

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	19 th April 2022
Planning Development Manager authorisation:	SCE	20.04.2022
Admin checks / despatch completed	ER	20/04/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	20.04.2022

Application: 22/00175/FULHH **Town / Parish:** Thorpe Le Soken Parish Council

Applicant: Mr and Mrs Hull

Address: Barkers Hall Whitehall Lane Thorpe Le Soken

Development: Proposed extension and conversion of existing barn to form additional living space and annexe accommodation ancillary to host dwelling.

1. Town / Parish Council

No comments received

2. Consultation Responses

Essex County Council
Archaeology
21.03.2022

The buildings proposed for conversion lie at Barkers Hall, the house and buildings are depicted on the Tithe Map of c.1840 and are considered non-designated heritage assets.

NPPF paragraph 205 requires developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. In accordance with paragraph 205 of the NPPF it is therefore important that a Level 2 historic building record is made before any conversion takes place.

The following conditions are recommended in line with the National Planning Policy Framework:

1. No conversion or development of any kind shall take place until the applicant has secured the implementation of a programme of historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.
2. The applicant will submit a historic buildings report which has been submitted and approved by the local planning authority and deposition of a digital archive with the Archaeological Data Service (ADS).

A professional historic building specialist should undertake any fieldwork. A brief detailing the requirements can be produced from this office. The District Council should inform the applicant of the recommendation and its financial implications.

3. Planning History

93/00002/AGRIC	Steel framed Barn	Determination	10.05.1993
20/01725/COUNOT	Conversion of two agricultural buildings into three dwellings.	Determination	18.01.2021
22/00175/FULHH	Proposed extension and conversion of existing barn to form additional living space and annexe accommodation ancillary to host dwelling.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

- SP1 Presumption in Favour of Sustainable Development
- SP3 Spatial Strategy for North Essex
- SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- PPL3 The Rural Landscape
- CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal

Site Description

The property is a stunning early 18th century detached farmhouse set in extensive grounds; the site contains a range of buildings immediately to the north, with an access driveway between the two sets of farm buildings leading to further agricultural buildings at the rear which are used for livestock purposes and an agricultural workshop. The application relates to the barn which is attached to the host dwelling and has historically been used for the storage of feed stuffs for the livestock formerly reared on the holding.

The barn is referred to as Building 2 in application 20/01725/COUNOT and the prior approval to convert the barn in to two 1-bed dwellings was deemed not to be required in January 2021.

Description

The application proposes a number of internal alterations along with single-storey rear (west) and side/rear (east/north) extensions and subsequent conversion to form additional living space and annexe accommodation ancillary to host dwelling.

The rear extension has a nominal projection of 2.5m and a width of 4m; its eaves are in the region of 2.6m and its ridge is around 5.2m (approximately 0.6m below the main ridge of the barn); the resultant floorspace would enlarge the proposed family area.

The side/rear extension would 'square off' the rear [outer] corner of the building with the continuation of the flank and rear walls, the roof would replicate the existing built form. The resultant floorspace would provide an en-suite to the bedroom.

Assessment

The main planning considerations are:

- Principle of Development;
- Layout, Scale and Appearance;
- Neighbouring Amenities;
- The Rural Landscape
- Highway Considerations;
- Representations

Principle of Development

The Tendring District Local Plan 2013-2033 and Beyond (the Local Plan) 'North Essex Authorities' Shared Strategic Section 1' sets out the strategic level spatial strategy for North Essex. Local Plan Policy SP3 states [Emphasis added]:

"Existing settlements will be the principal focus for additional growth across the North Essex Authorities area within the Local Plan period. Development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role both within each individual district and, where relevant, across the wider strategic area."

Future growth will be planned to ensure existing settlements maintain their distinctive character and role, to avoid coalescence between them and to conserve their setting. Re-use of previously developed land within settlements is an important objective, although this will be assessed within the broader context of sustainable development principles, particularly to ensure that development locations are accessible by a choice of means of travel."

In Section 2 of its Local Plan each local planning authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs."

Policy SPL1 'Managing Growth' identifies Thorpe Le Soken as a 'Rural Service Centre'.

Policy SPL2 'Settlement Development Boundaries' states [Emphasis added]:

"To encourage sustainable patterns of growth and carefully control urban sprawl, each settlement listed in Policy SPL1 (with the exception of the Tendring Colchester Borders Garden Community) is defined within a 'Settlement Development Boundary' as shown on the relevant Policies Map and Local Map. Within the Settlement Development Boundaries, there will be a general presumption in favour of new development subject to detailed consideration against other relevant Local Plan policies and any approved Neighbourhood Plans.

