

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	ML	17/01/2025
EIA Development - Notify Planning Casework Unit of Decision	NO	
Team Leader authorisation / sign off:	AN	20/01/25
Assistant Planner final checks and despatch:	BB	20/01/2025

Application: 24/01562/VOC **Town / Parish:** St Osyth Parish Council

Applicant: St Osyth Priory Estate Limited

Address: St Osyth Priory The Bury St Osyth

Development: Application under Section 73 of the Town and Country Planning Act for Variation of Conditions 2 (Approved Plans), Condition 3 (Materials - Phase 1) and Conditions 4 (Materials - Phase 2) of application 18/01166/FUL to enable/allow details pertaining to the garage doors need to be amended in order to regularise the doors in situ.

1. Town / Parish Council

St Osyth Parish Council Whilst there are no objections to this application, the Parish Council refers this matter to the District Council's Planning Team for consideration.

2. Consultation Responses

Historic England
19.12.2024 Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Essex County Council
Heritage
20.11.2024 The application is made under Section 73 of the Town and Country Planning Act for Variation of Conditions 2 (Approved Plans), Condition 3 (Materials - Phase 1) and Conditions 4 (Materials - Phase 2) of application 18/01166/FUL to enable/allow details pertaining to the garage doors need to be amended in order to regularise the doors in situ.

The Site is located outside of the St Osyth Conservation Area. The Site is also located adjacent to:

- Scheduled Monument: Remains of St Osyth Priory (List Entry ID: 1002193); and
- Registered Park and Garden: St Osyth's Priory (List Entry ID: 10002237).

This submission forms one of two VOC applications (the other is 24/01561/VOC). It is not clear which application relates to which plot

as drawing OC002-03-03 (Revision J) highlights different plots to drawing OC002-03-03 (Revision N). As such I have provided identical comments to both VOC applications pertaining to garage doors.

In response to comments in the applicant's cover letter, I can confirm I have not previously viewed the installed garage doors, nor have I previously commented on their acceptability.

There are two aspects to this application. The first is the design quality of the doors and the second is the impact upon identified heritage assets.

The materials and finishes of the Westfield Development were previously considered through condition discharge applications. Timber doors were permitted as they were in-keeping with the traditional aesthetic of the development. The installed doors are relatively incongruous and detract from the composition of the street scene in many places. Due attention has been given with the installation of features such as timber windows and appropriate brick bonds, it is unfortunate that this aspect (the garage doors) now averages down the overall quality. The installed garage doors present a more utilitarian, and in some places industrial aesthetic, in contrast to the traditional character. The requirement for the original timber doors would have been considered under paragraph 212 and 203 (c) of the NPPF with an ambition to provide high quality development in the setting of heritage assets which contributes to local character and distinctiveness. The installed doors do not deliver the same quality.

In terms of impact, many of the garage doors are located away from views of the heritage assets and as such do not impact setting or significance. The exception is Cartlodges E, D, C and A forming part of the square at the north east corner of the development. Standing to the north, the development can be experienced in the setting of the Conservation Area, Scheduled Monument and Registered Park and Garden. I consider the inappropriate doors to this composition is harmful through the introduction of incongruous and poor quality (in terms of aesthetic) development and in this specific area I would suggest the variance of condition is unacceptable and considered under paragraph 208 of the NPPF as well as paragraphs 212 and 203 (c).

Essex County Council
Heritage
09.01.2025

This letter should be read in addendum J to my previous consultation.

The information subsequently provided by the applicant does not change the advice in my previous letter.

The principal concern remains around the garages fronting the square, Cartlodges A-E and predominantly D and E.

The subsequent information provided by the applicant focuses on views. The areas of Cartlodges D & E can be experienced in the setting of the identified heritage assets. It is for this reason that such attention was given to the detailing of the development.

The applicant has also helpfully highlighted garage doors of a more modern aesthetic in the locality. The images of these doors highlight that they do not positively contribute to the general traditional aesthetic.

