

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	30.03.2023
Planning Manager / Team Leader authorisation:	AN	30/03/23
Planning Technician final checks and despatch:	ER	30/03/2023

**Application:** 23/00177/FULHH                      **Town / Parish:** Great Bromley Parish Council

**Applicant:** Mr Bryn Jones - Project Planning and Management

**Address:** 3 Newhouse Farm Cottages Hall Road Great Bromley

**Development:** Proposed erection of domestic garage/workshop following demolition of existing lean-to.

### 1. Town / Parish Council

Great Bromley Parish Council                      Great Bromley Parish Council had no objection.

### 2. Consultation Responses

Essex County Council Heritage 08.03.2023	<p>The application is for proposed erection of domestic garage/workshop following demolition of existing lean-to.</p> <p>The proposal site is a mid20th Century dwelling within the setting of Grade II Listed Great Bromley House (List UID: 111449), formerly known as Newhouse Farmhouse, and Grade II Listed Barn and Attached Cart Lodge Approximately 50 Metres South of Great Bromley House (List UID: 1147085). While the complex of buildings has ceased its activity as a working farm, its setting is mostly unchanged and rural and open in character and positively contributes to the significance of Newhouse Farmhouse and to the way this significance is experienced, perceived and understood.</p> <p>The proposed outbuilding is considerably larger in scale than the existing garage and would be highly visible from within the curtilage of the Newhouse Farm complex and incongruous and prominent in its rural setting.</p> <p>As per paragraph 206 of the NPPF, local planning authorities should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Also, in determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness (Paragraph 197c). The current proposal is not considered to comply with these requirements.</p> <p>With regards to the National Planning Policy Framework (2021), the level of harm to Great Bromley House and Listed Barn and Cart Lodge as designated heritage assets is considered 'less than substantial' and Paragraph 202 is relevant.</p> <p>I believe there is the potential here for replacing the existing pergola with a more sympathetic lean-to extension to the existing garage on a</p>
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	<p>slightly larger footprint than the existing pergola, design and external materials to match the existing garage.</p> <p>I advise the proposal is revised and we are re-consulted.</p>
<p>Essex County Council Heritage 30.03.2023</p>	<p>The application is for proposed erection of domestic garage/workshop following demolition of existing lean-to. This follows my previous letter dated 6th March 2023 and submission of additional information. As previously advised, the construction of the new garage would have a degree of harm to the setting of the Grade II Listed Barns at Bromley House. However, these concerns can be addressed by using sympathetic materials (clay tiles, timber cladding, timber frame doors and windows) and design more in keeping with the rural character of the setting and matching the existing garage. The existing tall hedge would also contribute to screen the views of the proposed garage from the curtilage of the designated heritage asset. This feature should therefore permanently retained. Were permission to be granted, I advise the following conditions are included:</p> <ul style="list-style-type: none"> <li>• Prior to commencement of above ground works/installation, a schedule of all external finish materials shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such;</li> <li>• Prior to installation, a schedule of drawings that show details of all proposed windows and doors, in section and elevation at scales between 1:20 and 1:1 as appropriate, showing details of glazing type, framing, glazing bars, and cills, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such;</li> <li>• Rainwater goods shall be black painted or powder-coated metal and shall be permanently maintained as such.</li> </ul>

### 3. Planning History

23/00177/FULHH	Proposed erection of domestic garage/workshop following demolition of existing lean-to.	Current
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### 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

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 (including Site Description and Proposal)**

### **Proposal**

This application seeks permission for the erection of a domestic garage/workshop following demolition of existing lean-to.

### **Application Site**

The application site is located in a rural location and is immediately surrounded by large open fields, with built form located to the north-west and south-east of the site. The site is located within close proximity of Grade II Listed Great Bromley House (List UID: 1111449), formerly known as Newhouse Farmhouse, and Grade II Listed Barn and Attached Cart Lodge Approximately 50 Metres South of Great Bromley House (List UID: 1147085). However Officers consider that there is an adequate enough distance for the proposal to have minimal impacts on their settings.

