

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case Officer recommendation:	CC	02.02.2023
Planning Manager / Team Leader authorisation:	JJ	30/01/2023
Planning Technician final checks and despatch:	ER	02/02/23

Application: 22/02031/VOC **Town / Parish:** Thorpe Le Soken Parish Council

Applicant: Mr Gordon Jones

Address: The Abbey Abbey Street Thorpe Le Soken

Development: Application under Section 73 of the Town and Country Planning Act, to allow a variation of condition 4 (Roof Tiles) of 22/00794/LBC to allow the use of clay plain tiles while retaining the original character of the roof.

1. Town / Parish Council

Thorpe Le Soken Parish Council
19.01.2023

The parish council have concerns that the proposed change from slate tiles to clay peg tiles will change the character and aesthetics of The Abbey, which is a building of historical interest and an important heritage asset to the village.

Officer Response – Fully addressed in the below report.

2. Consultation Responses

Essex County Council Heritage

Confirmed via email received 23 December 2022 that they had no objections to the application.

3. Planning History

00/01500/TPO	Reduce 9 Lime Trees on frontage and side boundary by 30% and raise crowns over the road. Prune Oak Tree to the rear of property to remove deadwood, reduce away from property and raise crown.	Approved	05.10.2000
01/00428/FUL	Demolition of existing outbuilding and erection of replacement building together with garages and new vehicular & pedestrian access	Approved	04.07.2002
01/00624/LBC	Demolish existing outbuilding, demolish section of garden wall	Approved	04.07.2002
02/00796/TPO	Lop dead and dangerous branches	Approved	07.05.2002

	off of an Oak tree		
02/01371/TPO	Fell oak tree to ground level and remove stump	Refused	03.09.2002
97/00840/FUL	Construction of two storey domestic dwelling	Refused	09.09.1997
05/00084/LBC	Retention of 'A' frame support structure to roof section and access to roof.	Approved	15.09.2005
10/01444/TPO	G1 - Oak - cut back by 50%. G2 - Cedar - trim to encourage growth. G2 - Yew trees - cut back as too tall.	Approved	10.01.2011
18/00170/TPO	4 No Lime trees - pollard back to previous points. 1 No. Holm Oak - reduce by 40%	Approved	27.02.2018
18/01182/LBC	Painting of timber window frames, doors and plaster plinth from black gloss to dark grey Farrow and Ball Moles Breath No 276 (retrospective).	Approved	02.10.2018
18/01183/LBC	Retrospective application for felt roof to car port.	Approved	02.10.2018
18/01184/LBC	Retrospective application for conservatory.	Approved	02.10.2018
21/00790/LBC	Proposed like-for-like replacement of existing roof.	Approved	
22/00794/LBC	Proposed repairs to existing pitched roofs and chimney.	Approved	01.08.2022
22/02031/VOC	Application under Section 73 of the Town and Country Planning Act, to allow a variation of condition 4 (Roof Tiles) of 22/00794/LBC to allow the use of clay plain tiles while retaining the original character of the roof.	Current	

4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2021 (NPPF)

National Planning Practice Guidance (NPPG)

Local:

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)

SPL3 Sustainable Design

PPL8 Conservation Areas

PPL9 Listed Buildings

Local Planning Guidance

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 (including Site Description and Proposal)

Proposal

This application seeks permission to vary condition 4 (roof tiles) of planning application 22/00794/LBC to allow the use of clay plain tiles while retaining the original character of the roof.

Assessment

The information submitted with the application show the proposed clay plain tiles. The tiles are considered to be of an acceptable design and appearance in relation to the application site and surrounding area. The tiles are considered to retain the historic and architectural interests of the site, with no significant harmful impact on the visual amenities of the area.

Impact on Listed Building and Conservation Area

The tiles are considered to be of an acceptable design and appearance with no significant harmful impact on the historic nature /appearance of the site. The tiles are considered to be in keeping with the locality and have no harmful impact on the special character of the Conservation Area.

Essex County Council's Heritage Department (Place Services) have been consulted on the application, and have confirmed in an email received 22.12.2022 that they have no objections to the proposed roof tile. The proposal is therefore considered acceptable in terms of its impact to the Listed Building and Conservation Area.

Impact on Residential Amenities

The proposal is to change the previously approved roof tiles only, there will be no impact on the loss of light, privacy, nor any other harm to the amenities of the neighbouring dwellings.

Other Considerations

Thorpe Le Soken Parish Council have objected to the application on the following grounds;

“The parish council have concerns that the proposed change from slate tiles to clay peg tiles will change the character and aesthetics of The Abbey, which is a building of historical interest and an important heritage asset to the village.”

Officer Response – The proposed tiles have been assessed in terms of their design and appearance and impact on the listed building and Conservation Area. they have been deemed to be of an acceptable design and appearance in keeping with the locality with no significant adverse effect on the visual amenities of the site or special character and architectural interest of the listed building and Conservation Area. Consultation with Place Services Heritage have taken place and they have no objection to the proposed roof tiles and therefore they are considered to be acceptable.

No other letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

6. Recommendation

Approval - Listed Building Consent

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved drawings / documents, and / or such other drawings / documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings / documents as may be subsequently approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard:

Document showing the proposed tile - Scanned 06 December 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? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO

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