

TENDRING DISTRICT COUNCIL

PLANNING COMMITTEE

ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE

15th February 2024

Item No. A.1

23/01265/FUL – Coppins Hall Community Centre, Maldon Way, Clacton-on-Sea, Essex

Proposed temporary siting of storage container (already on site) to land rear of Coppins Community Centre.

1. Additional condition and informative in relation to the colour of the container to read as follows:
- 3 FURTHER APPROVAL: AGREEMENT OF MATERIALS COLOUR FINISH

CONDITION: Within 1 month of the date of approval of this planning permission, details of the external colour finish (suitable paint) to be applied to all the external facing elevations of the container shall be submitted to and approved, in writing, by the Local Planning Authority. The approved colour shall be applied to all external facing elevations of the container within one month of the date of the approval of the said colour, and retained as one uniform colour on all the external facing elevations for as long as the container is kept on site.

REASON: To minimise the visual impact of the container on the character and appearance of the area.

Informative

Paint Colour

Due to the current condition of the container, a condition has been imposed for the applicant to paint the container in a uniform colour to minimise its overall impact. It is recommended that the container is painted green to be considered in keeping with the character of the area.

2. Amendment to condition 2 to read as follows:
- 2 COMPLIANCE: TEMPORARY PERMISSION

CONDITION: The development is hereby approved for a temporary period of 3 years from the date of this decision, by which date ***the container*** shall be removed in its entirety and the land returned to its original state and use.

REASON: To accord with the requirements of the application, this is secured as temporary permission. Furthermore, the appearance of the container is not considered appropriate to warrant the granting of a permanent permission in the interests of preserving the visual amenity of the surrounding area. This temporary permission allows time for an application for a suitable permanent scheme to come forward.

Item No. A.2

23/01418/FUL – Braham Hall Farm, Bentley Road, Little Bromley, Essex

Proposed erection of two dwellings (in lieu of prior approval for the conversion of an agricultural building into two dwellings 23/00549/COUNOT)

1. For information purposes only, Essex County Council Place Services (Heritage) initial comments, dated 3rd November 2023, are as follows:

“The application is for proposed erection of two dwellings. (in lieu of prior approval for the conversion of an agricultural building into two dwellings 23/00549/COUNOT). A site visit has been carried out in November 2023.

The proposal site is within the setting of Grade II Listed Braham Hall. The existing barn is part of a group of agricultural buildings that have been added to the farmstead in the 20th century and they are not of historic or architectural significance. However, they form an interesting group which includes the proposal site, three brick and concrete storages/stables and a water tank arranged around a yard, and are considered in keeping with the rural character of the setting. The complex of modern agricultural barns contribute to the setting of the designated heritage asset and to our understanding of the significance of Braham Hall as an historic farmhouse.

There is no objection in principle to the demolition of the existing barn to be replaced by two dwellings. However, the proposed dwellings are very residential in character and are not considered to be in keeping with the rural character of the setting of Braham Hall.

The scheme previously submitted with reference 23/00549/COUNOT can overall be considered acceptable as the conversion of an existing barn, which is constrained by the existing structure, and, while improvable, offers a more bespoke response to the setting of the designated heritage asset.

While the current proposal is very similar in scale and design to the fall-back scheme, it should be noted that, 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. The demolition of the existing barn here, offers the opportunity for a well-designed high quality pair of dwellings of more traditional design and rural in character which could make a positive contribution to the setting of Braham Hall.

The elevations proposed in this current scheme are very similar to the previous proposal, however the addition of features as balconies, canopies, flues, contributes to the residential character of the buildings and makes them incongruous as part of the setting of the former farmhouse. In particular, the south and west elevations, facing the listed building, are particularly cluttered and should be revised and generally simplified.

At this stage, there are not sufficient information regarding external materials. Horizontal cladding with a brick plinth as previously proposed would be an acceptable solution, providing that traditional timber cladding is used. I also advise that, should a metal roof finish be proposed to match the existing, the previously proposed zinc roof is retained instead of the current grey standing seam sheeting. I would not support the use of uPVC windows and doors for this site and advise metal frame or timber frame features are proposed.

A detailed landscape layout, including information on hardstanding materials and boundary treatment would also be required.

In their current form, the proposals fail to preserve the special interest of the listed building, contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework (2023), the level of harm is considered to be 'less than substantial'. As such the local planning authority should weigh this harm against any public benefits of the proposal including, where appropriate, securing its optimum viable use as per Paragraph 202.

Also, the proposals are not considered to preserve those elements of the setting that make a positive contribution to the identified heritage asset and which better reveal its significance, making paragraph 206 of the NPPF relevant here. Furthermore, the proposed fail to make a positive contribution to local character and distinctiveness, as set out in Paragraph 197c of the NPPF."

2. Amendments to the paragraphs as per the details below (**additional comments in bold**).

6.26 Paragraph 208 of the NPPF states that where a development 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. **Paragraph 205 adds that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.**

6.30 Given that the design of the two schemes is near identical, and the prior approval has been implemented, Officers do not consider that it would be reasonable to set aside the prior approval and raise objections solely on the grounds of heritage impacts. Notwithstanding the consistency position, the development does represent less than substantial harm, **which along with the conservation of the Listed Building, is given great weight within the determination of this application. However, on this occasion** the public benefit derived from housing provision, economic growth **and** design is considered to outweigh the harm and/or any perceived harm to the heritage asset.

3. Amendments to the conclusion as follows (**additional comments in bold**).

7.2 Whilst the proposal is located within proximity to a Grade II Listed Building and ECC Heritage have raised concerns that the proposal does not enhance the setting of this heritage asset, the design is very similar to that previously approved (and implemented) within 23/00549/COUNOT. Officers, **in giving great weight to the conservation of the heritage asset and also recognising that the proposal generates some public benefits**, therefore do not consider it reasonable to raise an objection on these grounds. Furthermore, there is not considered to be significant harm to neighbouring amenities or the character of the area, whilst there is sufficient parking provision. ECC Highways also raise no objections.

4. Removal of Condition 12

Since the publishing of the agenda, the agent for the application has provided a Construction Method Statement and as such it is proposed to now remove Condition 12.

Item No. A.3

23/01601/FUL – The Naze Peninsula, Old Hall Lane, Walton-on-the-Naze, Essex **Proposed modification to access arrangement to allow access to foreshore as result of erosion.**

Since the publishing of the agenda, Natural England have provided additional comments following the completion of a bespoke Habitats Regulation Assessment (HRA) by Officers:

“The bespoke HRA provided does not clearly set out the effects that the proposed modification of the access routes will have on the designated sites. An updated assessment is required to understand on what effects modifying the access routes may have on the foreshore and designated sites.”

However, while these comments from Natural England are noted, Officers appreciate that the works involved are essentially a minor variation to those previously allowed under reference 21/01450/FUL. The alterations proposed are considered to have a de minimis impact upon the designated site known as Hamford Water RAMSAR, SAC and SPA, and therefore on this occasion it is not considered to be a reasonable approach to provide a further detailed assessment.