

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	22/05/19
Planning Development Manager authorisation:	SCE	22-05-19
Admin checks / despatch completed	PW	22/5/19

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Application: 19/00389/LBC **Town / Parish:** Tendring Parish Council

Applicant: Mr Wayne Turner

Address: Thatch Cottage The Green Tendring

Development: Painting exterior dwelling, doors and window frames.

1. Town / Parish Council

Tendring Parish Council No objection to this application.

2. Consultation Responses

Essex County Council
Heritage (Amended) If the paint is like-for-like what has previously been used - no objection. Always recommend breathable paints, but in this circumstance it is up to the applicant.

Essex County Council
Heritage The application is for exterior painting and painting of doors and windows. The building is Grade II listed (List Entry ID: 1306593). No objection to this application with exception of the type of exterior paint. The applicant should be requested to provide information to state the paint is breathable and appropriate for use on historic render, this could otherwise have an adverse impact upon the heritage asset.

3. Planning History

19/00389/LBC Painting exterior dwelling, doors and window frames. 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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 Thatch Cottage, a one and a half storey Grade II Listed Building dwelling located within the development boundary of Tendring.

The listing description is as follows;

Cottage. C16/C17 with later alterations and additions. Timber framed and rough rendered. Thatched roof with 2 gabled dormers. Central chimney stack. One storey and attics, single storey right lean-to extension with C20 door. 2 C19 style 2 light casements. C20 gabled porch and door to right. Interior features include heavy chamfered bridging joists, exposed top plate and ground cill, central chimney stack now with C20 fire surrounds, stairs adjacent to chimney.

Description of Proposal

This application seeks listed building consent for painting the exterior dwelling, doors and windows frames.

Assessment

The only consideration as part of this application is the above mentioned amendments on the character, appearance and historic fabric of the curtilage listed building.

Paragraph 189 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is retained by draft

Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. 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.

Policy EN22 of the Saved Plan states that development involving proposals to extend or alter a Listed Building will only be permitted where; it would not result in the damage or loss of features of special architectural or historic interest; and the special character and appearance or setting of the building would be preserved or enhanced. These requirements are carried forward to Policy PPL9 of the Emerging Publication Draft (June 2017) which also requires the use of building materials, finishes and building techniques that respect the listed building and its setting.

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

The application originally proposed for the dwelling be re painted in an off white/pale cream – 'Jasmine White' by Dulux (Santex), however Essex County Council Heritage Team has been consulted on this application and the officer stated that they have no objection to the proposal with the exception to the type of exterior paint. It was advised that the applicant should be requested to provide information to state the paint is breathable and appropriate for use on historic render, this could otherwise have an adverse impact upon the heritage asset. Since receiving these comments the applicant has provided additional information stating that the paint to be used will be silicate white paint which is highly breathable paint. It is therefore an appropriate paint type in regard to its effect upon the fabric of the listed building. It is therefore considered that the proposed works will not cause any significant harm to the historic fabric or character of the Listed Building, and the proposal is therefore acceptable against this criterion.

Other Considerations

Tendring Parish Council have no objection to this application.

No individual 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 works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason - To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The masonry paint to be used on the exterior walls shall be breathable and in accordance with an email received on 9th May 2019 stating it to be Silicate Paint by SecilTEK in White.

Reason - To ensure the historic integrity of the listed building is retained.

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