

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	20.09.2022
Planning Development Manager authorisation:	JJ	20/09/2022
Admin checks / despatch completed	ER	21/09/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	21.09.2022

**Application:** 22/00277/LBC **Town / Parish:** Brightlingsea Town Council

**Applicant:** Mr D Philips and Ms S Bowden

**Address:** Greythorpe Church Road Brightlingsea

**Development:** Proposed installation of solar panels to roofslope of rear extension

### **1. Town / Parish Council**

Brightlingsea Town Council  
01.04.2022

Supports application

### **2. Consultation Responses (Summarised)**

Essex County Council Heritage  
06.04.2022  
1<sup>st</sup> Consultation

The application is for proposed installation of solar panels to the roof slope of the rear extension and roof slope of the garage to the front of the property.

Greythorpe is Grade II listed (List UID: 1306722), likely to have been the vicarage to All Saints' Church to the northwest. Both the garage and the rear extension are recent addition to the main house, built between the 1970s and 1980s.

Solar panels to garage not supported due to siting close to the front elevation of the Listed Building and would also be visible from the public view, introducing an incongruous element which is not in keeping with the local character of the area.

No objection to solar panels to the rear extension as this is a modern addition and visibility is limited.

Essex County Council Heritage  
27.07.2022  
Response after Site Visit

Confirmed that would not support PV panels to the front garage. Discussed the potential to include more panels to both the rear extensions, including the end gable or to allow for a small area at the end of the garden for ground mounted panels.

### **3. Planning History**

78/00321/LBC	Detached garage	Approved	10.04.1978
82/00770/LBC	Single storey extn	Approved	27.08.1982
87/00490/LBC	Utility room	Approved	27.04.1987
87/00006/LBC	Extn to form utility room	Approved	08.06.1987
94/00502/FUL	Extension to garage to form garage/store	Approved	10.06.1994
94/00503/LBC	Extension to garage to form	Approved	10.06.1994

	garage/store		
96/00392/LBC	(Greythorpes, Strangers Corner, Brightlingsea) Conservatory	Approved	16.07.1996
96/00395/FUL	(Greythorpes, Strangers Corner, Brightlingsea) Conservatory	Approved	16.07.1996
22/00276/FULHH	Proposed formation of swimming pool in rear garden, including paving and decking, and relocation of summerhouse.	Approved	05.05.2022

#### **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)

SP7 Place Shaping Principles

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

PPL9 Listed Buildings

#### **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 application site comprises of a detached house, a Grade II Listed Building which has been extended to the rear. There is also a detached garage building to the front of the dwelling, which is a later addition. The site is located within a residential area and is within the settlement development boundary of Brightlingsea.

The listing description for the site is as follows;

House. Early C19. Gault brick. Grey slate hipped roof, right and left chimney stacks. 3 window range of small paned vertically sliding sashes, gauged arches. Central 6 panelled door, reveal panels, pilasters and circular columns with moulded capitals and bases support the flat canopy. Built as The Vicarage.

##### Proposal

The application seeks Listed Building Consent to install 9 solar panels to the roof slope of the rear extension. Due to the objection from ECC Heritage, the proposed solar panels to the garage roof slope have been removed from the application and amended plans have been received. The application is therefore assessed on the basis of the amended plans.

## Assessment

The principle and most important aspect of the application is to consider the impact of the proposed development on the character, appearance and historic fabric of the listed building.

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.

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 supporting statement has been submitted with the application in accordance with the above requirements.

Policy PPL9 also requires the use of building materials, finishes and building techniques that respect the listed building and its setting.

There is no concerns raised regarding the installation of solar panels to the rear roofslope as shown on the revised plans. The rear extension is a later addition to the dwelling and has very limited visibility within the streetscene and therefore the solar panels are not considered to impact on the front elevation and the overall original fabric and setting of the Listed Building. Furthermore there is no objection from ECC Heritage following a site visit and revised plans.

The proposal, subject to conditions, is considered to be acceptable in terms of its impact on the character and appearance of the Listed Building.

## 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):

1986/22/01 Rev A

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

## **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