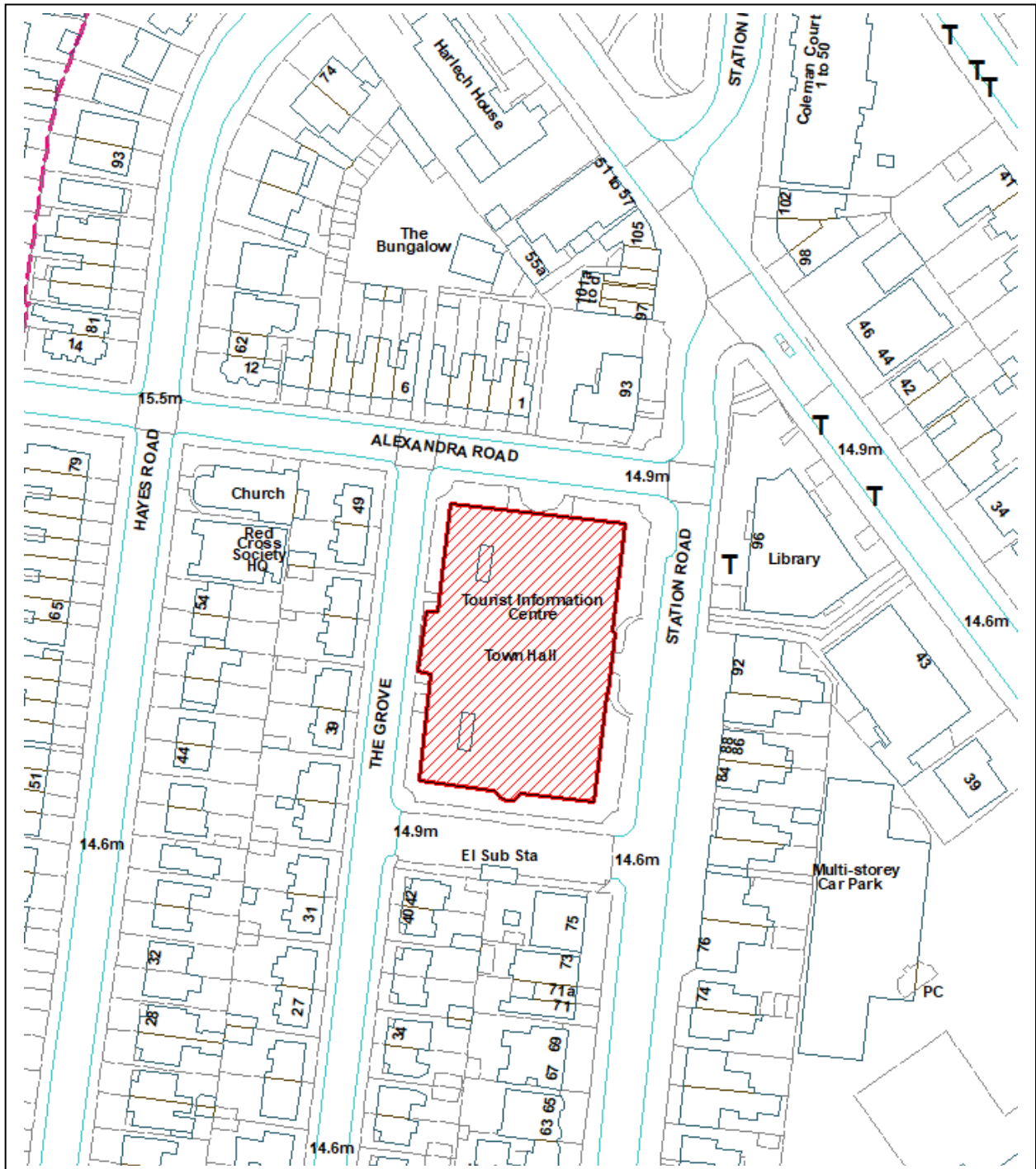


PLANNING COMMITTEE

19th JANUARY 2021

REPORT OF THE HEAD OF PLANNING

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



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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 is referred to the Planning Committee as the applicant is Tendring District Council.
- 1.2 The Listed Building Consent 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).
- 1.5 **This application originally came before members at the 10th March 2020 Planning Committee. After discussion the Committee voted to defer decision. The minutes record the reasons as follows:**

- Scheme refinement and better drawings to be provided.
- Further thought to be given to the form and detailing of the roof light as the Committee do not consider the black perspex panels proposed within the roof light to be sensitive to the heritage asset; and
- Further consideration to be given to lighting and ability to introduce natural light.

Further matters discussed at the Committee meeting included the need to maintain a very traditional feel to the room and its size and capability to host large meetings.

Following the March 2020 meeting, further information has now been provided in the form of updated drawings and a statement addressing each of the issues raised by members above. A summary of the additional information submitted is provided below within the main body of the report.

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) has been examined by an Independent Planning Inspector who issued his final report and recommended ‘main modifications’ on 10th December 2020. The Inspector’s report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three ‘Garden Communities’ proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.
- 2.4 The Council is now making arrangements to formally adopt Section 1 of the Local Plan in its modified state and this is expected to be confirmed at the meeting of Full Council on 26th January 2021 – at which point will become part of the development plan and will carry full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan. In the interim, the modified policies in the Section 1 Local Plan, including the confirmed housing requirement, can be given significant weight in decision making owing to their advancement through the final stages of the plan-making process.
- 2.5 The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) is now expected to proceed in 2021 and two Inspectors have already been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.
- 2.6 Where emerging policies are particularly relevant to a planning application and can be given 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.

