

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	20 th Sept 2021
Planning Development Manager authorisation:	AN	11/10/21
Admin checks / despatch completed	CC	11.10.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AN	11/10/21

Application: 21/01337/LBC **Town / Parish:** Thorpe Le Soken Parish Council

Applicant: Worlledge

Address: Ashdon High Street Thorpe Le Soken

Development: Proposed single storey rear extension.

1. Town / Parish Council

No comments received.

2. Consultation Responses

Essex County Council
Heritage

I have concerns regarding the detailing of the flat roof and the jettied timbers, these can be mitigated through careful detailing, which can be secured by condition. I am unopposed to this application subject to the following conditions being attached to any decision notices issued:

- Prior to the construction of the roof of the scheme, a detail drawing in section at a scale of 1:5, showing the proposed detailing of the junction with the historic timbers, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The works shall thereafter be carried out in accordance with the approved details
- No above ground works can commence until a programme of historic building recording commensurate with Historic England "Level 2 Record" as set out in Understanding Historic Buildings, Historic England (2016), has been secured and undertaken by the applicant, and approved by the Local Planning Authority, regarding the area of the building affected by the works
- Rainwater goods shall be black painted or powder-coated metal and shall be permanently maintained as such.

3. Planning History

96/01198/LBC	Demolition of derelict garage but retention of front fascia and part of side wall (to height of approximately 1 metre) to form garden boundary	Approved	12.11.1996
96/01237/LBC	Erect railings on front brick plinth and side wall (total height wall and railings 0.9 metre)	Approved	24.06.1997

97/00584/FUL	Erect railings on front brick plinth and side wall (0.9min height)	Approved	24.06.1997
16/00938/TCA	T1 - 1 mature Sycamore - fell	Approved	14.07.2016
16/01995/TCA	1 No. Sycamore - reduce overall size by 1/3	Approved	03.01.2017
16/02033/FUL	Various repair and/or replacement works.	Withdrawn	26.01.2017
16/02035/LBC	Various repair and/or replacement works.	Approved	06.02.2017
17/00980/DISCON	Discharge of condition 03 (window detailing) of Listed Building Consent 16/02035/LBC.	Approved	14.06.2017
18/00575/FUL	Erection of fence and shed.	Approved	
18/01755/TCA	1 No. Copper Beech - trim heavily	Approved	12.11.2018
20/00712/TCA	1 No. Sycamore - Heavy cut by 40%.	Approved	06.07.2020
20/00713/TPO	1 No. Copper Beech - Heavy cut by 30%.	Approved	06.07.2020
21/01336/FUL	Proposed single storey rear extension.	Current	
21/01337/LBC	Proposed single storey 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)

SP1 Presumption in Favour of Sustainable Development

SP3 Spatial Strategy for North Essex

SP7 Place Shaping Principles

Relevant Section 2 Policies (emerging)

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

Site Description

The site is located on the south side of the B1033 High Street in the centre of Thorpe le Soken. The house is the western most end of a short run of terraced dwellings and is a Grade II Listed Building. It has a garden which extends around and behind the adjoining property.

The site is bounded by the public highway (footpath) on the northern side, the connected dwelling to the eastern side and by adjoining gardens/surgery car park to the west side. To the south is a bowling green.

The surrounding area is characterised by a mixture of detached, semi-detached and terraced properties, with some being residential and other commercial. There are numerous Listed Buildings to the north-west and south-east, including both adjacent neighbouring properties. The site falls within the Settlement Development Boundary of Thorpe-le-Soken and also within the Thorpe-le-Soken Conservation Area.

Description of Proposal

The application proposes an extremely small single-storey flat-roofed rear extension with a total depth in the region of 1.3m and a width around 2.5m. The upper-side of the roof would have a height in the region of 2.4m, externally the extension would be finished in a lime render to match the original dwelling. The enlarged floorspace would provide a lobby-entrance to the rear of the property.

Listed Building

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other

environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

Development affecting the setting of a Listed Building can have as dramatic, and if not properly controlled, as severe an impact as unacceptable alterations to the building itself. The setting of a Listed Building is a material planning consideration when considering planning applications. Adopted Policy EN23 states that proposals for development that would adversely affect the setting of a Listed Building, including group value and long distance views will not be permitted, emerging Policy PPL9 reflects these considerations.

Paragraph 197 of the NPPF requires the Local Planning Authority, when determining applications for development, to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 of the NPPF requires 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, where appropriate, securing its optimum viable use.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The Listing is described as:

House, now office and 2 houses. Circa 1600, altered in C19 and C20. Timber framed, partly clad with red brick in Flemish bond, partly plastered, roofed with handmade red clay tiles. 3 bays facing NE with central stack, forming a lobby-entrance, and rear wing, forming an irregular T-plan. C19 2-storey lean-to extension in right rear angle. Stair tower to rear of left end, and C20 2-storey extension beyond. Small C20 flat-roofed single-storey extension between rear wings. 2 storeys and attics. 5-window range of late C19 sashes of 4 lights in earlier apertures with flat brick arches. Central door of 6 fielded panels with early C19 fluted architrave and moulded flat canopy. At left end of front elevation, early C19 flush 6-panel door, the top 2 panels glazed, with similar but smaller architrave and canopy. In left ground floor room (now an office), chamfered transverse and axial beams with broach stops, joists plastered to the soffits, and wide wood-burning hearth with chamfered mantel beam, reduced. Oak panelling reported to be modern in this room behind present wall surfaces. Remainder of interior mainly concealed by modern finishes.

The Heritage Officer comments that they have concerns regarding the detailing of the flat roof and the jettied timbers, though these concerns can be mitigated through careful detailing which can be secured by condition. Subsequent plans were received which addressed this.

Paragraph 56 of the NPPF requires that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. In regards to the request for a condition requiring "No above ground works can commence until a programme of historic building recording commensurate with Historic England "Level 2 Record" as set out in Understanding Historic Buildings, Historic England (2016), has been secured and undertaken by the applicant, and approved by the Local Planning Authority, regarding the area of the building affected by the works". The extent of the development is minimal and sympathetic in regards to the overall building – for these reasons this condition is deemed unreasonable. In regards to the request for a

condition requiring “Rainwater goods shall be black painted or powder-coated metal and shall be permanently maintained as such.” The existing rainwater goods are uPVC and no rainwater goods are proposed – appeal reference APP/T6905/A/21/3267240 (April 2021) states that “a condition can be used to mitigate the impact of a development but not to solve an existing problem which it would not exacerbate”. For this reason the condition is not relevant to the development to be permitted.

Representations

No comments have been received in response to the public consultation process.

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 plans:- P01B; received 27th July 2021 and P01C; received 24th September 2021.

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

8. Informatives

Application Approved Without Amendment

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?		NO
Are there any third parties to be informed of the decision?		NO