

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION   | INITIALS | DATE       |
|---|----------|------------|
| File completed and officer recommendation:                  | ER       | 22/09/2021 |
| Planning Development Manager authorisation:                 | SCE      | 22.09.2021 |
| Admin checks / despatch completed                           | DB       | 22.09.2021 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | CC       | 22.09.2021 |

**Application:** 21/00893/LBC **Town / Parish:** Brightlingsea Town Council

**Applicant:** Mr Robert Chapman

**Address:** Jacobs Hall West 44 - 48 High Street Brightlingsea

**Development:** Proposed replacement of existing lime render to the north elevation with like for like restoration, lime mortar and fibre mix finished with white lime wash and like for like lime wash painting for protection purposes to the west elevation.

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

Brightlingsea Town  
Council  
27.08.2021

Brightlingsea Town Council are concerned that timbers have already been removed. Any works must be supervised and authorised by English Heritage. We must have assurances that the people carrying out the remedial works are accredited and qualified in that area. We are concerned by the importance of Jacobs Hall. We believe it is the only and oldest timber framed building in Essex (1313). We are very concerned that the renovation must be carried out correctly and checked by the Planning Officers.

### **2. Consultation Responses**

National Amenity  
Societies No objections

Historic England No objections

Essex County Council  
Heritage  
09.09.2021 Built Heritage Advice pertaining to an application for: Proposed replacement of existing lime render to the north elevation with like for like restoration, lime mortar and fibre mix finished with white lime wash and like for like lime wash painting for protection purposes to the west elevation.

The proposals concern the Grade I listed Jacobes Hall (List UID: 1111438) and is located within Brightlingsea Conservation Area.

Following the submission of a method statement for the application of lime render and lime wash, I am unopposed to this application.

### **3. Planning History**

21/00892/FUL Proposed limewash of an external wall to treat rendering affected by Approved

bad weather.

|              |   |          |
|--------------|---|----------|
| 21/00893/LBC | Proposed replacement of existing lime render to the north elevation with like for like restoration, lime mortar and fibre mix finished with white lime wash and like for like lime wash painting for protection purposes to the west elevation. | Current  |
| 21/01223/FUL | Proposed replacement of existing lime render to the north elevation of 46-48 Jacobs Hall with like for like restoration, lime mortar and fibre mix finished with white lime wash.   | Approved |
| 21/01224/LBC | Proposed replacement of existing lime render to the north elevation of 46-48 Jacobs Hall with like for like restoration, lime mortar and fibre mix finished with white lime wash.   | Approved |

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

NPPF National Planning Policy Framework July 2021  
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)

Relevant Section 2 Policies (emerging)  
PPL9 Listed Buildings

#### **Status of the Local Plan**

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26<sup>th</sup> January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to the emerging Section 2 of the 2013-33 Local Plan, which contains more specific policies and proposals for Tendring, has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29<sup>th</sup> June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents

which began on 16<sup>th</sup> July 2021. The consultation closed at 5pm on 31<sup>st</sup> August 2021 and adoption is expected later this year. Section 2 will then join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Application Site

The application site comprises of three storey detached building known as Jacobs Hall. The building is Grade I listed and is finished in light colour render. Part of the house at present has fallen into disrepair and presently has a piece of tarpaulin over one section. The house is sited forward on its plot and is close to its front boundary just outside of Brightlingsea Town Centre.

### Proposal

This application seeks Listed Building Consent for the replacement of existing lime render to the north elevation with like for like restoration, lime mortar and fibre mix finished with white lime wash and like for like lime wash painting for protection purposes to the west elevation.

### Assessment

#### Design and Heritage Impact

The proposal will be a like for like replacement of the existing render which was historically in place at the building before falling into disrepair.

The small scale nature of the development together with its consistency with the existing house will allow the proposal to appear inkeeping with the overall character and appearance of the existing dwelling and locale.

The existing house comprises of a Grade I Listed Building and therefore Essex County Council Heritage have been consulted as part of the process. A method statement has been provided on how the works will be carried out upon the request of ECC Heritage. They have raised no concerns over the proposal.

The alteration will repair to existing external walling at the property which would not result in a harmful impact to the setting and overall appearance of the existing house.

### Other Considerations

Brightlingsea Town Council have raised concerns over the method of how the works will be undertaken.

As per ECC Heritage request a Method Statement has been provided from the applicant detailing how the proposal will be completed. ECC Heritage have accepted this and have raised no concerns.

No further letters of representation have been received.

### Conclusion

In the absence of material harm resulting from the proposed development the application is recommended for approval.

## **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 and documents;

Block Plan 1:200

Heritage Statement 07th July 2021

Method Statement 07th September 2021

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

**8. Informatives**

Not applicable