

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	15/07/19
Planning Development Manager authorisation:	AN	15/7/19
Admin checks / despatch completed	ER	16/7/19

**Application:** 18/01720/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Hamford Property Company Ltd

**Address:** 6 St Johns Road Clacton On Sea Essex

**Development:** Proposed insertion of roof light and bin store

### 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.	Approved	08/07/2019

#### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN17 Conservation Areas

EN22 Extensions or Alterations to a Listed Building

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

SPL3 Sustainable Design

PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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.

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 planning permission for the roof light and bin store. The proposed bin store will measure 5.2 metres in width, 1.35 metres in depth with an overall height of 2.15 metres.

### Assessment

The main considerations as part of this application is the design and appearance, impact upon neighbouring amenities and heritage impact.

### Design and appearance

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed roof light will serve the kitchen area which is a section of roof in-between no. 4 and 6 St Johns Road and therefore it will not be visible from the street scene of St Johns Road. Due to the minor nature of the proposal and that it cannot be seen from St Johns Road, it is considered that the proposal will not cause any significant impact upon the street scene.

The proposed bin store will be located to the rear of the application site and therefore it will not be visible from St Johns Road. The proposal is single storey with a mono pitched roof. The bin store will be constructed from black stained weatherboarding and felt tiles which are materials that are sympathetic to the setting of a listed building. The proposal will replace an existing structure which has no visual merit and it is therefore considered that the proposal will create a visual improvement.

## Impact upon neighbouring amenities

Although the rooflight is situated in between the roof planes of number 4 and 6 St Johns Road, due to the high level nature of the proposal, it is considered that the roof light will not cause any overlooking or impact upon neighbouring amenities.

The proposed bin store will be visible to the neighbouring dwellings however due to the single storey nature of the building as well as the proposal replacing an existing structure, it is considered that the bin store will not cause any significant impact upon neighbouring amenities.

## Heritage Impact

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 EN17 of the Tendring District Local Plan 2007 and Policy PPL8 of the Tendring District Local Plan 2013-2033 and Tendring District Local Plan 2013-2033 and Beyond Publication Draft states that development within a Conservation Area must preserve or enhance the special character or appearance of the Conservation Area.

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.

It is considered that the impact of the rooflight and bin store on the Conservation Area will be minimal due to the proposals not being visible to the street scene of St Johns Road and being of a scale and design that will be in keeping with the surrounding area. The proposed bin store is considered to create a visual improvement to the host building and it is therefore considered that the changes are in keeping and they will preserve the special character and appearance of the Conservation Area.

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. The works have been approved under 18/01721/LBC.

A rooflight will be added to the flat kitchen roof, which has a modern covering, with the proposed rooflight sitting between two softwood joists. The rooflight skylight will not be visible from the front or rear of the building. Lastly, a new timber bin store with a felt roof would be constructed at the rear of the property, housing two recycling and two general bins.

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 Councils 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 is 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 cause any significant impact upon the Conservation Area or 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 - Full

**7. Conditions / Reasons for Refusal**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Number: 297MVE-001 Revision D, Drawing Number: 297MVE-002 Revision C 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 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.

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