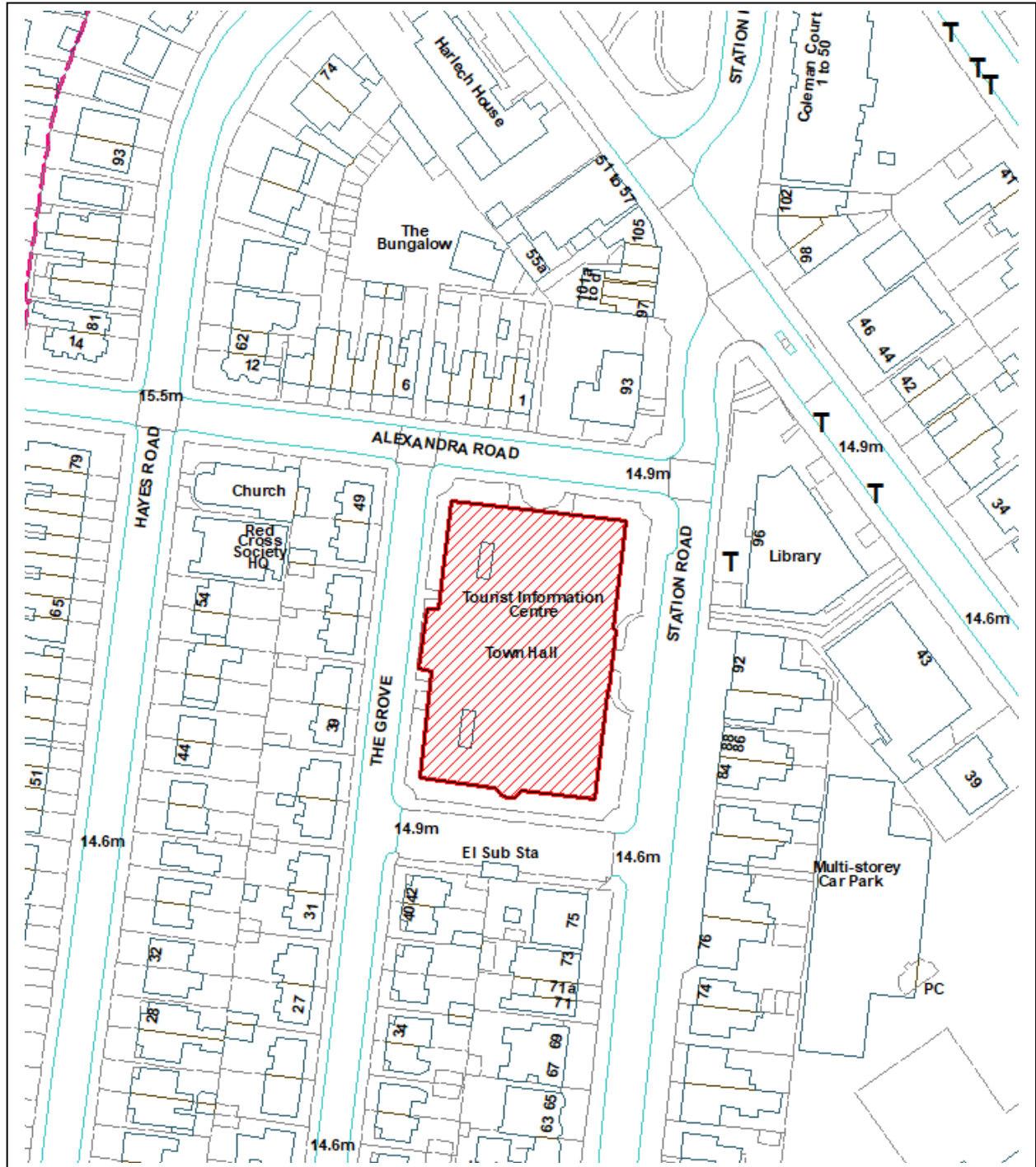


PLANNING COMMITTEE

10 March 2020

REPORT OF THE HEAD OF PLANNING

**A.3 PLANNING APPLICATION – 19/01910/LBC – TENDRING DISTRICT COUNCIL  
CLACTON TOWN HALL STATION ROAD CLACTON ON SEA CO15 1SE**



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**Application:** 19/01910/LBC

**Town / Parish:** Clacton Non Parished

**Applicant:** Mr Daniel Mills - Tendring District Council

**Address:** Tendring District Council Clacton Town Hall Station Road Clacton On Sea  
CO15 1SE

**Development:** Restoration Of Committee Room and associated works following the removal of a number of partition walls and the removal of false ceilings and associated works under previous approved application number 18/01498/LBC.