3. Planning History

16/00656/FUL	Demolition of existing property at 7 Mill Street and the creation of 72 no. two, three and four bedroom houses, plus associated roads, car parking, garages and landscaping.	Approved	18.11.2016
17/01175/FUL	Variation of condition 3 of 16/00656/FUL to allow amendments to the elevations and layout of Phase 1 and removal of condition 14 part e to remove the requirement to relocate the bus stop.	Approved	21.12.2018
17/01593/DISCON	Discharge of conditions 02 (S106 Agreement), 07 (Construction details), 08 (Wastewater Strategy), 09 (Foul Water Strategy), 10 (Surface Water Strategy) 11 (Landscape/ habitat management plan), 12 (Construction and Environmental management Plan), 13 (Cleaning facility), 14 (Highways details), 15 (Amendments to Drawings), 17 (Local Recruitment Strategy), 19 (External Lighting) and 20 (Construction Method Statement) of Planning Permission 16/00656/FUL. Discharge of Conditions 02 (S106 Agreement), 08 (Construction Details), 12 (Landscape/ habitat management plan), 14 (Construction and Environment Plan), 15 (Cleaning facility), 17 (Local Recruitment Strategy) and 19 (Construction Method Statement) of planning permission 16/00671/FUL.	Approved	18.09.2018
17/01828/DISCON	Discharge of condition 4 (Materials) of approved planning application 16/00656/FUL.	Approved	29.05.2018
18/01166/FUL	Variation of condition 2 of approved application 17/01175/FUL to allow amendments to the elevations and layout of Phase 2.	Approved	18.04.2019
18/01596/FUL	Erection of 14 dwellings. (As part of previously approved West Field scheme.)	Approved	01.06.2020
19/01694/DISCON	Discharge of condition Condition 9 (Wastewater strategy); Condition 11 (Foulwater Strategy); Condition 13 (Surface Water Drainage); Condition 16 (Hard and Soft Landscaping); Condition 23 (External Lighting); Condition 27 (Landscaping Habitat); 28 (CEMP); 29 (Archaeology of planning permission 18/01166/FUL.	Approved	21.08.2020

19/01725/NMA	Non material amendment to planning permission 18/01166/FUL - Alter arrangement of central landscaping area to include the relocation of 4 car parking spaces.	Approved	10.12.2019
20/01061/DISCON	Part discharge of Condition 3 (Materials South Lodge only) and part discharge of Condition 13 (Landscaping South Lodge only) of approved application 19/00032/FUL	Approved	11.09.2020
20/01099/DISCON	Discharge of condition 4 (strategic phasing plan) of approved application 19/01171/OUT.	Approved	09.09.2020
20/01463/NMA	Non material amendment of approved application 18/01596/FUL to improve the layout and relationship of the dwellings within the street scene by changing the house type at Plot 11.	Approved	03.12.2020
20/01713/NMA	Non-material amendment of approved application 18/01166/FUL to improve the layout and relationship of respective dwellings and car parking provision.	Approved	17.12.2020
21/00012/NMA	Non Material Amendment to allow minor elevational design changes and re-routing of approved access track to follow existing route from the north for planning approval 19/00032/FUL .	Approved	15.01.2021
21/00556/NMA	Non-material amendment of application 18/01166/FUL for the insertion of new window at the attic level on plot 28 of the West Field development.	Approved	11.05.2021
21/01321/NMA	Non-material amendment of application 18/01166/FUL - Improve the layout and relationship of plots 6-8, allowing plot 8 to have separate driveway and increased landscaping between plots 7 and 8.	Approved	11.08.2021
21/01913/NMA	Non-material amendment sought to 18/01166/FUL to substitute plot 20 at West Field from a 3 bed 3 storey unit to a 3 bed 2 storey unit with no change in the housing mix proposed. Plot 20 to change from house type E to house type D1.	Approved	02.12.2021
22/00046/NMA	Non-material amendment sought to 18/01166/FUL to substitute the approved housetype on plots 8 and 10 from housetype G2 to housetype F, there is no change to the unit mix proposed (both the approved and the proposed housetypes are 4 bed units). To extend the garage to	Approved	16.02.2022

the rear at plot 13 and to change the approved materials for plots 8 and 10 to brick and boarded (from brick and render).

22/00146/NMA	Non-material amendment sought to 18/01166/FUL for addition of roof light and catslide dormer to plots 11,12,13,14 to allow natural light and access to loft storage space. Minor elevational changes.	Approved	15.03.2022
22/00521/NMA	Non-material amendment sought to 18/01166/FUL to add an additional window to either gable end to allow for two additional bed spaces to the second floor of plots 13 and 14.	Approved	20.04.2022
23/01142/FULHH	Proposed garage door to existing car port and insertion of interior timber stud wall.	Refused	28.11.2023
24/01041/DOVO5	Deed of variation, under the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992, of the terms of the legal agreement dated 30 November 2018 linked to planning permission 16/00671/FUL and 16/00656/FUL in respect of the holding of escrow monies.	Current	
24/01561/VOC	Application under Section 73 of the Town and Country Planning Act for Variation of Conditions 2 (Approved Plans) and Condition 3 (Materials) of application 18/01596/FUL to enable/allow details pertaining to the garage doors to be amended in order to regularise the doors in situ.	Current	
24/01562/VOC	Application under Section 73 of the Town and Country Planning Act for Variation of Conditions 2 (Approved Plans), Condition 3 (Materials - Phase 1) and Conditions 4 (Materials - Phase 2) of application 18/01166/FUL to enable/allow details pertaining to the garage doors to be amended in order to regularise the doors in situ.	Current	

4. 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 Local Plan 2013-33 and Beyond (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 made and the Minerals and Waste Local Plans adopted by Essex County Council.