3. **Relevant Planning History**

00/01532/LBC	Enlargement of existing plant room and associated works	Refused	22.11.2000
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
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
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
04/01001/LBC	Fit 1 No. ceiling fan.		22.07.2004
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 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.	Approved	25.10.2018
19/01910/LBC	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.	Current	

4. **Consultations**

TDC Building Control and Access Officer

Building regulation approval required.

Essex County Council Heritage

No objections to this proposal. Recommend that 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 Light Grey 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 Light Grey Perspex. A new smaller 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 **As stated within the executive summary above additional information has now been provided in response to issues raised by members of the Committee at the**

10th March 2020. Please find below a summary in response to each of those matters raised:

Scheme refinement and more detailed drawings

All internal elevations and cross sections including matters such as the colour scheme and heater boxing that were previously to be secured via condition are now provided. The proposed work is to remove late twentieth century internal partitioning and to repair and restore the built form as it was constructed.

Form and detailing of the roof light

It is proposed that the form of the roof light will remain as it was in the 1930s. Further modification of the structure would not be optimal. The roof light cannot be returned to lighting/ventilation use because office accommodation has been built above it.

The advice of the historic building specialist at Essex County Council Heritage has been sought and the consensus of officers is that it would not be proportionate to remove the office accommodation above and that the re-glazing of the roof light with opaque material (Perspex – Light Grey) is the most appropriate compromise in the circumstances.

Room colour scheme

Officers have researched past paint colours in the room. It appears that colours have been:

- White (original)
- Pine effect wood graining
- Cream
- Mixed by later subdivisions: magnolia, blue and white.

Officers have agreed with the historic building advisor that the most sympathetic colour scheme would be a white palette referencing the original scheme. Building regulations require a tonal contrast between walls and doors to make the building accessible for users with impaired vision. Therefore the proposed colour scheme is as follows;

Element	Colour	Finish
Ceilings and cornice	Lime Wash White	Flat Matt
Walls and columns	Aged White	Diamond Matt
Skirtings frames and architraves	Lime Wash White	Gloss paint
Rooflight Framing	Lime Wash White	Gloss paint
Rooflight glazing	Grey 9981	Gloss
High level window glazing	Grey 9981	Gloss
Doors	Grey 91 YY 31/059	Gloss paint
Flooring	Self-colour – mid oak	Satin polish

Further consideration to be given to lighting and ability to introduce natural light

As indicated in the submitted cross-sections and elevations drawings all of the former high level windows and the bulk of the rooflight are now covered by later first floor additions. The rooflight is covered by the floor of an office and the side windows adjoin voids between levels of the building. The result is that none of these can be used to introduce natural light.

Accordingly it is not feasible to introduce natural light. Officers have considered the potential to add artificial lighting to the rooflight but found that this would be out of keeping with the likely use of the room at night and produce an uneven distribution of light in the room.

It is unlikely that pendant fittings as seen in historical photographs will provide adequate intensity and distribution of illumination for modern use. The proposed lighting design by manufacturers, Ansell, is intended to compliment the rectilinear form of the ceiling beams and distribute light appropriately over the working areas. Modern materials provide clear legibility to distinguish historical and modern references.

Restoration of traditional feel to the room

The proposal is to return the room essentially to its 1930s original form and colour scheme. The room has a clear architectural form with strong articulation of the panelling and ceilings.

The proposed colour scheme respects the original vision for the room while meeting modern requirements.

Size of room for meeting requirements

Whilst not relevant to the determination of this Listed Building Consent, for some years the Full Council and larger Planning Committees have been held in the Princes Theatre. It is proposed that this is continued in the future. The proposed Committee Room is around 20m² smaller than the Council Chamber at Weeley. However, it is more conveniently shaped for a range of uses and will accommodate the furniture required for such meetings/committees.

Additionally the Town Hall has a number of rooms for overspill if required. Officers are in the process of procuring new audio and visual systems that will be able to cast proceedings to other rooms and to the web as desired.

- 6.13 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.

7. Conclusion

- 7.1 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.

7.2 Overall, the work proposed is intended to return the Committee Room back essentially to its original form, function and décor as it existed as the 1932 Council Chamber, while allowing for modern standards and the evolution of the building that has taken place. The introduction of natural light is not feasible but a clean white colour scheme and complimentary efficient modern lighting will create a bright and airy room while air source heating will create a comfortable but sustainable environment. Seating capacity will be broadly equivalent and a number of additional rooms will be available for overflow seating if needed. The proposals are aimed at a sympathetic return to use of the part of the building in line with its original form and function.

8. Recommendation

8.1 The Planning Committee is recommended to grant Listed Building Consent 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/TDCrev – 1 Revision B
- 52310/B/TDCrev – 3 Revision B
- 52310/B/TDCrev – 2
- 52310/B/TDCrev – 4
- 52310/B/TDCrev – 5
- 52310/B/TDCrev – 6
- 52310/B/TDCrev – 7
- 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.

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.

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/>.