## 1. **Executive Summary**

- 1.1 This listed building consent application is referred to the Planning Committee as the applicant is Tendring District Council.
- 1.2 The listed building consent application seeks permission for internal changes to Clacton Town Hall Committee Room including;
- Refurbishment and restoration of the plasterwork to both the walls and the ceilings and coving;
  - Restoration of the windows to insert new mullions;
  - Covering of the original glazing panels to the rooflight in Black Perspex;
  - Forming a new entrance into the committee room within the existing larger opening incorporating new entrance doors from the corridor;
  - Restoration of wall panelling around the new door opening;
  - Restoration of the timber parquet flooring;
  - Installation of speakers to the walls and ceiling suspended lighting scheme;
  - New service installations and fire protection; and
  - Existing original features including moulded architraves, cornices, skirting and picture rails to be repaired and where required replicated.
- 1.3 Having regard to the supporting documents and the submitted heritage statement it is evident that the works do not harm the special character, fabric and appearance of the listed building and in several cases represent an enhancement as original features are to be restored.
- 1.4 The proposed alterations are therefore considered to meet the requirements of the Council's saved and draft planning policies relating to the protection of listed buildings and the relevant paragraphs of the National Planning Policy Framework (2019).

### **Recommendation: Approval**

- a) Subject to the conditions stated in section 8.2

## 2. **Planning Policy**

- 2.1 The following Local and National Planning Policies are relevant to this planning application.
- NPPF National Planning Policy Framework 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**

- 2.2 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.
- 2.3 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.
- 2.4 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.

### **3. Relevant Planning History**

97/00769/LBC	Installation of air conditioning units and external condenser units	Approved	21.08.1997
97/00854/LBC	Alterations to ticket office	Approved	15.09.1997
97/01066/LBC	Alterations to existing offices, to create new management board members offices on ground floor	Approved	17.10.1997
97/01069/LBC	Alterations to increase size of existing one person office to two person office	Approved	03.12.1997
00/01532/LBC	Enlargement of existing plant	Refused	22.11.2000

	room and associated works		
00/01533/FUL	Enlargement of existing roof plant room and associated works	Refused	22.11.2000
01/00510/LBC	Proposed alterations to rooms 25 and 35/37 at Town hall to provide additional office facilities for new political structure	Approved	17.05.2001
02/00125/LBC	Internal alterations.	Approved	13.03.2002
03/00399/FUL	Installation of 1 No.0.6 metre transmission dish and 2 No. 200mm square panel antennas	Approved	11.06.2003
03/00400/LBC	Installation of 1 No. 0.6 metre transmission dishes and 2 No. 200mm square panel antennas	Approved	11.06.2003
03/00689/LBC	Demolition of existing access ramp and construction of new disabled access ramp.	Approved	11.06.2003
03/00833/FUL	Temporary location of a portakabin on part of the Town Hall car park from 9/6/03 until 11/8/03 (9 weeks) for use as a temporary Tourist Information Centre (TIC)	Approved	11.06.2003
03/00868/LBC	Renovations to the Essex Hall - licenced bar/meetings room, to include removal and renewal of a suspended ceiling.	Approved	11.06.2003
03/00925/LBC	Internal alterations for new TIC	Approved	11.06.2003
03/01495/LBC	New plant on flat roof to serve new air conditioning unit.	Approved	03.09.2003
03/01543/FUL	Extension to time limited planning permission given for the temporary location of a portacabin for use as a Tourist information Centre from 31/8/03 to 16/11/03.	Approved	26.09.2003
04/00090/LBC	Demolition of existing access ramp and construction of two new disabled access ramps.	Approved	10.03.2004
18/01498/LBC	Proposal to remove a number of partition walls to provide open plan offices for each department within the council - this includes widening existing openings in	Approved	25.10.2018

three of the four corner turret towers to include these areas into the open plan. At ground floor level the work will include the removal of false ceilings & restoring the council chambers to near their original layout. The external facades remain unchanged.