5. Neighbourhood Plans

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

At the time of writing, there are no draft or adopted neighbourhood plans relevant to this site.

6. Relevant Policies / Government Guidance

National:

National Planning Policy Framework 2024 (NPPF)

National Planning Practice Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 (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

PPL9 Listed Buildings

Supplementary Planning Documents:

Essex Design Guide

St Osyth Conservation Area Appraisal

Local Planning Guidance:

Essex County Council Car Parking Standards - Design and Good Practice

7. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site forms part of a housing development known as 'Westfield' which is set to the west of St Osyth Priory. The application is situated within the St Osyth Conservation Area and to the south and west of a Scheduled Monument: Remains of St Osyth Priory (List Entry ID: 1002193); and Registered Park and Garden: St Osyth Priory (List Entry ID: 10002237).

The housing development is now complete and constituted enabling development to fund various repair and renovation works at the Priory complex. The whole development comprises of 72 dwellings, whereas this application relates to 58 units, including Phase 1 at the eastern end which incorporates housing units fronting onto the main access into the site and further units to the rear arranged around a 'square' and served by cart lodges. The application also involves more traditional detached and terraced housing situated at the western end of the development (previously known as Phase 2).

Proposal

This application seeks the variation of Conditions 2 (Approved Plans), 3 (Materials – Phase 1) and 4 (Materials – Phase 2) of application 18/01166/FUL in order to regularise the garage doors that are in situ at the above site.

The approved materials plans note that the garage doors, in respect of the aforementioned planning consent, are to be vertical timber (up and over), which is also reflected in consented garage elevations.

The installed garage doors are of a differing material (coated aluminium - grey colour) and are horizontal boarded detailed doors, and as such a formal variation to Conditions 2, 3 and 4 is proposed to rationalise this change.

A separate application runs parallel to this (Reference – 24/01561/VOC) to vary the garage doors relating to the remainder of the units on the wider development, namely 4 units at the western end of the site and a maltings style apartment building comprising of 10 units located centrally within the estate.

Design/Heritage Impacts

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Paragraph 212 of the NPPF (2024) confirms 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy PPL8 refers to conservation areas, it states that 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, especially in terms of materials and finishes, including boundary treatments appropriate to the context.

Policy PPL9 states that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric. Where a proposal will cause harm to a listed building, the relevant paragraphs of the NPPF should be applied dependent on the level of harm caused.

This submission forms one of two VOC applications (the other is 24/01561/VOC).

The materials and finishes of the Westfield Development were approved as part of the original planning permissions relating to the site. Timber doors to the garages and cart lodges were permitted as they were in-keeping with the traditional aesthetic of the development. The installed aluminium doors are incongruous and detract from the composition of the street scene in many places.

Given the sensitive location of the site, within the St Osyth Conservation Area and within the setting of the wider St Osyth Priory complex (Scheduled Ancient Monument) and associated Registered Priory Park and Garden, due attention has been given to the estate development with the installation of features such as timber windows and appropriate brick bonds, as such it is considered that the proposal to retain the installation of aluminium garage doors now averages down the overall quality. The installed garage doors present a more utilitarian, and in some places industrial aesthetic, in contrast to the traditional character. The requirement for the original timber doors would have been considered under paragraph 219 and 210 (c) of the NPPF with an ambition to provide a high-quality development in the setting of heritage assets which contributes to local character and

distinctiveness. The installed doors do not deliver the same quality and are therefore considered to erode the traditional form and character of the estate.

In terms of impact upon the heritage assets, the estate is situated within the St Osyth Conservation Area and adjacent to St Osyth Priory complex (Scheduled Ancient Monument) and associated Registered Priory Park and Garden. The proposed garage doors are therefore considered discordant and incongruous and would result in a significant detrimental impact upon visual amenity, failing to preserve the character and appearance of the St Osyth Conservation Area, which in this location forms a traditional housing development comprising of traditional high-quality materials that preserve the character and appearance of the conservation area. Furthermore, the Cartlodges E, D, C and A, which form part of the square at the north east corner of the development, can be experienced in the setting of the St Osyth Priory Scheduled Monument and Registered Park and Garden. In this respect, Place Services (Heritage) have reviewed the development proposals and advise that the installed garage doors are harmful and poor quality in terms of aesthetic. As a result they would have a harmful impact upon how these heritage assets are experienced and appreciated.

