallow console bracket to outsides. Lower door to left of shop-front under hood supported by pair of console brackets.*

*INTERIOR: Ground floor with exposed beams, some chamfered and some with redundant joist mortises, and joists to both front bays. Surviving framing to first floor includes beam with central posts, joists, and original front wall plate. Plank and 4-panel doors to first floor. C19 extension to ground floor rear with fireplace and pair of glazed doors set in splayed panelled surround. C20 additions to side and rear not of interest.*

*An elaborate and well-preserved late-C18 shop front, with a significant amount of framing from the or earlier house behind.*

### **Proposal**

The application seeks listed building consent for external and internal alterations.

### **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 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.

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

Great Oakley Parish Council have not commented on this application.

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 No. 20820/02 Rev C

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) has been submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of heritage impact.

- 4 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 in writing by the Local Planning Authority.

Reason - In the interests of heritage impact.

- 5 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.

Reason - In the interest of heritage impact.

## 8. Informative

### 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.

<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