#### 4. **Consultations**

Building Control and Access Officer

Building regulation approval required.

Essex County Council Heritage

I have no objections to this proposal. I recommend conditions are attached requiring details of new heating feature covers and the paint scheme.

#### 5. **Representations**

5.1 No representations received.

#### 6. **Assessment**

##### Site Context

6.1 Clacton Town Hall is situated on the western side of Station Road on the northern edge of Clacton Town Centre. The building accommodates Tendring District Council Offices along with the Princes Theatre and is a Grade II Listed Building. Construction work was completed in the early 1930's in a neo Georgian style. The buildings' listing is as follows;

*Town hall with incorporated theatre which originally housed a library as well. Completed in 1931 to the designs of Sir Brumwell Thomas in Neo-Georgian style. Brown brick in English bond with stone dressings and hipped or mansard pantilled roofs. Square on plan with central vestibule, theatre behind, council chamber and committee rooms to the south and originally library to the north, now theatre bar. Pediment has deeply carved stone wreath flanked by swags. Engaged Composite fluted columns and Doric piers at sides. Three round-headed arches with keystones and impost blocks and decoration of carved swags above. Steps to street and three round headed entrances behind with double doors. Flanking wings are of one storey and attics five bays with stone parapet, cornice and plinth. Curved dormers with 12 pane sashes and 18 pane sashes below. These wings terminate in one bay corner pavilions with hipped roofs and 18 pane sashes with Diocletian windows above, set in moulded architraves with brackets flanked by pilasters. South front is similar but with central five-light curved bay. North front similar but with central door case with cornice, moulded architrave, double door and rectangular fanlight with intersecting arches originally the library entrance. West front has central fly tower to theatre with blank square windows opening above roof level of theatre and central tall round headed opening with impost blocks, an architectural feature ingeniously disguising a utilitarian scenery door. The interior has entrance vestibule with coffered barrel-vaulted ceiling, theatre of five bays with coffered barrel-vaulted ceiling, round headed arches to sides and cambered proscenium arch with carved municipal coat of arms, council chamber, committee rooms and mayor's parlour with original joinery and corridors with round headed arches and marble floors.*

### Proposal

6.2 This listed building consent proposes the following alterations to the proposed committee room;

- Refurbishment and restoration of the plasterwork to both the walls and the ceilings and coving;
- Restoration of the windows to insert new mullions;
- Covering of the original glazing panels to the rooflight in Black Perspex;
- Forming a new entrance into the committee room within the existing larger opening incorporating new entrance doors from the corridor;
- Restoration of wall panelling around the new door opening;
- Restoration of the timber parquet flooring;
- Installation of speakers to the walls and ceiling suspended lighting scheme;
- New service installations and fire protection; and
- Existing original features including moulded architraves, cornices, skirting and picture rails to be repaired and where required replicated.

6.3 The alterations listed above are part of the Council's Office Transformation Project and are necessary to meet the requirements of other departments moving to the Town Hall. The project aims to streamline the economic running of Council affairs.

### Impact upon Listed Building

6.4 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.

6.5 Paragraph 194 of the National Planning Policy Framework 2019 ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is retained by saved policy EN22 of the Tendring District Local Plan (2007) 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.

6.6 Paragraph 194 of the Framework also requires the submission of a Heritage Statement, or any other means of describing the significance of the heritage asset, including any contribution made by their setting. The Heritage Statement should be of a level of detail proportionate to the asset's importance. A Heritage Statement has been submitted with the application. The Heritage Statement, in conjunction with the submitted Design and Access Statement, outlines the history of the Listed Building, the proposed works involved and the impact they would have to the Listed Building.

6.7 As stated above the sole 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.

6.8 In this regard the first point to note is that no external alteration or repair is proposed. All external elevations of the building are to remain as they are. In respect of the proposed internal alterations the majority of the work concerns carefully managed alterations and additions to the existing structure to facilitate its use as a committee/meeting room.