Consequently, they confirm that the variance of the relevant conditions is unacceptable and should be considered under Paragraph 215 of the NPPF, which states that 'where a development proposal 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 including, where appropriate, securing its optimum viable use'. In this case there are no apparent public benefits that would outweigh the identified harm. Moreover, the proposals do not make a positive contribution to local character and distinctiveness, contrary to paragraph 210 c of the NPPF, and do not to enhance or better reveal the significance of the identified heritage assets contrary to paragraph 219 of the NPPF.

Parking Provision

The installation of garage doors comprising of differing materiality would not affect the use of the garage/cart lodges as parking spaces. They will still retain sufficient space for the parking of a vehicle. The majority of the properties also have large driveways utilised for the parking of vehicles. No highway safety or parking concerns are therefore raised in respect of the proposals.

Residential Amenity

The proposals would not harm residential amenity. The changes do not enlarge the garages or cart lodges and relate solely to the materiality of the doors, which would not harm the residential amenity of the current occupiers.

Ecology and Biodiversity

General duty on all authorities

The Natural Environment and Rural Communities Act 2006 amended by the Environment Act 2021 provides under Section 40 the general duty to conserve and enhance biodiversity: "For the purposes of this section "the general biodiversity objective" is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England." Section 40 states authorities must consider what actions they can take to further the general biodiversity objective and determine policies and specific objectives to achieve this goal. The actions mentioned include conserving, restoring, or enhancing populations of particular species and habitats. In conclusion for decision making, it is considered that the Local Planning Authority must be satisfied that the development would conserve and enhance.

This development is subject to the general duty outlined above. An informative has been imposed strongly encouraging the applicant to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Therefore, the development on balance, with consideration of the impact of the development and baseline situation on site, is considered likely to conserve and enhance biodiversity interests.

Biodiversity net gain

Biodiversity net gain (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. This excludes applications certain types of applications. As the application proposals do not result in the loss of any habitat and are in respect of a Section 73 application where the original application was approved prior to the implementation of BNG legislation, this proposal is not applicable for Biodiversity Net Gain.

Protected Species

In accordance with Natural England's standing advice the proposed development site and surrounding habitat have been assessed for potential impacts on protected species. It is considered that the proposal is unlikely to adversely impact upon protected species or habitats.

Conclusion

In accordance with the overarching duty outlined above, this development is considered to accord to best practice, policy, and legislation requirements in consideration of the impacts on ecology interests.

Other Considerations

St Osyth Parish Council state that whilst they have no objections to this application, they refer this matter to the District Council's Planning Team for consideration.

Several letters of representation have been received from the applicants, these representations cover the following points (officer response in brackets where necessary/relevant);

- Legislation clearly refers to "preserve or enhance" – no requirement to enhance or 'positively contribute' (relevant legislation cited) **(Officer Response – development does not preserve the character or appearance of the estate or the wider conservation area setting).**
- The proposed doors at least 'preserve' when a fair review of the CA is carried out **(Officer Response – do not agree, the introduction of modern materiality within a traditional designed estate in a sensitive location, does not preserve the character of the conservation area).**
- Place services have also not considered other evidence provide e.g. severely damaged wooden features **(Officer Response – not a sufficient argument to introduce incongruous materials)**
- The West Field Development has been praised by many as an example of good development;
- Contrast between properties proposed to be included in CA against Westfield given the negative features that are prolific on those newly proposed properties,
- The assessment of harm needs to be the effect the proposed development has on the CA as a whole
- Conservation Area Appraisal (2010) outlines negative features in the conservation, within which garage doors are not mentioned, **(Officer Response – development was not constructed at that point)**
- The main problems and pressures outlined in conservation area include traffic, building on gardens, and small modern additions such as satellite dishes (again no garage doors), **(Officer Response – that list is not exhaustive, each application has to be considered on its merits and how it preserves the character and appearance of the conservation area).**
- Revised CAA shows Westfield Development as not being in the CA (and the adopted CAA shows it is as suggested inclusion), again raising questions re. the development's siting, **(Officer Response – the site is located within the conservation area at the current time and is assessed as such).**
- Figure 46 of adopted CAA (2010) identifies ALL the buildings used in our example photos as being neutral or positive so surely a fair assessment would reach the same conclusion,
- Figure 77 of draft CAA shows garage doors not within any key views in the CA as identified,
- Section 13.3 of adopted CAA suggests Article 4(2) direction, yet no additional direction adopted to date,
- PD rights A and E do not consider materials as a factor in determining if something can be developed subject to these rights in far more sensitive locations, **(Officer Response – Conditions imposed to secure timber doors. Class E states that permission is required for any new or altered outbuilding located either to the front of a property, or within a conservation area any new or altered outbuilding to the side of a property. So the use of materials is controlled via**

