

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	17/09/2019
Planning Development Manager authorisation:	TP	18/09/2019
Admin checks / despatch completed	AP	18/9/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	Kne	18/09/19

Application: 19/01089/LBC **Town / Parish:** Clacton Non Parished

Applicant: Mr Jordan

Address: The Queens Head 16 St Johns Road Clacton On Sea

Development: Repainting of external render in Cornforth-White (Farrow & Ball) paint

1. Town / Parish Council

Clacton – No Town
Council

2. Consultation Responses

Essex County Council No objections
Heritage

3. Planning History

95/00332/LBC	(The Queens Head P.H., St Johns Road, Great Clacton) Removal of internal walls and forming opening through chimney stack	Approved	14.05.1995
06/02078/FUL	Commercial black painted steel fire escape with staircase with balustrade and landing to rear elevation and replacement door.	Refused	08.02.2007
07/00978/FUL	Forming two bases for ground fixed 3m x 3m umbrellas with integral heaters and lights to existing patio to the car park elevation, enclosing same with decorative cast iron railings, locating a 3m x 2m free standing smoking shelter adjacent the patio.	Refused	22.08.2007
07/01718/FUL	Forming two bases for ground fixed 3m x 3m umbrellas with integral heaters and lights to existing patio to car park elevation, enclosing same with decorative cast iron railings.	Approved	11.12.2007

09/01090/LBC	Minor alterations and installation of fittings as required by fire authority.	Approved	11.01.2010
12/00863/FUL	Formation of new fire escape staircase from first floor to ground floor level including formation of a new fire door through existing window at first floor.	Approved	24.09.2012
12/00864/LBC	Formation of new fire escape staircase from first floor to ground floor level including formation of a new fire door through existing window at first floor.	Approved	24.09.2012
16/00868/LBC	Renovation of the interior including opening up the space by cutting back walls, partially blocking up doorway, removing raised level within existing restaurant area, creating new door openings, extension of the bar counter, new fixed seating, new hanging basket and lanterns to the side elevation, flooring finishes and decoration. Installation of new timber smoking shelter with a polycarbonate roof to the side of the building and a store to be created from new close boarded fence and gate.	Approved	29.07.2016
18/00323/FUL	Change of use of ground floor to flexible use class A1 (non-food) retail or A2 financial and professional services or A3 restaurant or A5 hot food takeaway, first and second floors to one 2 bedroom flat and one 3 bedroom flat, erection of two detached houses and reconfiguration of car parking area.	Approved	18.05.2018
18/00324/LBC	Internal alterations to public house to facilitate the change of use of ground floor to flexible use class A1 (non-food) retail or A2 financial and professional services or A3 restaurant or A5 hot food takeaway, first and second floors to one 2 bedroom flat and a one 3 bedroom flat.	Approved	18.05.2018
18/02082/DISCON	Discharge of conditions 4 (Materials) and 11 (Landscaping) of application 18/00323/FUL.	Approved	18.01.2019
19/01089/LBC	Repainting of external render in Cornforth-White (Farrow & Ball) paint	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 property is a Grade II listed building located on the edge of the Great Clacton Conservation Area and within the defined settlement limits of Clacton-on-Sea. The property is currently undergoing renovation and has planning permission to be used for commercial purposes at ground floor with residential uses above. To the north-east of the site is The Plough, which is also a Grade II listed building. The surrounding area is characterised by a mixture of residential dwellings and a variety of retail stores.

The building's listing is as follows;

Hotel. C16/C17 or earlier with C18 or later additions and alterations. Timber framed and rough rendered, plaster panels to North Road. Red plain tiled roofs, L-plan, hipped with gablet to left. Hipped to right face (North Road). Large rough rendered chimney stack to rear left, 2 rough rendered stacks to North Road face. 2 storeys and attics to left range with a flat headed dormer

and 3 window range of various small paned vertically sliding sashes including a ground floor bay with tripartite front window and tripartite window over. Blocked doorway to left. 2 C20 panelled doors with top lights and flat canopies on brackets to right. Very large 2 storey 5 light bay window with small paned glazing to right. Right return, 2 window range of 3 light casements with transoms. Recessed door in moulded surround with toplight and fanlight. Purchased 1727 by Daniel Prentice of Yew Trees q.v. 13/27. Documentary evidence relating to the building c.1600. Kenneth Walker History of Clacton.

Proposal

The repainting of the exterior walls of the building in Farrow & Ball Masonary Paint - Colour Cornforth-White.

Appraisal

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 includes that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The planning issue is whether the proposals have appropriate regard to the preservation or enhancement of the special character, fabric and appearance of the listed building.

The Council has published Technical Advice on Painting Listed Buildings. The technical specification for the render paint is a breathable masonry paint, which will allow what remains of the traditional (non-cement) render to breathe. It is therefore an appropriate paint type in regard to its effect upon the fabric of the building. The new colour will affect the appearance of the building and it is necessary to assess the change. The proposed change from cream to a off-white/grey colour is not radical as such. It will not alter the character and appearance of the listed building in the way that change to a more vivid colour would. The applicants wish to alter the colour to ensure the building contrasts suitably with the pure white Plough Public House next door and the exposed red brick buildings opposite. No further evidence appears to exist of any earlier colours at the property and these may have varied over the centuries.

The Council's Technical Guidance (section 5 Colour History & Colour Choice) adds that "Within Tendring District there is no "preferred colour range" for the external painting of historic buildings." And "Within Tendring the Council wishes to see owners make informed choices on colours based on the age and type of the property and the overall colour range of buildings evident within the District and especially where they are located in a group of historic buildings and specifically in a Conservation Area." In looking to change the colour with reference to the surrounding group of historic buildings the applicants have had regard to this guidance.

The revised proposals will ensure that the special character, fabric and appearance of the listed building will be preserved and enhanced. Furthermore, Essex County Council - Place Services have reviewed the proposal and have no objections to the proposal.

Other Considerations

No letters of representation have been received.

6. Recommendation

Approval

7. Conditions

- 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 the colour scheme outlined in Section 5 of the submitted Heritage Statement.

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

8. Informatives

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