

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	05/07/2019
Planning Development Manager authorisation:	TF	08/07/2019
Admin checks / despatch completed	SB	08/07/2019

Application: 18/01721/LBC **Town / Parish:** Clacton Non Parished

Applicant: Hamford Property Company Ltd

Address: 6 St Johns Road Clacton On Sea Essex

Development: Proposed internal alterations to first floor accommodation, insertion of roof light.

1. Town / Parish Council

Clacton is non parished.

2. Consultation Responses

Not Applicable

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 09/00366/FUL).	Approved	07.08.2012
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 insertion of roof light and bin store	Current	
18/01721/LBC	Proposed internal alterations to first floor accommodation, insertion of roof light.	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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 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.

both the Adopted Tendring Local Plan 2007 and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

The building's 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 internal alterations to the first floor accommodation and insertion of roof light.

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 Heritage Statement submitted with the application indicates that only modern softwood and plasterboard partitions and doors will be removed and replaced with upgraded materials to provide increase fire protection. Some reconfiguration of the rooms will also be undertaken at 1st floor level.

A rooflight has been added to the flat kitchen roof, which has a modern covering and sits between two softwood joists. The rooflight is not be visible from the front or rear of the building.

After the submission of supplementary photographs and drawings by the applicant it is considered that the proposed scheme would not involve the removal of historic fabric and have no impact on the significance of the heritage asset. The Council's historic consultant therefore has no objections to the scheme. However, should it be found during the course of works that the removal or alteration of historic fabric is in fact required, the relevant work should be halted immediately, with advice being sought from Tendring District Council before recommencement.

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 were sought.

There have been no other letters of representation received.

6. Recommendation

Approval - Listed Building Consent

7. Conditions / Reasons for Refusal

- 1 The development hereby permitted shall be strictly in accordance with the following approved plans: Drawing Number: 297MVE-001 Revision D and Heritage Statement dated October 2018.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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