these mechanisms).

- Several notable heritage assets have incorporated modern materials – demonstrating how modern materials can benefit historic environment.

Further letters of representation cover the following points;

- Garage doors are within a heritage area and should therefore be respectful to the local area, and the materials used.
- Moving to wooden opening doors will be detrimental to our property. Opening onto the drive will mean we can no longer fit all vehicles on the drive, this will cause home owners and their guests to need to park on the road, the road is not wide enough for this **(Officer Response – approved doors were timber up and over doors, so no impact on parking provision.**
- The doors look attractive and will remain so for many many years, the likelihood is that moving to wood will lead to poor maintenance and as so detract from the whole look of the estate.
- We paid for wooden garage doors at point of purchase and when we challenged it we were told that it was decided to install metal garage doors as it would be much easier to maintain.

8. Recommendation

Refusal

9. Reasons for Refusal

- 1 Paragraph 131 of the National Planning Policy Framework (NPPF 2024) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 adds that planning decisions should ensure that developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Paragraph 210 c) outlines that local planning authorities should take into account the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 215 confirms that where a development proposal 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 including, where appropriate, securing its optimum viable use.

Local Plan Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022) states all new development should make a positive contribution to the quality of the local environment and protect or enhance local character. The following criteria must be met: new alterations are well designed and maintain or enhance local character and distinctiveness; and the development relates well to its site and surroundings particularly in relation to its design and materials. Policy PPL8 seeks to ensure that any new development within a designated conservation area will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area, especially in terms of design and materials. Policy PPL9 states that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric. Where a proposal will cause harm to a listed building, the relevant paragraphs of the NPPF should be applied dependent on the level of harm caused.

The installed garage doors present a more utilitarian, and in some places industrial aesthetic, in contrast to the traditional character. The requirement for the original timber doors would

have been considered under paragraph 219 and 210 (c) of the NPPF with an ambition to provide a high-quality development in the setting of heritage assets which contributes to local character and distinctiveness. The installed doors do not deliver the same quality and are therefore considered to erode the traditional form and character of the estate.

The estate is situated within the St Osyth Conservation Area. The proposed garage doors are therefore considered discordant and incongruous and would result in a significant detrimental impact upon visual amenity, failing to preserve the character and appearance of the St Osyth Conservation Area, which in this location forms a traditional housing development comprising of traditional high-quality materials that preserve the character and appearance of the conservation area.

In addition, the Cartlidges E, D, C and A, which form part of the square at the north east corner of the development, can be experienced in the setting of the St Osyth Priory Scheduled Monument and Registered Park and Garden. In this respect, the installed doors are harmful and poor quality in terms of aesthetic. As a result, they would have a harmful impact upon the setting of the St Osyth Priory complex and St Osyth Priory Registered Park and Garden in respect of how these heritage assets are experienced and appreciated.

In this case there are no apparent public benefits that would outweigh the identified harm. Moreover, the proposals do not make a positive contribution to local character and distinctiveness and do not enhance or better reveal the significance of the identified heritage assets.

The proposed development therefore fails to accord with the local and national planning policies listed above.

10. 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. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

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):

- OC002-03-03 N
- OC002-03-03 J
- CC002-60-03 D
- CC002-60-04 E
- CC-0175-WFD-GT09 A
- CC-0175-WFD-GT08 A
- CC-0175-WFD-GT07 A
- CC-0175-WFD-GT06 A
- CC-0175-WFD-GT05 A
- CC-0175-WFD-GT04 A
- CC-0175-WFD-GT03 A
- CC-0175-WFD-GT02 A
- CC-0175-WFD-GT01 A

11. Equality Impact Assessment

In making this recommendation/decision regard must be had to the public sector equality duty

(PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.

It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

12. Notification of Decision

Are there any letters to be sent to applicant / agent with the decision? If so please specify:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO
Has there been a declaration of interest made on this application?		NO