



AGENT: Mrs Julia Cameron - Inkpen
Downie Architecture
2 Balkerne House
Balkerne Passage
Colchester
CO1 1PA

APPLICANT: Mr and Mrs Lowdell
The Oak
Harwich Road
Beaumont
Clacton On Sea
Essex
CO16 0AS

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

APPLICATION NO: 24/00873/LBC

DATE REGISTERED: 17th June 2024

Proposed Development and Location of Land:

Application for Listed Building Consent - Small lean-to extension to the existing kitchen to accommodate a larger dining space.

The Oak Harwich Road Beaumont Clacton On Sea

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE LISTED BUILDING CONSENT** in accordance with the application form, supporting documents and plans submitted, for the following reason(s):

- 1 The Oak is a Grade II listed building. The proposed lean-to extension would result in the loss of historic fabric by removing a portion of external brick walling from a nineteenth century-built extension that supports an eight-over-eight sash window, and a small twentieth century timber casement window. The nineteenth century fabric is an important aspect in understanding the building's phasing and chronological development.

The proposal would result in less than substantial harm to the significance of the Grade II listed building, with no public benefits to outweigh this harm.

The proposal is therefore contrary to paragraphs 205, 206 and 208 of the National Planning Policy Framework 2023 and Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022).

DATED: 12th August 2024

SIGNED:

John Pateman-Gee
Head of Planning and Building Control

IMPORTANT INFORMATION :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

NATIONAL:

National Planning Policy Framework 2023 (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):
PPL9 Listed Buildings

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):

Drawing No.s
2324-IDA-XX-ZZ-DR-A-0202
2324-IDA-XX-ZZ-DR-A-0204
2324-IDA-XX-ZZ-DR-A-0205
2324-IDA-XX-ZZ-SU-A-0100
Heritage Statement

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

ABOUT LISTED BUILDING AND CONSERVATION AREA APPLICATIONS

1. If the applicant is aggrieved by the decision of the local planning authority to refuse Listed Building Consent for the proposed works, or to grant consent subject to conditions, he may appeal to the Secretary of State for Communities and Local Government in accordance with Section 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of receipt of this notice. Appeals must be made on a **Listed Building Appeal Form** which is obtainable from the Planning Inspector, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. The Secretary of State has power to allow a longer period for the giving of a notice appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. **Please note, only the applicant has the right of appeal.**

2. If Listed Building Consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Council of the district, a purchase notice requiring that the Council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (listed Building and conservation areas) Act 1990.

3. In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 27 of the Planning (Listed Buildings and Conservation areas) act 1990.

4. Identical rights of appeal exist if an applicant is aggrieved by the decision of the local planning authority in relation to an application made on that behalf:-
 - a) To refuse, to vary or to discharge the conditions attached to a Listed Building Consent.

 - or

 - b) To add new conditions consequential upon any such variation or discharge.