- 6.9 The supporting documents submitted state that the proposal is to restore the committee room back to its original form, following the previous work to remove the suspended ceiling/modern partitions, by utilising matching materials and fabric on a like for like basis.
- 6.10 The works predominantly include restoring the plaster work, mouldings, skirting and coving along with the restoration of windows and the covering of the roof light panels with Black Perspex. A new larger entrance door is also to be formed with matching wall panelling proposed around the new entrance surround.
- 6.11 In addition to facilitate the use of the room as a meeting/function room new service installations are proposed including a new ceiling suspended lighting feature to avoid significant intrusion into the existing fabric along with a subtle wall mounted audio system and additional lighting.
- 6.12 The specification of the works have been informed by input from ECC-Place Services Heritage Team who have reviewed the final submission and have no objections subject to the inclusion of conditions to agree the final paint colour for the walls and the precise details of the heating cover features.

## **7. Conclusion**

- 7.1 Overall the changes proposed are considered to accord with the requirements of local and national planning policies which seek to safeguard the special nature of listed buildings. In many cases the work proposed enables original features to be enhanced and where alterations are proposed to original fabric matching materials including architraves, skirting and picture rails will be used to maintain the building's neo-Georgian styling.

## **8. Recommendation**

- 8.1 The Planning Committee is recommended to grant planning permission subject to the following conditions

### **8.2 Conditions and Reasons**

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 plans and documents:

- 52310/B/01
- 52310-B-02 (Amended Roof Light Plan – Received 26<sup>th</sup> February 2020)
- Schedule of Works Document (as prepared by Richard Jackson Building Consultants)
- Document Titled – ‘The design & installation of a Sound and Video system’
- Document Titled – ‘Proposed New Lighting’ (as prepared by Ansell Lighting – dated 17.07.19)
- Audio Specification Details (as prepared by EVID)
- Daikin Concealed Floor Standing Unit Specification
- Daikin Ventilation Technical Data Sheet

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

3. Prior to the commencement of work the following details shall be provided to and approved in writing by the Local Planning Authority;
- Details of paint colour scheme for the room
  - Precise design details of the heater/ventilation covers

Reason – To ensure these details are sympathetic to the historic character of the room.

## **9. Additional Considerations**

### Public Sector Equality Duty (PSED)

- 9.1 In making your decision you must have regard to the PSED under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions to:
- 9.2 A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- 9.3 B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s); and
- 9.4 C. Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
- 9.5 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, being married or in a civil partnership, race including colour, nationality and ethnic or national origin, religion or belief, sex and sexual orientation.
- 9.6 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in section 149 and section 149 is only one factor that needs to be considered, and may be balanced against other relevant factors.
- 9.7 It is considered that the recommendation to grant permission in this case would not have a disproportionately adverse impact on a protected characteristic.

### Human Rights

- 9.8 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998 (as amended). Under the Act, it is unlawful for a public authority such as the Tendring District Council to act in a manner that is incompatible with the European Convention on Human Rights.
- 9.9 You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property) and Article 14 (right to freedom from discrimination).
- 9.10 It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence or freedom from discrimination except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to



control the use of property in accordance with the general interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

#### Finance Implications

- 9.11 Local finance considerations are a matter to which local planning authorities are to have regard in determining planning applications, as far as they are material to the application.
- 9.12 The New Homes Bonus (NHB) is one local finance consideration capable of being a material consideration to which the weight given shall be determined by the decision maker. The NHB is a payment to local authorities to match the Council Tax of net new dwellings built, paid by Central Government over six consecutive years. In this instance, it is not considered to have any significant weight attached to it that would outweigh the other considerations.

### **10. Background Papers**

- 10.1 In making this recommendation, officers have considered all plans, documents, reports and supporting information submitted with the application together with any amended documentation. Additional information considered relevant to the assessment of the application (as referenced within the report) also form background papers. All such information is available to view on the planning file using the application reference number via the Council's Public Access system by following this link <https://idox.tendringdc.gov.uk/online-applications/>.