

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NW	13/05/19
Planning Development Manager authorisation:	AN	13/5/19
Admin checks / despatch completed	AJ	13/5/19

Application: 19/00300/LBC **Town / Parish:** Mistley Parish Council
Applicant: Mrs Sally Pavey
Address: 6 The Green Mistley Manningtree
Development: Replacement front door.

1. Town / Parish Council

Mistley Parish Council At its Meeting on the 21st March 2019 the Planning Committee of the Parish Council made No Comment, as it felt the Conservation Officer should be given delegated powers on this proposal to the listed dwelling.

2. Consultation Responses

Place Services Historic Buildings and Conservation officer The application is for replacement of a front door. The building forms part of the Grade II group listing. The proposed door is not appropriate to the building with such a large panel of glazing and detracts from the aesthetic value of the building. There was unfortunately an opportunity to enhance the aesthetic value and architectural interest of the terrace by reinstating the original 4-panel/2-light doors noted in the list description. Whilst I do not support the retention of this form of door in the terrace, the local planning authority should be minded to permit this application should it be considered that this was undertaken on a like-for-like basis, which is a case that is acceptable.

3. Planning History

19/00300/LBC Replacement front door. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN22 Extensions or Alterations to a Listed Building

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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 (including Site Description and Proposal)

Site Description

The application site is 6 The Green, Mistley, which is a terraced dwelling located within the development boundary of Manningtree. The application site is located within the Manningtree Conservation Area and the Area of Outstanding Natural Beauty.

The listing description is as follows:

Row of 12 cottages. Late C18, may be the almshouses built for Richard Rigby circa 1778. Red brick, gault brick dentilled eaves, central band and pilasters between each dwelling, excepting nos 1-5 which are rendered. Red plain tiled roofs, hipped at each end. The entrance to No. 1 is to the left (west) return and has a separate hipped roof, with chimney stack to right. 6 ridge and 6 rear chimney stacks. 12 window range of various vertically sliding sashes. 11 mainly paired doors with pilasters between. No. 1 left return with 3 window range, central recessed porch with tiled dado. Some of the original 4 panel 2 light doors remain and also some small paned sash windows. q.v. 3/227.

Proposal

The application seeks listed building consent for a replacement front door.

Appraisal

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 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.

Paragraph 196 of the Framework adds 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 securing its optimum viable use.

Paragraph 189 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is reflected by saved policy EN22 of the Tendring District Local Plan (2007) and emerging Policy PPL9 of the Tendring District Council Local Plan 2013-2033 and Beyond Publication Draft (June 2017). Both these policies also confirm that development should be of a scale, design and use that respect the listed building and its setting.

A heritage statement has been provided in accordance with the above requirements.

Photos within the heritage statement demonstrate that existing door has rotten parts. The proposed works will see retrospective listed building consent for a replacement front door. Given that the works are all with the intention of maintaining the buildings historic fabric and that the proposal is not in a good state of repair, the works will be beneficial to the buildings preservation. The impact of the proposed works will be minor and beneficial, will assist in the long-term preservation of the asset, and will not detrimentally affect the building's special architectural and historic interest and significance.

Place Services Historic Buildings and Conservation officer was consulted on this application and states that although the proposal isn't the best solution in terms of the original door design referred to in the list description, it is considered to be a like for like replacement of the rotten door and therefore there will be no material harm to the listed building. The proposal also seeks to change the colour of the door from blue/grey to drainpipe grey. Due to this being a reversible change, it will not be detrimental to the special character and appearance of the building.

Other Considerations

Mistley Parish Council have stated that the Conservation Officer should be given delegated powers on this proposal to the listed dwelling. In response to the Parish Council, the application has been determined by a planning officer with the relevant consultee comments. No letters of representation have been received.

Conclusion

It is considered that the proposal will not result in any adverse impact on the character, appearance and historic fabric of the listed building. The application is therefore recommended for approval.

6. Recommendation

Approval - Listed Building Consent

7. Conditions / Reasons for Refusal

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Drawing No. 002 and Heritage Statement dated 19th February 2019.

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

8. Informatives

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO