

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	18/02/2021
Planning Development Manager authorisation:	TF	18/02/2021
Admin checks / despatch completed	DB	18.02.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	18.02.2021

Application: 20/00545/FUL **Town / Parish:** Manningtree Town Council

Applicant: Mr Brian Watts - Mistley Masonic Hall

Address: Mistley Masonic Hall South Street Manningtree

Development: Proposed change of level of existing path leading into the hall to provide level access for wheelchair users.

1. Town / Parish Council

Mistley Parish Council Not commented on this application

2. Consultation Responses

Essex County Council No objection to this application.
Heritage
15.02.2021 It has been assumed that all external materials match existing and therefore no conditions pertaining to these items are required.

3. Planning History

03/00132/LBC	Retention of repairs and replacement of roof and windows	Approved	06.03.2003
03/01909/LBC	Installation of 3 air bricks (red to match) to north facing wall to ventilate interior wooden floor and joists	Approved	08.11.2003
06/00078/LBC	Installation of free standing condenser unit to rear of building	Approved	05.04.2006
06/00208/FUL	Installation of free standing condenser unit to rear of building	Approved	05.04.2006
11/00223/FUL	Construction of new toilet/store/lobby extension (following demolition of existing).	Approved	24.06.2011
11/00224/LBC	Construction of new toilet/store/lobby extension (following demolition of existing).	Approved	24.06.2011

20/00546/LBC	Proposed change of level of existing path leading into the hall to provide level access for wheelchair users, vent, partition walls to form a disabled W.C. and new lift to provide access to the upper floor.	Current	
20/01447/ADV	Proposed installation of 1 no. free standing timber sign.	Approved	17.12.2020

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN22 Extensions or Alterations to a Listed Building

EN23 Development Within the Proximity of a Listed Building

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

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 has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have 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

This application relates to Mistley Masonic Hall, South Street, Manningtree. The application site is located within the Conservation Area and is a Grade II Listed Building.

Proposal

This application seeks planning permission for the proposed change of level of existing path leading into the hall to provide level access for wheelchair users.

Assessment

The main consideration for this application is visual and heritage impact and impact upon neighbouring amenities.

Visual and Heritage Impact

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.

Saved Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan (2007) seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form.

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.

This application seeks to change the level of the existing path leading into the hall to provide level access for wheelchair users. Although the changes will be visible to the street scene, the proposed

works will not cause any significant impact upon South Street. The proposed works involve the ground level to be reduced with the erection of a plain metal handrail painted black to match the existing handrail on the application site.

ECC Heritage has been consulted on this application and has stated that this is harmful to the aesthetic of the building as it will alter the early arrangement and symmetry to the front. However, this harm (which is low) is outweighed by the benefit of enhancing access to the building and facilitating its continued optimum viable use. It has been assumed that all external materials match existing and therefore no conditions pertaining to these items are required.

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.

Impact upon neighbouring amenities

Although the proposed works will be visible to the neighbouring buildings to the north and south, the proposed works are not considered to cause any significant impact upon the neighbouring buildings.

Other considerations

Mistley Parish Council have not commented on this application.

No letters of representation have been received.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning 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. 20/4124/102 Revision J - Proposed Floor Plan

Drawing No. 20/4124/103 Revision G - Proposed Sections

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