

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	01/05/19
Planning Development Manager authorisation:	SCE	01.05.19
Admin checks / despatch completed	AP	1/5/19

*AP*

**Application:** 19/00091/FUL **Town / Parish:** Manningtree Town Council

**Applicant:** Mr & Mrs Scott

**Address:** Cumberland House 50 South Street Manningtree

**Development:** New pitched roof to include 4 dormers and a chimney extension.

### 1. Town / Parish Council

Manningtree Town Council      No comment.

### 2. Consultation Responses

ECC Historic Environment (dated 29 March 2019)      The application is for a new pitched roof to include 4 dormers and a chimney extension, in addition to internal and external alterations. The above concerns Cumberland House, a Grade II listed (HE Ref: 1240161) house. The property is located within the Manningtree Conservation Area, within which are located a number of listed buildings and places of special historic interest.

The list description notes:

*House. C18 or earlier with later alterations and additions. Gault brick faced. Red plain tiled roof. Left and right chimney stacks. 2 storeys, attics and cellars. 2 flat headed dormers, dentilled eaves cornice. 4 window range of small paned vertically sliding sashes, gauged brick arches. Central 4 panel 2 light door, platform approached by steps from the left. Cast iron railings with moulded and pointed finials, roundels and open finials to posts enclosing the platform. 6 circular cast iron tie plates to each floor.*

Whilst I have no objection to the proposal in principle and consider the re-instatement of the pitched roof to be beneficial to the architectural interest of the listed building, I recommend that the organisation of the internal layout of the second floor plan is reconsidered. Presently, the introduction of a partition wall by the chimney stack to create a 'music room' detracts from the appreciation of the property's original features (the chimney stack itself) and necessitates the removal of a historic door and frame. This also results in the creation of a non-traditional, awkward roof plan, which to some extent negates the benefits gained from the re-introduction of a pitched roof.

Additionally, I recommend that the installation of a new gas fire and fire surround in the ground floor drawing room (as labelled in the proposed plans) be held off until investigation of historic fabric has taken place. Should significant features be found during the opening up works, I recommend that this element of the proposal be changed

or omitted.

As the application stands, the proposal is considered to cause 'less than substantial harm' to the designated heritage asset and as such paragraph 196 of the NPPF is relevant.

ECC Historic Environment  
(dated 29 April 2019  
following the submission  
of amended drawings)

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Following the submission of revisions to the proposed scheme, I have no objections subject to the following conditions:

a) works shall not be commenced until samples of the materials to be used on the external finishes have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and permanently maintained as such;

b) works shall not be commenced until additional drawings that show details of proposed new windows, doors, eaves, verges and cills to be used by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such;

c) the rooflights shall be of low profile conservation type, the specification to be approved by the local planning authority before work starts;

d) the rainwater goods shall be black and metal;

e) with regard to the new staircase, the newel post and handrail of the existing staircase shall be reused and the balusters either reused or replaced like of like in terms of form, detail and material. Detailed drawings of the proposed new staircase outlining the reuse of historic fabric shall be submitted to the local planning authority for approval;

f) with regard to opening up works to fireplaces throughout, details of the fabric uncovered shall be submitted to the planning authority

and details of the proposed new gas fire/woodburner shall be submitted to the local planning authority for approval prior to installation.

### 3. Planning History

TPC/2/84	Pollard 5 Sycamores and 1 Horse Chestnut	Current	11.04.1984
TPC/43/92	Works to Sycamore, Horse Chestnut and Elder	Current	18.09.1992
TPC/97/46	Repollard Sycamore trees	Current	10.09.1997
99/01343/TCA	Works to Sycamores adjacent Hill House; repollard three Sycamores on western boundary; trim Sycamore adjacent to house and overhanging chimney and trees overhanging flower bed on west side of garden	Approved	06.10.1999
05/01946/TCA	Fell Sycamore adjacent to drive	Withdrawn	11.11.2005
05/01994/TCA	Crown reduce by 30% the Sycamore adjacent to drive	Approved	16.12.2005
08/00388/TCA	Remove 1 x large Sycamore in front drive, remove 3 x pollarded Sycamores in rear garden and remove 1 x Eucalyptus.	Approved	03.04.2008
08/00670/FUL	Erection of single storey side extension.	Approved	08.07.2008
08/00671/LBC	Demolition of garden wall. Erection of single storey side extension and internal alterations.	Approved	23.06.2008
19/00092/LBC	Internal alterations on ground, first & second floors. Ground floor (south elevation) bay window reinstated. Second floor accommodation reinstated including dormer windows & existing chimneys extended.	Current	

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN17 Conservation Areas

EN22 Extensions or Alterations to a Listed Building

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

PPL8 Conservation Areas

PPL9 Listed Buildings

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

## **5. Officer Appraisal**

### **Site Description**

The application site in question is a property known as 'Cumberland House', which is located at 50 South Street within the parish of Manningtree. The Grade II Listed Building is a two storey end of terrace residential dwelling and is located in a prominent position within the immediate street scene. The building likely dates from the eighteenth century and has clearly undergone considerable alteration and extension, with a likely nineteenth century extension that doubled the size of the property and then a clearly modern extension to the north-west corner.

