

## COMMITTEE REPORT

**Reference:**

a)17/01579/FUL  
b)17/01580/LBC

**Site:**

67 High Street  
Ingatstone  
Essex  
CM4 0AT

**Ward:**

Ingatstone, Fryerning  
& Mountnessing

**Proposal:**

**Parish:**

Ingatstone &  
Fryerning

a) Variation of condition 2 (Approved drawings), 3 (Samples of materials), 4 (Details of roof lights), 5 (Additional drawings showing windows doors) and 8 (Scheme of hard and soft landscaping) of application 16/01565/FUL (Change of use of 67 High Street, Ingatstone from a retail unit (Class A1) to residential (Class C3) and associated internal and external works).  
b) Listed building consent for conversion from a retail unit to residential to include alterations to windows and doors on the front and side elevations, addition of roof lights and internal alterations to walls and doors to provide new layout.

**Plan Number(s): 401; 107; 02; 07; 00;**

**The applications are a resubmission of the previous refusals in which members expressed concerns to the first amendments at the July 2017 committee. These applications (second amendments) seek to address the concerns raised and in particular members at that committee requested to see details of any future proposal.**

**Case Officer:** Mr Nick Howard

### 1.0 DESCRIPTION OF PROPOSAL

- a) A planning application is being made to vary Condition 2 of planning permission 16/01565/FUL, so as to substitute the approved drawings for drawings showing the works as completed. Furthermore, the proposal includes updating a number of conditions attached to the original planning permission, namely samples of materials, details of rooflights, drawings showing details of windows and doors and landscaping.
- b) A listed building application is submitted, which, if granted, would replace the listed building consent 16/01752/LBC.

The works carried out were completed in April 2017 and these applications seek approval for an alternative scheme to that permitted in 2016. The proposal is for alterations to the curtilage listed building which are discussed in detail in the assessment section of the report.

## **2.0 SITE DESCRIPTION**

67 High Street is a curtilage listed building within the located within the historic curtilage of the Grade II listed building of The Crown. The site holds a prominent position within the Ingatestone High Street Conservation Area. It is a long single storey building with a pitched roof.

## **3.0 RELEVANT HISTORY**

- 16/01565/FUL: Change of use of 67 High Street, Ingatestone from a retail unit (Class A1) to residential (Class C3) and associated internal and external works. - Application Permitted
- 16/01752/LBC: Listed building consent for conversion from a retail unit to residential to include alterations to windows and doors on the front and side elevations, addition of roof lights and internal alterations to walls and doors to provide new layout. -Application Permitted
- 17/00489/FUL: Removal of condition 2 - to build in accordance with approved drawings on 16/01565/ful (Change of use of 67 High Street, Ingatestone from a retail unit (Class A1) to residential (Class C3) and associated internal and external works) to amend roof design and replace window on the scheme with a door -Application Refused
- 17/00483/LBC: Conversion of building into two residential units to include single storey rear extension, alterations to windows and doors on the front and side elevations, alterations to roof, addition of roof lights and internal alterations to walls and doors to provide a new layout -Application Refused

## **4.0 SUMMARY OF CONSULTATION RESPONSES**

Detailed below is a summary of the consultation responses, if any received. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

- **Parish Council-**

Ingatestone & Fryerning Parish Council recognise the historic value and architectural merit of this landmark building in the High Street and will support the Heritage Officer's decision.

- **Historic Buildings and Conservation Officer-**

No objections received

## **5.0 SUMMARY OF NEIGHBOUR COMMENTS**

This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby.

Detailed below is a summary of the neighbour comments, if any received. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

No letters of objections received.

## **6.0 POLICY CONTEXT**

The starting point for determining an application is the development plan, in this instance, the Brentwood Replacement Local Plan (RLP) 2005. Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for determining this application are the following RLP policies, the National Planning Policy Framework (NPPF) 2012 and National Planning Policy Guidance (NPPG) 2014.

RLP Policy:C15- Demolition, Alterations and Extension to a listed building  
Policy C17- Change of use of a listed building

NPPF Sections:12-Conserving and enhancing the historic environment

Local Development Plan:

The Local Development Plan is currently at the Draft Stage (Regulation 18) and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision making, as set out in paragraph 216 of the National Planning Policy Framework. As the plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless, the draft Local Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The next stage of the Local Plan is the Pre-Submission Draft (Regulation 19) which is currently anticipated to be published in early 2018. Following this, the Draft LDP will be submitted to the Secretary of State for an Examination in Public. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted in 2019.

## **7.0 ASSESSMENT**

**Background:**

When planning permission is granted, development must take place in accordance with the permission and conditions attached to it, with any associated legal agreements. New issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application under section 70 of the Town and Country Planning Act 1990 will need to be submitted. The local planning authority may grant planning permission, either unconditionally or subject to such conditions they see fit; or refuse planning permission.

The building is a curtilage listed building set within the grounds of the Crown Inn, which is Grade II listed. The Council have no objections to the principle of converting the building into two residential units.

The roof/eaves on site is currently unacceptable, however the proposed alteration showing the roof/eaves detail as set out in the submitted plans is accepted by way of mitigation. The fenestration and reinstatement of the stable door (with its original fixings) is supported; this includes single glazed flush casement windows, painted timber. A condition requiring the roof/eaves detail is altered in accordance with the submitted plans, within two months of the date of this permission is suggested.

Previously there were a number of issues that were still outstanding that the applicant was unwilling to change, and which subsequently led to a refusal of planning permission/listed building consent. The outstanding issues were as follows:

- The doors to the north west (front) elevation were of an urban design and were considered to be out of keeping with the character of the listed building. The design of the entrance doors has been changed to four panels and would be of an olive-green colour. This alteration is considered acceptable.
- The air vents on the rear elevation have been covered up and should be reinstated. The submitted plan shows the opening of six air vents on the rear elevation which adds to the character of the building.
- The expanse of roof lights, included six on the eastern roof plane was too great and were not of a conservation type which could be set flush into the roof covering. The submitted plans show a reduction to five conservation roof lights which represents a significant improvement to the rear elevation of the building.
- The soil vent pipes on the ridge line of the building should be reduced and the tile vents should be incorporated. The submitted plans show a significant reduction on the soil vent pipes which is considered acceptable.

Overall further to the Historic Officer's site visit and the comments made within her initial response there are no outstanding matters to be addressed. Having reviewed the proposals to mitigate the harm as set out in her previous response she raises no further objections.

## **8.0 CONCLUSION**

The Council consider that the amended additions cumulatively are now not harmful to the character and setting of the curtilage listed building. The proposal is therefore in accordance with Policies C15 and C17 of the Brentwood Replacement Local Plan.

## **9.0 RECOMMENDATION**

The Application be APPROVED subject to the following conditions:-

1. Within two months of the date of this permission, the development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

### Informative(s)

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.

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: C15 & C17; the National Planning Policy Framework 2012 and NPPG 2014.

### **Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

[www.brentwood.gov.uk/planning](http://www.brentwood.gov.uk/planning)