

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION                               | INITIALS | DATE       |
|---|----------|------------|
| File completed and officer recommendation:  | NH       | 30/05/2019 |
| Planning Development Manager authorisation: | SCE      | 31.05.19   |
| Admin checks / despatch completed           | SB       | 30/05/19   |

**Application:** 19/00317/LBC **Town / Parish:** Manningtree Town Council

**Applicant:** Dr and Mrs Bettle

**Address:** 18 High Street Manningtree Essex

**Development:** Proposed replacement rear extension.

### 1. Town / Parish Council

Manningtree Town  
Council

Have not commented on this application.

### 2. Consultation Responses

Essex County Council  
Heritage (Amended)

There is no objection to the proposed extension, provided it is undertaken using appropriate and sympathetic materials. Should approval be given for the scheme,  
The following conditions are recommended:  
Construction of any extension shall not be commenced until (photographic) samples of the materials to be used on the external finishes, window frames, and rainwater goods 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.

Essex County Council  
Archaeology

The above planning application has been identified as having the potential to harm surviving archaeological deposits. Manningtree appears to have been deliberately planted as a market town and port in the mid thirteenth century. A market was granted to the manor of Sciddinghou in 1238 which may have been held on the Manningtree site, although the earliest reference to the town is in 1248. The town's layout suggests some form of planning based on the market in the High Street and the Quay, both running parallel to the river. The proposed new extension will be located within an area of the historic town, recent excavations within urban and historic town settlements have revealed surprisingly good preservation of archaeological evidence within built up areas. These deposits may be disturbed or destroyed by the proposed development both below the building proposed for demolition and in the areas of the proposed development.

The following recommendations are made in line with the Department for Communities and Local Government National Planning Policy Framework:

**RECOMMENDATION:** Archaeological monitoring of groundworks  
No development of any kind shall take place until the applicant has



secured the implementation of a programme of archaeological monitoring in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

### 3. Planning History

|              |   |          |            |
|--------------|---|----------|------------|
| 04/01028/FUL | Change of use from retail shop and workshop to domestic dwellinghouse and garage  | Refused  | 14.07.2004 |
| 04/01947/FUL | Reversion of use from craft display room and rear workshop & garage to dwelling house and garage.   | Approved | 07.01.2005 |
| 15/01014/LBC | Removal of existing roof tiles and underfelt and replace with new clay hand made plain tiles with breathable insulating underfelt (front elevation store only). | Approved | 07.10.2015 |
| 19/00317/LBC | Proposed replacement rear extension.  | 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)

PPL9 Listed Buildings

#### 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 18 High Street, Manningtree, a Grade II, two storey dwelling located within the development boundary of Manningtree.

The listing description is as follows;

Former house, now 2 shops. Early C16 or earlier with C17 and C18 and later additions and alterations. Timber framed and plastered. Red plain tiled roofs. Rear off centre right red brick chimney stack. Rear wings. 2 storeys, attics and cellars. 3 flat headed dormers with vertically sliding sashes. Moulded eaves cornice, 6 window range of small paned vertically sliding sashes, moulded surrounds. 3 similar windows to ground floor right, C20 double doors approached by steps with iron handrails between central and second window. C20 shop window to left, board door with top light, blocked fanlight over. Moulded bridging joists run through the front of the building. Probably part of RCHM q.v. 9/142

### Description of Proposal

This application seeks listed building consent for the replacement of the rear extension. The proposal will measure 6.8 metres in width, 8 metres with an overall height of 2.6 metres (3.5 metres in height to the top of the balcony rail).

### 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.

Essex County Council Heritage Team has been consulted on this application.



They have no objection to the proposed extension, provided it is undertaken using appropriate and sympathetic materials. A condition will be imposed to ensure that the construction of any extension shall not be commenced until (photographic) samples of the materials to be used on the external finishes, window frames, and rainwater goods have been submitted to and approved in writing by the local planning authority. Subject to these conditions, 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 criteria.

#### Other Considerations

Essex County Council Archaeology have been consulted on this application and have suggested that a condition be imposed to secure the implementation of a programme of archaeological monitoring in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the Local Planning Authority. As this application is for a Listed Building Consent, this condition will not be imposed.

Manningtree Town Council have not commented on 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 development hereby permitted shall be carried out in accordance with the following approved plan: Drawing Ref: PA-10

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

- 3 No above ground works shall commence until (photographic) samples of the materials to be used on the external finishes, window frames, and rainwater goods 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.

Reason - To ensure the materials used are sympathetic to the heritage asset

### 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.

#### Planning Permission

Planning permission is required as the materials proposed are not of a similar appearance to those used within the construction of the existing exterior of the dwelling.

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