The site also falls within the Manningtree Conservation Area. There is little mention of the property within the Conservation Area Appraisal; however the building is reference "*with hints of an interesting building history in the random placing of some sash windows*". The surrounding areas

character is generally heavily urbanised, with numerous built form occupying residential properties. There are also a number of other Grade II Listed Buildings.

The site falls within the Settlement Development Boundary of Manningtree within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

Cumberland House's listing is as follows:

*"House. C18 or earlier with later alterations and additions. Gault brick faced. Red plain tiled roof. Left and right chimney stacks. 2 storeys, attics and cellars. 2 flat headed dormers, dentilled eaves cornice. 4 window range of small paned vertically sliding sashes, gauged brick arches. Central 4 panel 2 light door, platform approached by steps from the left. Cast iron railings with moulded and pointed finials, roundels and open finials to posts enclosing the platform. 6 circular cast iron tie plates to each floor."*

### Description of Proposal

This application seeks planning permission for the following works:

- Amendments to the existing roof layout to include a pitched roof and flat roof with a central valley;
- 4 dormers to the second floor, with 3 to the south rear elevation and 1 to the front elevation; and
- Extend the existing chimney stack;

This application is in conjunction with planning reference 19/00092/LBC. This application is with regards to the works involved that also require listed building consent, and includes numerous internal and external alterations.

### Assessment

#### 1. Visual Impact

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed roof amendments and dormers are sited to the north and south elevations of the existing dwelling and will therefore be partly visible within the street scene. However, the proposed pitched roof has been designed to align and complement the existing roof form, whilst the proposed flat roof to link the two pitched roofs is considered a welcome visual inclusion. The dormers adhere to the Essex Design Guide, where it states they should be a minor incident within the roof plane, and are also in-keeping with the style of the existing dormers, therefore resulting in no visual harm. The extended chimney stack will be visible but is a minor addition that will have a neutral impact to the character of the surrounding area.

#### 2. Impact to Neighbouring Amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed amended roof layout and four additional second floor dormers will be visible to a number of neighbouring properties to all sides. With respect to the roof additions, there is sufficient separation distance to neighbours to the east, north and south to ensure there will be no significant

loss of light or the proposal will appear imposing. In respect of the proposed dormers, three are sited to the rear elevation and one to the front elevation.

The front dormer will only have views towards the north-facing neighbour; however given the separation distance and that this area is visible within the street scene currently, there are no significant overlooking issues.

The three rear dormers will result in a degree of overlooking to the adjacent neighbour to the east. However, it is accepted that the existing layout includes rear windows to the first and second floors which each serve bedrooms. Therefore, whilst there will be a slight increase in the amount of overlooking, it will not be a significant increase to that of the existing layout and therefore, on balance, would not warrant a reason for refusal.

### 3. Heritage Impact

Paragraph 196 of the National Planning Policy Framework (2019) 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.

Policy EN17 states that development must preserve or enhance the character and appearance of a Conservation Area, whilst Policy EN22 states that development involving proposals to extend or alter a Listed Building will only be permitted when it will not result in damage or loss of features of special architectural or historic interest, and when the special character and appearance or setting of the building would be preserved or enhanced.

The application site is a Grade II Listed Building, and is also sited within the Manningtree Conservation Area. As such the impact of future works to both the listed building and to the character of the surrounding area is a key consideration of this application.

With respect to the impact to the Manningtree Conservation Area, whilst some of the works will be visible within the street scene, it is accepted that the plans demonstrate that thought has been given to ensuring the character of the existing building and area is enhanced. The dormers in particular are in-keeping with the existing design and do not appear dominant within the roof plane, whilst the majority of the external works involve restoring the building to its original state, thereby enhancing the buildings character and appearance. Accordingly ECC-Place Services Historic Environment do not object to the works subject to conditions relating to external materials samples and window details.

Therefore, while the works involve amendments to designated heritage assets, it is not considered these works would result in harm to the Conservation Areas existing character or to the character and appearance of the Grade II Listed Building and is therefore acceptable against the criterion of the above national and local policies.

### Other Considerations

Manningtree Town Council have not commented on the application.

There have been no other letters of representation received.

### 6. Recommendation

Approval.

### 7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers 001 revision PL1, 102 Revision PL2, 103 Revision PL3, 104 Revision PL1 received on 25 April 2019, 105 Revision PL2, 201 Revision PL1 received on 25 April 2019, 300 Revision PL2, and the document titled 'Design & Access and Heritage Statement Revision PL2'.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall be commenced until samples of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason - The building is an important listed property, and it is important that the materials used are of a high quality.

- 4 Before any work is commenced drawings to a scale of not less than 1: 20 fully detailing the new windows, rooflights, doors and their surrounds to be used and indicating; materials, cross sections for glazing bars, sills, heads etc at a scale of 1:20, method of opening and method of glazing shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be installed/carried out in complete accordance with the approved details.

Reason - The application relates to a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

## **8. Informatives**

### 1. Positive and Proactive Statement

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.

2. The rooflights should be of low profile conservation type.