Outside of Settlement Development Boundaries, the Council will consider any planning application in relation to the pattern and scales of growth promoted through the Settlement Hierarchy in Policy SPL1 and any other relevant policies in this plan.

The application proposes an extension to an existing dwellinghouse, as such the principle of the development is acceptable.

Layout, Scale and Appearance

Section 1 Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context. Section 2 Policy SPL3 of the 2013-33 Local Plan also requires, amongst other things, that the development respects or enhances local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features. Paragraph 130 of the Framework requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

The side/rear extension appears as a logical and coherent form of development, the rear extension is nominal and proportionate to the host building. Neither development would be visible in the public domain; ample space is retained around the property. For these reasons the form, bulk and massing of the proposals is acceptable and respects views, skylines and existing street patterns which is sympathetic to local character.

Neighbouring Amenities

The NPPF, at paragraph 130 states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Section 1 Policy SP7 of the Tendring District Local Plan 2013-2033 requires that all new development protects the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

Significant separation distances exists towards adjacent neighbours and overall the proposal is considered to protect the amenity of existing residents with regard to loss of light, overbearing and overlooking.

Rural Landscape

As a largely rural area, Tendring District's countryside is one of its main assets and maintaining an attractive rural environment is important to the quality of life experienced by both residents and visitors. Section 2 Policy PPL3 of the 2013-2033 Local Plan states that the Council will refuse planning permission for any proposed development which would cause overriding harm to its character or appearance including to traditional buildings and settlement settings, protected lanes, other rural lanes, bridleways and footpaths; and designated and non-designated heritage assets and historic landscapes.

The proposed extension are entirely contained within the extent of existing buildings on the site and are of single-storey nature; for these reasons the development will not cause any overriding harm to the rural landscape.

Highway Considerations

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. Paragraph 112 states that applications for development should (a) give priority first to pedestrian and cycle movements and (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter. Paragraph 130 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. These objectives are supported adopted Policy SP7 of the Tendring District Local Plan 2013-2033.

Ample space exists on the hardstanding forward of the dwelling to achieve more than the recommended parking requirements.

Other Considerations

The Historic Environment Advisor has identified the above application from the weekly list as having historic environment implications. The implications raised are:-

The buildings proposed for conversion lie at Barkers Hall, the house and buildings are depicted on the Tithe Map of c.1840 and are considered non-designated heritage assets. The building is brick built and attached to the house, the original function is unknown however it is likely to have been a structure associated with the house such as a stables or outbuilding rather than purely agricultural due to the proximity. The plans submitted show a single door opening to the front elevation and a wider opening to the rear, the layout appears unconventional. No further information has been submitted with the application to determine the age, nature or function of the building or how it may have evolved.

The area was of major international importance in the development of the 'Victorian High Farming tradition' when new ideas culminated in significant alterations in the design and layouts of buildings. The conversion of farm buildings to new uses will ultimately result in the loss of historic fabric, the internal spatial configuration together with their working character.

NPPF paragraph 205 requires developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

The Historic Environment Officer considers Barkers Hall to be a non-designated heritage asset (NDHA). This does not of itself demonstrate that the building is designated as such. There is no evidence of the building being identified as a NDHA on any local list, nor has the building been identified in a Neighbourhood Plan as a building to be locally listed. The Historic Environment Officer states that Barkers Hall is considered NDHAs because it is depicted on the Tithe Map of c.1840.

The National Planning Practice Guidance (PPG) advises that a substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough significance to merit identification as NDHAs. The PPG states that in some cases, local planning authorities may identify NDHAs as part of the decision making process on planning applications, as appears to be the case here. However, the PPG further states that irrespective of how they are identified it is important that the decisions to identify them as NDHAs are based on sound evidence.

Given the advice set out in the PPG and in the absence of any substantive evidence demonstrating that the building has been suitably judged against published criteria, it is not considered that the age of the building combined with the extent of its identified, or potentially identified, architectural details amount to sufficient justification for the building to qualify as a NDHA.

For these reasons, the requested conditions to the implementation of a programme of historic building recording and the submission of a historic buildings report are considered contrary to

paragraph 56 of the NPPF, requiring that conditions are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Representations

No contributions were received following the publicity of the application.

Thorpe Le Soken Parish Council made no contribution.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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:- HBH-03; received 28th January 2022.

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