

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	31/08/2023
Planning Manager / Team Leader authorisation:	ML	04/09/2023
Planning Technician final checks and despatch:	ER	08/09/2023

Application: 23/00906/FULHH **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Robert Wright

Address: Daisy Cottage 21 Suffolk Street Walton On The Naze

Development: Proposed installation of hardi plank to side wall and front porch.

1. Town / Parish Council

FRINTON AND WALTON
TOWN COUNCIL

Recommends - Approval

2. Consultation Responses

Essex County Council
Heritage
15.08.2023

The application is for proposed installation of hardi plank to side wall and front porch.

The proposal site is part of a 19th century terrace within the Walton Conservation Area and in close proximity to Grade II Listed 40-44 The Parade (List Entry Number: 1111508). Despite the numerous alterations, the terrace still retains an homogeneous appearance and symmetry which contributes to the character and appearance of the Conservation Area and to the street scape. Buildings here are predominantly rendered with bays cladded with hung tiles.

The proposed cladding to the side wall only would introduce an incongruous and prominent element within the streetscape which would further alter the symmetry of the terrace and would detract from the character and appearance of the Conservation Area and from the street scene. Moreover, the proposed Hardie plank, a fibre cement cladding, is a poor-quality material which is not considered in keeping with the local character.

The harm to the significance of the Conservation Area is considered to be at the low end of 'less than substantial' and paragraph 202 of the NPPF is relevant. Whilst the scale of harm may be at the lower end of 'less than substantial' great weight should be given to the heritage asset's conservation (Paragraph 199) and clear and convincing justification provided for any level of harm (Paragraph 200). Moreover, the proposal fails therefore to make a positive contribution to local character and distinctiveness, as set out in Paragraph 197c of the NPPF.

There is the potential for the installation of cladding to the existing porch, providing that timber weatherboarding is used instead.

3. Planning History

23/00906/FULHH

Proposed installation of hardi plank Current
to side wall and front porch.

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):

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL3 Sustainable Design

LP3 Housing Density and Standards

LP4 Housing Layout

PPL8 Conservation Areas

Supplementary Planning Guidance:

Essex Design Guide

Conservation Area Appraisal

Local Planning Guidance:

Essex County Council Car Parking Standards - Design and Good Practice

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), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal (including Site Description and Proposal)

Proposal

The application is for proposed installation of hardi plank to side wall and front porch.

The colour of the proposed hardi plank to be used has not been specified.

The existing site comprises of a semi-detached two storey dwelling with existing porch. The house is set back from the front boundary allowing for off road parking. The site itself is located within the development boundary and conservation areas of Walton.

Assesment

The proposal site is part of a 19th century terrace within the Walton Conservation Area and in close proximity to Grade II Listed 40-44 The Parade. Despite the numerous alterations, the terrace still retains a homogeneous appearance and symmetry which contributes to the character and appearance of the Conservation Area and to the street scape. Buildings here are predominantly rendered with bays clad with hung tiles.

The proposed cladding to the side wall only would introduce an incongruous and prominent element within the streetscape which would further alter the symmetry of the terrace and would detract from the character and appearance of the Conservation Area and from the street scene. Moreover, the proposed Hardi plank, a fibre cement cladding, is not considered in keeping with the local character.

The harm to the significance of the Conservation Area is considered to be at the low end of 'less than substantial' and paragraph 202 of the NPPF is relevant. Whilst the scale of harm may be at the lower end of 'less than substantial' great weight should be given to the heritage asset's conservation (Paragraph 199) and clear and convincing justification provided for any level of harm (Paragraph

200). Moreover, the proposal fails therefore to make a positive contribution to local character and distinctiveness, as set out in Paragraph 197c of the NPPF.

Essex County Council Heritage have been consulted and raised objections to the proposal. They have stated that there is potential for the existing porch to be cladded provided timber weatherboarding is used. A heritage assessment providing sufficient information regarding the significance of the heritage assets affected would also be required, as set out in Paragraph 194 of the NPPF. This information has not been provided as part of this application.

Impact to Neighbours

The proposal is of a nature and siting away from shared boundaries which would not result in a significant loss of amenities to neighbouring sites.

Other Considerations

Frinton and Walton Town Council recommend approval for the application.

There have been no letters of representation received.

Conclusion

The proposed development by virtue of its design and siting will fail to preserve or enhance the character and appearance of the conservation area and would result in an incongruous form of development to the main dwelling, detrimental to visual amenity and the overall character of the area contrary to the aforementioned national and local policies. The application is therefore recommended for refusal.

6. Recommendation

Refusal - Full

7. Reasons for Refusal

- 1 Policy PPL8 of the Tendring District Local Plan 2013-2033 seeks to ensure that any new development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area. Paragraph 197 c) of the NPPF also outlines that local planning authorities should take into account the desirability of new development making a positive contribution to local character and distinctiveness.

The proposal site is part of a 19th century terrace within the Walton Conservation Area and in close proximity to Grade II Listed 40-44 The Parade. Despite the numerous alterations, the terrace still retains a homogeneous appearance and symmetry which contributes to the character and appearance of the Conservation Area and to the street scape. Buildings here are predominantly rendered with bays cladded with hung tiles.

The proposed cladding to the side wall only would introduce an incongruous and prominent element within the streetscape which would further alter the symmetry of the terrace and would detract from the character and appearance of the Conservation Area and from the street scene.

Moreover, the proposed Hardi plank, a fibre cement cladding is not considered in keeping with the local character. As such, the proposal fails therefore to make a positive contribution to local character and distinctiveness, as set out in Paragraph 197c of the NPPF.

The current proposal would therefore fail to preserve or enhance the character and appearance of the Conservation Area resulting in a less than substantial harm to its significance, as per paragraph 202 of the NPPF. There are insufficient public benefits to outweigh this harm and the proposal is therefore contrary to the above-mentioned policies of the Tendring District Local Plan 2013-33 and the relevant sections of the NPPF.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Plans and Supporting Documents

The Local Planning Authority has resolved to refuse the application for the reason(s) set out above. For clarity, the refusal is based upon the consideration of the plans and supporting documents accompanying the application as follows, (accounting for any updated or amended documents):

- Site Plan (Received 10/07/2023)
- Block Plan (Received 10/07/2023)
- Existing and Proposed Elevations (Received 18/07/2023)