### **Assessment**

#### **Design and Appearance**

The proposed garage will be located towards the north of the site, adjacent to the existing garage and the site boundary. The proposal is therefore largely shielded to the public views of the streetscene by the host dwelling, the existing garage and the shrubbery located along the site boundaries. The proposed garage is also set back from the highway and will therefore not appear overly prominent in the areas where it is visible.

The site benefits from a large plot of land and can easily accommodate for the proposed garage whilst retaining adequate private amenity space. The proposal is therefore considered to be of an acceptable size and scale.

The garage will be constructed using black stained weatherboarding with a grey metal pitched roof. The proposed materials are considered to blend with that of the existing garage and neighbouring dwellings within the area. The garage is therefore considered to be in keeping with the location and has no significant harmful impact on the visual amenities of the area.

#### **Impact on Adjacent Listed Buildings**

The application site is located within close proximity to Grade II Listed Great Bromley House (List UID: 1111449), formerly known as Newhouse Farmhouse, and Grade II Listed Barn and Attached Cart Lodge Approximately 50 Metres South of Great Bromley House (List UID: 1147085). Due to this location Essex County Council Heritage have been consulted on this application. Their comments have been provided in full above. Historic England have also been consulted in error and have chosen to not provide any advice or comments.

Conversations have been held between the Local Planning Authority and Essex County Council Heritage regarding their initial objection to this application (detailed in full above) it has been

agreed that so long as a condition is implemented to retain the existing evergreen hedgerow and ensure sympathetic construction materials are used, and maintained. The design will be considered to be more in keeping with the rural character of the setting and match the existing garage. This will in turn lessen any potential negative impacts on the setting of the listed buildings and the proposal can be deemed to have no significant negative impacts that would justify refusing planning permission. These conditions have therefore been included below.

Essex County Council's comments on the application have been provided in full above. It is noted that they are also requesting conditions for further details on the windows and doors. However, the Local Planning Authority believe that the plans submitted with this application adequately show the windows and doors which are considered appropriate and therefore this condition is not necessary.

### Highway Considerations

The proposed garage complies with Essex County Council Requirements for a garage to measure at least 7m by 3m internally to be considered an acceptable parking space. The application is therefore acceptable in terms of highway safety.

### Impact on Neighbouring Dwellings

The proposed garage is not located immediately adjacent to any neighbouring dwellings and is of a single storey nature. It therefore has no harmful impacts on the loss of light, privacy nor harm to the amenities of the neighbouring dwellings.

### Other considerations

Great Bromley Parish Council had no objection.

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 - Full

## **7. Conditions / Reasons for Refusal**

### 1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with 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 Section 51 of the Planning and Compulsory Purchase Act 2004

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

## 2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below 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 subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Drawing No. 5370-P01

Drawing No. 5370-P03

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

### NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

## 3 COMPLIANCE REQUIRED - RETENTION AND MAINTENANCE OF HEDGE ALONG NORTHERN BOUNDARY

CONDITION The existing Laurel hedge (as shown on drawing No. 5370-P01) located along the northern boundary of the site facing Newhouse Farm shall be retained in perpetuity for at least the entire length of the hereby approved garage. Should the hedge die, become seriously damaged or seriously diseased it shall be replaced in the next planting season with others of similar size and same species and retained in perpetuity.

REASON: To enable existing landscaping to be protected and retained in the interests of preserving the setting of the neighbouring listed buildings.

## 4 EXTERNAL MATERIALS DETAILS

CONDITION: The external walls of the hereby approved garage shall be clad in timber cladding and shall be finished in matt black paint. The Rainwater goods shall be black painted or powder-coated metal. All shall be permanently maintained as such thereafter.

REASON: In the interests of preserving the setting of the neighbouring listed buildings.

## 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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO