

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	22/09/2021
Planning Development Manager authorisation:	SCE	22.09.2021
Admin checks / despatch completed	ER	23/09/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	23.09.2021

Application: 21/01330/LBC **Town / Parish:** Thorrington Parish Council

Applicant: Mr and Mrs S Poole

Address: Lufkins Farm Great Bentley Road Frating

Development: Proposed removal of cement render cladding to part of the front wall and repair to the framework and re-cladding with Lime plaster.

1. Town / Parish Council

Thorrington Parish Council Have not commented on this application

2. Consultation Responses

Essex County Council Heritage
01.09.2021 Built Heritage Advice pertaining to an application for: Proposed removal of cement render cladding to part of the front wall and repair to the framework and re-cladding with Lime plaster.

The development site is Grade II listed as Lufkins Farmhouse (List UID: 1235268).

I am unopposed to this application to be implemented in accordance with the schedule of work and proposed elevation drawing.

3. Planning History

00/01030/LBC	Demolish brick built store. Build detached garage with store	Approved	27.11.2000
93/00593/FUL	(Lufkins Farm, Frating) Improvement/modification of existing dormer window	Approved	08.09.1993
93/00697/LBC	(Lufkins Farm, Frating) Improvement/modification of dormer	Approved	08.09.1993
06/00878/LBC	Removal of porch to side elevation, brick up opening and provide new window.	Approved	11.07.2006
07/00489/FUL	Retention of commercial uses in former agricultural buildings.	Approved	20.07.2007

08/00864/CMTR	Construction of an agricultural reservoir involving the extraction of minerals and the removal of surplus soils (ESS/21/08/TEN).	Determinati on	15.07.2010
12/00332/FUL	The retention of the change of use of commercial premises for use as a bus depot.	Approved	21.05.2012
13/00333/CMTR	Construction of an agricultural reservoir involving the extraction of minerals and removal of surplus soils (Extension of time by 5 years of previously approved 08/00864/CMTR ESS/21/08/TEN).	Determinati on	24.01.2014
13/00790/LBC	Replacement front porch.	Approved	09.10.2013
14/00255/LBC	Replacement front porch.	Approved	24.04.2014
15/01381/CMTR	Variation of conditions 2, 13, 16, 19, 20, 21, 23 and 48 of application ESS/10/13/TEN.	Determinati on	05.05.2016
17/00203/CMTR	Construction of a temporary access onto Great Bentley Road (Lufkins Lane), internal road and ancillary works to enable the removal of surplus material arising from the construction of an agricultural reservoir at Lufkins Lane, Frating and Brook Farm, Great Bentley, Colchester.	Determinati on	20.02.2017
20/01735/CMTR	EIA SCOPING OPINION - Proposed construction of a second agricultural reservoir involving the extraction and exportation of sand and gravel and soils, the erection and use of an on-site processing plant, and other ancillary development works, including changes to the extant planning permission for the first reservoir.	Determinati on	11.12.2020
21/00962/LBC	Repair of render, the removal of render on part of the west elevation and replacement with horizontal timber weatherboarding painted white, the replacement of gutters and drainpipes, and replacement of 4 no. windows	Approved	03.08.2021

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 26th 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 29th June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents which began on 16th July 2021. The consultation closed at 5pm on 31st 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 (including Site Description and Proposal)

Site Description

The application site is located at Frating Cross at the junction between Great Bentley Road, Lufkins Lane, Thorington Road and Frating Abbey Farm Road. The Site comprises a two-storey dwelling fronting Great Bentley Road with a single storey outbuilding to the rear (north). Vehicular access to the Site is gained from Lufkins Lane to the east and a pedestrian gate provides access from Great Bentley Road to the south.

Lufkins listing is as follows:

House. C16/C17 rear frame, C17/C18 front range with later alterations and additions. Timber framed and plastered, weatherboarded returns and rear. Red plain tiled roof. Right and left red brick chimney stacks offset at bases. 2 storeys. 3 window range of small paned vertically sliding sashes, moulded surrounds, pentice boards to ground floor. C20 glazed gabled porch. Interior

features include, stop chamfered bridging joists. Side girts. C18 corner cupboard with fluted dome. C18 hall archway.

Proposal

This application seeks listed building consent for the removal of cement render cladding to part of the front wall and repair to the framework and re-cladding with Lime plaster.

Assessment

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

Paragraph 194 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 201 of the Framework adds that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

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 the development site is Grade II listed as Lufkins Farmhouse (List UID: 1235268).

The officer is unopposed to this application to be implemented in accordance with the schedule of work and proposed elevation drawing.

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

Thorrington Parish Council have not commented on this application

No letters of representation have been received.

6. Recommendation

Approval - Full

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 -

- Drawing No. SP/0721/002

- Block Plan - Scanned 26 July 2021
- Schedule of Works - Scanned 27 July 2021

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