

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	05/06/19
Planning Development Manager authorisation:	SCE	13.06.19
Admin checks / despatch completed	RUE	13/06/19.

Application: 19/00635/LBC **Town / Parish:** Clacton Non Parished

Applicant: Hamford Property Company Ltd

Address: 6 St Johns Road Clacton On Sea Essex

Development: Replacement windows to the shop front.

1. Town / Parish Council

Clacton – Non Parished.

2. Consultation Responses

Essex County Council
Heritage

The application is for retrospective Listed Building Consent for the replacement of the shop-front windows to the above address. The 18th century building at 2-6 St John's Road is Grade II Listed (List UID: 1337152). The building also lies within the Great Clacton Conservation Area.

The original timber shop-front windows and door were replaced with uPVC by a former occupant. This scheme is to replace the uPVC windows and reinstate the timber framed windows matching the earlier design, along with an entrance door. The application is limited to the shop-front windows and excludes signage.

While the opportunity has been missed to redesign a bespoke shop front that fully realises the potential offered by the heritage asset, the replacement of the uPVC windows with timber is clearly an enhancement to the Listed Building and I have no objection to the scheme.

3. Planning History

95/00385/FUL	(Great Clacton Health Stores, 6 St Johns Road, Great Clacton) Change of use of ground floor office and store room into consulting rooms for therapy purposes	Approved	01.05.1995
09/00366/FUL	Alterations to first and second floors to create 2 additional flats.	Approved	16.06.2009
09/00367/LBC	Alterations to first and second floors to create 2 additional flats.	Approved	17.06.2009
12/00661/FUL	Alterations to first and second floors to create two additional flats (Extension of time on previously	Approved	07.08.2012

approved 09/00366/FUL).

12/00663/LBC	Alterations to first and second floors to create two additional flats. (Extension of time on previously approved 09/00367/LBC)	Approved	07.08.2012
18/01720/FUL	Proposed internal alterations to first floor accommodation insertion of roof light and bin store	Current	
18/01721/LBC	Proposed internal alterations to first floor accommodation, insertion of roof light and bin store.	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

Site Description

The application site in question is 6 St John's Road, Clacton-on-Sea. The building is a two storey property and is Grade II Listed. The property is served by a residential unit at first floor level and at ground floor level is operated by a Turkish Barbers shop. The surrounding area is of great historic value, with numerous listed buildings to all sides, and is also within the Great Clacton Conservation Area. The site falls within the Settlement Development Boundary for Clacton-on-Sea, as agreed in both the Adopted Tendring Local Plan 2007 and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

The buildings listing is as follows:

"House, now shops to right and left of a central restaurant. C18 with later plastered brick facade. Hipped grey slate roof. Left and right red brick chimney stacks. 3 storeys. 5 window range of small paned vertically sliding sashes to first and second floors. Ground floor left to right, C20 glazed shop front with recessed door. Central square porch with fluted columns and pilasters, metopes and triglyphs to frieze, dentilled cornice, C20 glazed door, right and left windows similar to other floors. Right porch with fluted columns metopes and triglyphs to frieze, flat canopy. Frieze and 5 segmental headed lights to flat headed shop bay."

Description of Proposal

This application seeks retrospective Listed Building Consent for the replacement of the windows to the front elevation of the property. The previous UPVC windows are now replaced with timber painted windows.

Site History

Under planning references 18/01720/FUL and 18/01721/LBC, there are separate applications concerned with internal alterations to the first floor accommodation, insertion of a roof light and a bin store. Neither of these applications have been determined at this time.

Assessment

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

The changes to the listed building proposed are few, with retrospective consent being sought to replace the previous UPVC design to timber painted windows. The change is an attempt to replicate the original buildings design and is a marked improvement to UPVC. The Council's Historic Environment consultant, following consultation, has confirmed that while the opportunity has been missed to redesign a bespoke shop front that fully realises the potential offered by the heritage asset, the replacement of UPVC windows with timber is an enhancement to the Listed Building and is therefore supported.

It is therefore concluded that the retrospective alteration to the Grade II Listed Building will not detrimentally affect the buildings special architectural and historic interest.

Other Considerations

Clacton is non-parished so no comments are required.

There have been no other letters of representation received.

6. Recommendation

Approval.

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans, documents titled 'Existing and Proposed Plans', 'Shop Elevation' and 'Heritage Statement'.

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.