

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	11/05/2020
Planning Development Manager authorisation:	AN	11/05/2020
Admin checks / despatch completed	CC	11/05/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	PW	11/05/20

Application: 20/00047/LBC **Town / Parish:** Manningtree Town Council

Applicant: Ms Anne Lister

Address: Exchange House 22, 22A, 22B, 22C South Street Manningtree

Development: Proposed alterations to convert flats 22A and 22B to one unit

1. Town / Parish Council

Manningtree Town Council Have not commented on this application.

2. Consultation Responses

Essex County Council Heritage Built Heritage Advice pertaining to two concurrent applications for: Proposed alterations to convert flats 22A and 22B to one unit. Following the submission of amended down-taking and proposal drawings I am in support of this application.

3. Planning History

05/00776/FUL	Conversion of existing shop and flat into office and 3 no. flats and addition of new chimney and external alterations.	Approved	11.07.2005
05/00907/LBC	Conversion of existing shop/office/flat into new office and three flats	Approved	11.07.2005
09/00471/FUL	Change of use from Class B1 office to Class D1 Osteopathic practice.	Approved	14.07.2009
20/00046/FUL	Proposed alterations to convert flats 22A and 22B to one unit	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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, whilst housing delivery over the last three years has exceeded requirements, the supply of deliverable housing sites going forward that the Council can demonstrate still falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site concerns Exchange House, a Grade II listed building on the junction of Stour Street/South Street within the town centre of Manningtree. The building as a whole accommodates ground floor commercial unit (currently an osteopath clinic) and 3 self-contained flats spread over 4 floors. (flats 22A, 22B and 22C) with a shared yard for units 22B and 22C sufficient to park two cars and a detached garage.

The application originally proposed; Internal alterations to existing flats to join together units 22A and 22B to form one unit with separate access arrangement, installation of new window in existing commercial unit, provision of car port over entrance to converted flat and alterations to flat 22C including re-routing of stair case to connect to ground floor commercial unit. Following consultation between the Historic Environment Team and the applicant, the plans were amended for the application to only assess the proposed alterations to convert flats 22A and 22B to one unit.

The Grade II Listing is as follows:

Now 2 shops. C17 or earlier with later alterations and additions. Timber framed and plastered. Large red plain tiled roof hipped to Stour Street with 3 gabled dormers to South Street and one to Stour Street. Rear chimney stack. L plan. 2 storeys, attics and cellars. 4 first floor vertically sliding sash windows, glazing bars to left small paned to right. Moulded surrounds. Harwich Radio and Cycle Supplies shop front to right, one light window to left, 4 light to right of glazed door approached by steps, C20 fascia over with original end pediments. The Dragon House, left, central door, window to right and left, fascia over. The right return to Stour Street has 3 first floor right, 2 ground floor right and a left tripartite window, mainly small paned vertically sliding sashes and C19 casements.

Proposal

The application seeks listed building consent for the proposed alterations to convert flats 22A and 22B to one unit.

Appraisal

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act imposes a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

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.

Paragraph 189 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is reflected by saved policy EN23 of the Tendring District Local Plan (2007) and emerging Policy PPL9 of the Tendring District Council Local Plan 2013-2033 and Beyond Publication Draft (June 2017). Both these policies also confirm that development should be of a scale, design and use that respects the listed building and its setting.

The Historic Environment Team have been consulted on this application and have stated that following the submission of amended down-taking and proposal drawings, the team are in support of this application.

Therefore, there is not considered to be significant harm identified to harm the setting of the Listed Building, and the proposals are therefore acceptable against this criteria.

Other Considerations

Manningtree Town Council have not commented on this application

No letters of representation have been received.

6. Recommendation

Approval - Listed Building Consent

7. Conditions / Reasons for Refusal

- 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:

Drawing No. 2356/1C

Drawing No. 2356/2C

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.

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