

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	12/01/2020
Planning Development Manager authorisation:	TF	13/01/2021
Admin checks / despatch completed	ER	13/01/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	13.01.2021

Application: 20/01546/LBC **Town / Parish:** Manningtree Town Council

Applicant: Dr and Mrs Bettle

Address: 18 High Street Manningtree Essex

Development: Proposed secondary glazing to sash windows on principle elevation and new cast iron grille at pavement level.

1. Town / Parish Council

Manningtree Parish Council Have not commented on this application

2. Consultation Responses

Essex County Council Heritage
24.12.2020 Built Heritage Advice pertaining to an application for proposed secondary glazing to the sash windows on the principle elevation and a new cast iron grille at pavement level.

This letter should be read in addendum to previous correspondence dated 9th December 2020.

Following the submission of further information, ECC Heritage are unopposed to this application.

3. Planning History

04/01028/FUL	Change of use from retail shop and workshop to domestic dwellinghouse and garage	Refused	14.07.2004
04/01031/LBC	Change of use from retail shop and workshop to domestic dwellinghouse and garage	Application Not Required	08.07.2004
04/01947/FUL	Reversion of use from craft display room and rear workshop & garage to dwelling house and garage.	Approved	07.01.2005
15/01014/LBC	Removal of existing roof tiles and underfelt and replace with new clay hand made plain tiles with	Approved	07.10.2015

	breathable insulating underfelt (front elevation store only).		
19/00317/LBC	Proposed replacement rear extension.	Approved	03.06.2019
19/01060/DISCON	Discharge of condition 3 (Written Scheme of Investigation) of approved application 19/00317/LBC.	Approved	03.09.2019
20/00444/LBC	Installation of low-profile aluminium roof light, and boxing-in of exposed drainage pipework. Removal of two timber stud work walls to outbuilding. Installation of timber access gates in gap in boundary wall. Cladding another outbuilding with horizontal boarding. Replacement of existing external timber door affected by damp with new timber door to match adjacent door. Minor repairs to brick boundary wall.	Approved	27.07.2020
20/00445/FUL	Installation of low-profile aluminium roof light, and boxing-in of exposed drainage pipework. Removal of two timber stud work walls to outbuilding. Installation of timber access gates in gap in boundary wall. Cladding another outbuilding with horizontal boarding. Replacement of existing external timber door affected by damp with new timber door to match adjacent door. Minor repairs to brick boundary wall.	Approved	27.07.2020
20/01545/FUL	Proposed secondary glazing to sash windows on principle elevation and new cast iron grille at pavement level.	Withdrawn	12.01.2021

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) 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.

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.

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.

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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is a two-storey dwelling located within the development boundary of Manningtree and subject to a Grade II Listed Building designation.

The listing description is as follows:

Former house, now 2 shops. Early C16 or earlier with C17 and C18 and later additions and alterations. Timber framed and plastered. Red plain tiled roofs. Rear off centre right red brick chimney stack. Rear wiings. 2 storeys, attics and cellars. 3 flat headed dormers with vertically sliding sashes. Moulded eaves cornice, 6 window range of small paned vertically sliding sashes, moulded surrounds. 3 similar windows to ground floor right, C20 double doors approached by steps with iron handrails between central and second window. C20 shop window to left, board door with top light, blocked fanlight over. Moulded bridging joists run through the front of the building. Probably part of RCHM q.v. 9/142

Description of Proposal

Proposed secondary glazing to sash windows on principal elevation and new cast iron grille at pavement level.

Assessment

The only consideration as part of this application is the abovementioned amendments on the character, appearance and historic fabric of the curtilage 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. 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.

A Heritage Statement has been provided in accordance with the above requirements.

Essex County Council Heritage Team has been consulted on this application. The team originally stated that 18 High Street is a Grade II listed building, listed as 'Manningtree Gallery OG Thorpe and Son, Butchers' (Nos. 18 and 20 High Street) (List Entry ID: 1254309). The listed building dates from the early sixteenth century or earlier and is a timber framed and plastered building with red plain tiled roof. 18 High Street is located within Manningtree and Mistley Conservation Area. The listed building is also situated adjacent to and in proximity to a number of other designated and non-designated heritage assets.

The proposals comprise the insertion of secondary glazing to the sash windows on the principal elevation of the Listed Building, in the form of aluminium framed sliding glazed panels fixed within the existing internal window openings. It is also proposed to insert a cast iron ventilation grille, painted black, within the principal elevation just above pavement level.

With regard to the proposals for secondary glazing, further information would be required in order to fully assess this element of the application. Photographs would need to be provided showing the interior of each window where secondary glazing is proposed, in order to understand the potential impact on historic fabric and ensure that there would be no damage to any internal decorative features. Details of the proposed method of fixing and points of fixing for the secondary glazing panels also need to be submitted with the application.

It is considered that the proposed cast iron ventilation grille would not have a significant impact upon the special interest of the Listed Building or the Conservation Area and therefore would be acceptable, subject to conditions. It is noted that there are a number of existing air bricks within the plinth and it therefore would be desirable that the proposed ventilation grille is the same size as the existing air bricks.

In conclusion, there is no objection to the proposed cast iron ventilation grille, subject to conditions being imposed. Further information needs to be sought, however, in relation to the proposed secondary glazing, as outlined above, in order to fully judge the impact of this element of the proposals on the significance of the Listed Building.

The agent submitted amended plans and ECC Heritage Team were re-consulted. The team have stated that their more recent letter should be read as an addendum to the previous

correspondence dated 9th December 2020. Following the submission of further information the team are unopposed to this application.

It is therefore considered that the proposed works will not cause any significant 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.

One letter of objection has been received raising the following concerns:

- Concerns that the area where the new grille is to be placed was bricked up as rainwater seeped into the basement area and caused flooding.
- Concerns with the state of repair to the basement

In response to the concerns above, the only consideration for this application is the impact of the development upon on the character, appearance and historic fabric of the curtilage listed building.

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:

- Drawing No. PA-01 A

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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