

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	06.07.2021
Planning Development Manager authorisation:	SCE	09.07.2021
Admin checks / despatch completed	DB	09.07.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	Er	09/07/2021

**Application:** 21/00683/LBC                      **Town / Parish:** Manningtree Town Council

**Applicant:** Polly Plowman

**Address:** 71 South Street Manningtree Essex

**Development:** Proposed replacement of single storey rear extension with a timber framed single storey structure of green oak finished with black stained cladding.

### **1. Town / Parish Council**

Manningtree Town Council              No Comments

### **2. Consultation Responses**

Essex County Council              The application is for proposed replacement of single storey rear extension with a timber framed single storey structure of green oak finished with black stained cladding  
Heritage  
03.06.2021

The building is Grade II listed and located in a Conservation Area.

I have no objection to this application.

I recommend conditions are attached to any permission requiring:

- Details of windows, door and rooflights; and
- If any historic fabric/timbers are revealed during the course of works, the local planning authority should be notified and a scheme of retention agreed.

### **3. Planning History**

02/00497/FUL	Erect garden shed within domestic garden	Approved	13.05.2002
02/00583/LBC	Demolish less than 1 metre of	Approved	13.05.2002

	existing garden wall. Erect clapboard garden shed with ridged pantiled roof	
20/30262/PREA PP	Replace single storey rear extension with a timber framed single storey structure of green oak finished with black stained cladding.	12.02.2021
21/00681/FUL	Proposed replacement of single storey rear extension with a timber framed single storey structure of kiln dried oak finished with black stained cladding.	Current
21/00683/LBC	Proposed replacement of single storey rear extension with a timber framed single storey structure of green oak finished with black stained cladding.	Current

#### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

EN22 Extensions or Alterations to a Listed Building

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

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 26<sup>th</sup> 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 10<sup>th</sup> 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 26<sup>th</sup> 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)**

### Proposal

This application seeks permission to replace the single storey rear extension with a timber framed single storey structure of kiln dried oak finished with black stained cladding.

### Application Site

The site is located towards the east of South Street, within the development boundary of Manningtree. The site serves a Grade II listed two storey terraced dwelling, also located within the Manningtree and Mistley Conservation Area. The listing is as follows;

MANNINGTREE SOUTH STREET TM 1031 (east side)

9/190 Nos. 71, 73 and 75

GV II

Row of 3 cottages. C17 or earlier with later alterations and additions. Timber framed and plastered. Red plain tiled roofs. Left and right red brick chimney stacks. Rear wings. One storey and attics. 4 flat headed dormers with C19 2 light casements. Plinth. 3 vertically sliding sashes, moulded surrounds and one fixed window. 3 C20 doors each with 5 step approach.

Listing NGR: TM1066331609

### 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, 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 technique that respect the listed building and its setting.

A heritage statement has been provided in accordance with the above requirements.

Essex County Council Place Services have been consulted in relation to this application and have submitted the following comments;

“The application is for proposed replacement of single storey rear extension with a timber framed single storey structure of green oak finished with black stained cladding

The building is Grade II listed and located in a Conservation Area.

I have no objection to this application.

I recommend conditions are attached to any permission requiring:

- Details of windows, door and rooflights; and
- If any historic fabric/timbers are revealed during the course of works, the local planning authority should be notified and a scheme of retention agreed.”

The proposed extension will be replacing the existing rear extension at the site which currently measures at 15.3m<sup>2</sup>, the proposed replacement will have a slight increase in size compared to the existing, it will stretch along the width of the rear elevation measuring 4 metres wide by 2 metres deep and an overall height of 2.3 metres. The proposal is considered to be of an appropriate size and scale to the existing dwelling, with the application site retaining adequate private amenity space.

The proposal will be finished with a red brick plinth and black stained timber cladding with a flat roof design and a sarnafil roof finish. The windows and doors will be of handmade timber with oiled finish. It is also proposed to replace an existing rooflight and install an additional second rooflight to the rear elevation, as the existing dwelling already has a rooflight installed to the rear, the proposed two rooflights are considered to be in keeping with the existing dwelling with no harmful effect on visual amenities. The proposed extension is considered to be of a design and appearance in keeping with the existing dwelling, as the proposal is located to the rear of the dwelling it will not be visible to the streetscene and is not considered to have any significant adverse effect on visual amenities.

The proposal is deemed to be of an appropriate size and design to that of the existing dwelling and surrounding area with no significant adverse impact on visual amenities. The

proposed extension is not considered to have any significant harmful effect on the listed building or Conservation Area.

## **6. Recommendation**

Approval - Listed Building Consent

## **7. Conditions / Reasons for Refusal**

- 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/documents;

Drawing Number 0293/PL/06

Drawing Number 0293/PL/07

Drawing Number 0293/PL/08

Drawing Number 0293/PL/09

Drawing Number 0293/PL/10 Revision A

Emails confirming sarnafil roof finish – scanned 06 July 2021

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

- 3 No above ground development shall commence prior to a sample of the proposed sarnafil roof finish being submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details.

Reason - To ensure materials are of a very high quality to respect the building and its setting.

- 4 No above ground development shall commence prior to details of the windows, door and rooflights being submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details.

Reason - To ensure materials are of a very high quality to respect the building and its setting.

- 5 If any historic fabric/timbers are revealed during the course of works, the Local Planning Authority should be notified and a scheme of retention agreed.

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.

<b>Are there any letters to be sent to applicant / agent with the decision?</b> <b>If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision?</b> <b>If so, please specify:</b>	YES	NO