

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	17.09.2021
Planning Development Manager authorisation:	JJ	17/09/2021
Admin checks / despatch completed	DB	17.09.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	17/09/2021

**Application:** 21/01035/LBC **Town / Parish:** Bradfield Parish Council

**Applicant:** Mr and Mrs Doran

**Address:** Thatched Cottage Wix Road Bradfield

**Development:** Proposed reconstruction of roof and associated works following fire damage to entire property

### 1. Town / Parish Council

Bradfield Parish Council      No comments received

### 2. Consultation Responses

Essex County Council Heritage      The development site is Grade II listed as The Thatched Cottage (List UID: 1254113).

A site meeting was undertaken on 30th July 2021.

Following the submission of revised proposals, I am unopposed to this application, to be implemented in accordance with the following revised drawings: - 53404\_B\_02 Rev B, - 53404\_B\_04 Rev B, - 53404\_B\_05 Rev A and - 53404\_B\_06 Rev A

### 3. Planning History

92/00375/LBC	Proposed extensions and re-build of garage	Approved	25.08.1992
92/00376/FUL	Proposed extension and alterations	Approved	25.08.1992
92/01134/LBC	Structural repairs to roof and timber frame including rethatching	Approved	23.11.1992
94/00347/FUL	Single storey extension to rear, rebuild garage and construct new porch	Approved	12.07.1994
94/00348/LBC	Single storey rear extension, rebuild garage and construct new porch	Approved	12.07.1994
11/00779/LBC	Removal of 1 fixed unit UPVC window and replace with identical style wooden window (as originally in the building) removed due to severe wood rot.	Approved	28.09.2011
21/01034/FUL	Proposed reconstruction of roof and associated works following fire damage to entire property	Current	

21/01116/FUL	Proposed rear extension.	Current
21/01117/LBC	Proposed rear extension.	Current

#### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2021  
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

EN22 Extensions or Alterations to a Listed Building

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

PPL9 Listed Buildings

#### **Status of the Local Plan**

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26<sup>th</sup> January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to the emerging Section 2 of the 2013-33 Local Plan, which contains more specific policies and proposals for Tendring, has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29<sup>th</sup> June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents which began on 16<sup>th</sup> July 2021. The consultation closed at 5pm on 31<sup>st</sup> August 2021 and adoption is expected later this year. Section 2 will then join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

#### **5. Officer Appraisal**

##### **Site Description**

The application site is located on the north eastern side of Wix Road at the junction with Heath Road and opposite the Village Maid Pub. The site is within the defined settlement development boundary of Bradfield. The cottage itself is a Grade II Listed Building which was damaged by fire in February 2021. The surrounding area is residential in nature comprising of dwellings of varying styles and designs.

The Buildings list description is:

Cottage. C17 or earlier. Timber framed, brick faced, weather boarded returns. Hipped thatched roof. Off centre right and left external red brick chimney stacks. Outshot to left return. One storey and attics, one eyebrow dormer. 4 window range of small paned vertically sliding sashes, moulded surrounds. Left C20 boarded door. Garage doors to outshot. Internal substantial frame with stop chamfered bridging joists and flat section ceiling beams, top. plate visible. Side purlin roof. Back to back fireplace now blocked with C20 fireplace. Vertically boarded doors.

### Proposal

The application seeks listed building consent to reconstruct the roof of the property and other associated works following the recent fire and damage thus caused.

This application is submitted in conjunction with full planning application 21/01034/FUL. This application seeks planning permission for the proposed works as outlined above.

### Assessment

This application considers only the impact of the proposed works on the character, appearance and historic fabric of the Listed Building.

### Heritage Impact

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act imposes a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

Paragraph 194 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

These requirements are reflected in Saved Policy EN23 of the Tendring District Local Plan (2007) and Emerging Policy PPL9 of the Tendring District Council Local Plan 2013-2033 and Beyond Publication Draft (June 2017). Both these policies also confirm that development should be of a scale, design and use that respects the listed building and its setting.

Paragraph 202 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.

A heritage statement, schedule of works, historic building record and a design and access statement have been submitted with the application in accordance with the above requirements.

The proposal constitutes significant restoration work to the Grade II Listed Building due to the significant damage caused to the building, in particular the roof, by the recent fire. The works seek to replicate the original building in terms of both design and use of materials, including the re-instatement of the thatched roof. Therefore the works proposed are considered to preserve the character and appearance of the Listed Building.

Essex County Council Heritage have been consulted with regards to this application and following a site visit and amended plans have provided the following comments;

Following the submission of revised proposals, I am unopposed to this application, to be implemented in accordance with the following revised drawings: 53404\_B\_02 Rev B, 53404\_B\_04 Rev B, 53404\_B\_05 Rev A, 53404\_B\_06 Rev A

Conditions are required to be added to the Listed Building Consent, for the submission and approval of the details for the new windows prior to installation and any new rainwater goods to be black powder coated or black painted metal.

### Consultation Responses

No representations have been received following a public consultation which included a site notice posted at the site, press notice and neighbouring consultation letters sent out to the adjacent properties.

### Conclusion

In the absence of material harm resulting from the proposed works, the application is recommended for Listed Building Consent Approval.

## **6. Recommendation**

Approve – Listed Building Consent

## **7. Conditions / Reasons for Refusal**

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(s): 53404\_B\_02 Rev B, 53404\_B\_04 Rev B, 53404\_B\_05 Rev A, 53404\_B\_06 Rev A and the heritage statement, schedule of works, historic building record and design and access statement submitted with the application

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

3. Prior to installation, drawings to a scale of not less than 1: 20 fully detailing the new windows and their surrounds to be used and indicating; materials, cross sections for glazing bars, sills, heads etc, method of opening 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.

4. All new rainwater goods should be painted black metal or black 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.

## **8. Informatives**

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>		NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>		NO