

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	26/08/2020
Planning Development Manager authorisation:	AN	27/08/2020
Admin checks / despatch completed	CC	27/08/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	27/08/2020

Application: 20/00572/LBC **Town / Parish:** Manningtree Town Council

Applicant: Stephen Watchorn

Address: Creffield House 31 South Street Manningtree

Development: Minor like for like repairs to four existing sash windows and like for like replacement of lower box assembly and sill of one single glazed six pane sash window.

1. **Town / Parish Council**

Manningtree Parish Council Have not commented on this application

2. **Consultation Responses**

Essex County Council Heritage The application is for minor like for like repairs to four existing sash windows and like for like replacement of lower box assembly and sill of one single glazed six pane sash window.

The property is Grade II listed (list entry no. 1240065) and is located in the Mistley and Manning Tree Conservation Area. The proposed draught proofing system does have the potential to cause harm to the windows by creating a bulky appearance, thus detracting from the special interest of the historic windows. The additional draft proofing strips will be most notable when the windows are open. However, we do support the ongoing repair of the historic windows rather than their replacement. Therefore, I would raise no objection to this proposal. To ensure the visual impact is minimised, the removable staff bead and removable pile should be white.

3. **Planning History**

91/00702/LBC	Conservatory	Approved	06.08.1991
94/00316/LBC	Widening of access to provide parking area in extended garden curtilage (including demolition and relocation of boundary wall)	Refused	22.06.1994
94/00317/FUL	(31 and 33 South Street, Manningtree) Widening of access	Refused	22.06.1994

	to provide parking area in extended garden curtilage (including demolition and relocation of boundary wall)		
99/00383/FUL	Replacement of existing roof covering to conservatory (polypropylene) with new roof (grey slate)		15.09.2006
99/00384/LBC	Replacement of existing roof covering to conservatory (polypropylene) with new roof (slate grey)	Approved	02.08.1999
14/00434/TCA	1 No. Gleditsia - crown reduce by 30%	Approved	07.05.2014
18/01674/TCA	1 No. Cotoneaster - reduce by 1.5m and thin, 1 No. Gelditsia - reduce to previous cutting points	Approved	29.10.2018

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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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

This application refers to Creffield House, 31 South Street, Manningtree which is a Grade II Listed Building and is located within Manningtree Conservation Area. The application site is also located within the settlement boundary.

The listing description is as follows;

House. Early C19. Gault brick, hipped grey slate roof. 2 storeys and basement. 2 chimney stacks with side panels. West face of 2 bays with central and end pilasters with moulded capitals. Moulded eaves cornice. 2 window range of small paned vertically sliding sash windows, gauged brick arches, similar basement windows. North face of 3 bays with similar windows. Recessed 6 panelled door to left, prominent pilasters with capitals and bases, frieze, flat canopy.

Proposal

This application seeks listed building consent for minor like for like repairs to four existing sash windows and like for like replacement of lower box assembly and sill of one single glazed six pane sash window.

Appraisal

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

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 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. Policy EN23 of the Saved Plan states that proposals for development that would adversely affect the setting of a Listed Building, including group value and long distance views, will not be permitted. 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.

The Councils Historic Consultant has been consulted on this application and has stated that the proposed draught proofing system does have the potential to cause harm to the windows by creating a bulky appearance, thus detracting from the special interest of the historic windows. The additional draft proofing strips will be most notable when the windows are open. However, the team support the ongoing repair of the historic windows rather than their replacement. A condition will be imposed to ensure that the removable staff bead and removable pile should be white to ensure visual impact is minimised. Therefore, there is no objection to this proposal.

It is therefore considered that the proposed works will not cause any harm to the historic fabric or character of the Listed Building, and the proposal is 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

- 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:

- Ventrolla Perimeter Sealing System as shown within email dated 24th June 2020 and scanned 27th June 2020
- Window detailing scanned - 27 July 2020
- Schedule of Works scanned - 16 July 2020
- Block Plan showing windows - scanned 08 June 2020
- Window details - scaled plan - scanned 08 June 2020
- Elevations - itemised location drawing - 05 May 2020.

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

- 3 The staff bead and pile should be white unless otherwise agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with these approved details and permanently maintained as such.

Reason - The application relates to a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

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