

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	13.01.2020
Planning Development Manager authorisation:	AN	13/1/20
Admin checks / despatch completed	CC	14/01/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SB	14/01/2020

Application: 19/01502/LBC **Town / Parish:** Frinton & Walton Town Council

Applicant: R Clubb - Dunwell Property

Address: 1-6 Penrice Court East Terrace Walton On The Naze

Development: Proposed repair and draught proofing of existing sash windows and replacement of two existing contemporary spring balanced sash windows.

1. Town / Parish Council

Frinton and Walton Town Council Approval

2. Consultation Responses

Essex County Council Heritage The application is for proposed repair and draught proofing of existing sash windows and replacement of two existing contemporary spring balanced sash windows.

The building is Grade II listed (List Entry ID: 1317175), forming part of a group listing.

Essex County Council Heritage

On the basis this does not include the new cord system in the Ventrolla brochure, as agreed with applicant, I have no objection to the repair of historic windows.

The application is for proposed repair and draught proofing of existing sash windows and replacement of two existing contemporary spring balanced sash windows.

The building is Grade II listed (List Entry ID: 1317175), forming part of a group listing.

I have no objection to the repair of historic windows. However, further information is required as part of this application. The quotation from the window company is not detailed enough and 'Full Draft Proofing and Sash Removal' is not enough information for me to support.

I recommend further information is requested from the applicant. This should either take the form of a condition survey of the windows and a schedule of repairs. In the instance that the repairs will be assessed once the sash is removed then a detailed method statement should be provided including further details of the draft system (including a drawing if appropriate).

In addition to the above, information should be provided (pre-determination) of any cases where the repairs (excluding the draft proofing) are not like-for-like, for example any proposed changes to glazing profiles.

Once the appropriate information has been supplied, I fully support this application which contributes to the sustainable use of this heritage asset.

3. Planning History

98/01291/FUL	() Conversion of 1 East Terrace into 5 self contained flats Conversion of 2 East Terrace into 1 No. 4 bed town house Conversion of 3 East Terrace into 3 No. 3 bed town houses. Construction of 2 No. 4 bed town houses to the south of 1 East Terrace	Approved	09.12.1998
98/01361/LBC	() Convert property into Regency town houses and apartments Later single storey buildings to be demolished. Also two storey rear wings to be demolished. Materials to be used to match original buildings as shown on enclosed	Approved	09.12.1998
00/00362/FUL	Proposed additional flat at second floor and extra parking, relating to approval No. TEN/98/1291 dated 9 December 1998	Approved	16.05.2000
00/00370/LBC	Proposed additional flat on second floor and extra parking	Approved	16.05.2000
18/00897/LBC	Removal of wooden window and porch, and replace with UPVC and composite (visually similar materials).	Approved	
19/00139/LBC	Replacement of existing timber windows with new timber windows.	Withdrawn	10.04.2019

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 relates to numbers 1-6, Penrice Court, East Terrace, Walton on the Naze a block of apartments located fronting the sea within the settlement development boundary of Walton. This site also lies within an Urban Regeneration Area as defined within the adopted Tendring District Local Plan 2007 and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The building is Grade II listed (List Entry ID: 1317175), forming part of a group listing. (Formerly listed as Penrice Court and nos. 2-7 (inclusive), previously listed as The Naze Mariner and Nos. 4-7 inclusive, formerly listed as The Eastcliffe Hotel and Nos. 4-7 inclusive) (formerly the Naze Mariner Hotel, later converted to apartments) to left and terrace of houses to right. Circa 1835. By John Warner, Bellfounder of Hoddesdon as the commencement of the new Eastcliff Development. The listing description notes: (This list entry was subject to a Minor Amendment on 08/03/2019)

Brick and stucco. Parapet, moulded band under. Band below first and second floor windows. Impost band to ground floor. Bases and capitals to pilasters between ground floor left 2:0:2 windows and left return. Three storeys. John Warner's original house to left has a five window range, the centre bays recessed with porch to ground floor. To right of this the terrace continues with 16 windows to second floor, 17 to first floor and 14 to ground floor. The second floor with mainly small paned vertically sliding sashes, first floor has similar long windows and cast iron balconies supported by iron brackets, many windows to the left boarded at time of resurvey. Round heads with moulded arches to ground floor windows. Similar features to three bay left return, this with a two bay ground floor rear extension. Porch to original house with central step approach, moulded capitals to two square outer and two circular fluted inner columns, triglyphs and metopes to frieze, moulded soffit and cornice, glazed sides. Round headed doorways to seventh, ninth and twelfth bays of right range and an arch with two doors under to 15th bay. Panelled doors with lights over.

Description of Proposal

The application seeks listed building consent for the repair and draught proofing of existing sash windows and replacement of two existing contemporary spring balanced sash windows.

Assessment

The only consideration as part of this application is the impact upon on the character, appearance and historic fabric of the listed building.

Paragraph 189 of the National Planning Policy 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.

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.

During the application further discussions have been undertaken and additional information submitted. The application submission is now made up of a materials specification, proposed front elevation plan number 1918 02A, Ventrolla Sash Window Renovation brochure, a Schedule of works received via email on 4th December 2019 and additional information regarding the draught proofing works received via email on 24th December 2019.

The repairs and draught proofing measures are now considered acceptable and will not result in any harm to historic fabric or the historic integrity of the building.

Conclusion

The application is considered acceptable in heritage terms and is therefore recommended for approval subject to conditions.

6. Recommendation

Approval - Listed Building Consent

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 development hereby permitted shall be carried out in accordance with the following approved plan and details: Materials Specifications and Checklist, Drawing no. 1918 02A, Ventrolla Sash Window Renovation brochure, the Schedule of works received via email on 4th December 2019 and additional information regarding the draught proofing works received via email on 24th December 2019.

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