

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	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: 21/01259/LBC **Town / Parish:** Mistley Parish Council

Applicant: Miss Karen Denton

Address: 3 Thorn Mews The Green Mistley

Development: Proposed replacement of render to improve home appearance and help to insulate and protect against the elements.

1. Town / Parish Council

Mistley Parish Council
02.09.2021

The Parish Council's Planning Committee recommended that the LPA's Heritage Officer makes a decision under the LPA's scheme of delegation.

2. Consultation Responses

Essex County Council
Heritage
09.09.2021

Built Heritage Advice pertaining to an application for: Proposed replacement of render to improve home appearance and help to insulate and protect against the elements.

The development site is Grade II Listed as The Post Office And The Thorn Hotel, With Right Return To The Green (List UID: 1074931), and is located within the Manningtree and Mistley Conservation Area.

I am unopposed to this application in principle, to be implemented in accordance with the submitted method statement (supplied as a contractor's quote), specified materials, and finishes.

Mechanical means should be avoided for the removal of cement render to avoid the destruction of brickwork behind.

3. Planning History

21/01259/LBC Proposed replacement of render to improve home appearance and help to insulate and protect against the elements. Current

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Adopted Tendring District Local Plan 2007 (part superseded)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)

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 26th 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 29th June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents which began on 16th July 2021. The consultation closed at 5pm on 31st 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)

Site Description

The application site is 3 Thorn Mews, a two storey Grade II Listed dwelling located within the settlement boundary.

The post office and the thorn hotel with right return to the green, high street listing is as follows:

Post Office and hotel. C18. For Richard Rigby. Painted brick faced. Red plain tiled roof, hipped to right. 4 red brick chimney stacks, the 2 left on ridge, off centre right is incorporated in facade and that to right at base of hip. H plan. 2 storeys, attics and cellars. 3 flat headed dormers. Parapet, dentilled band under. End pilasters. Central band. 6 first floor vertically sliding sash windows, some small paned. There is a vertical panel to left of chimney stack. Ground floor. C20 shop window and door to Post Office (left). Central carriage entrance now with C20 doors behind. 2 fixed small paned windows to right with a part glazed door between. q.v. 3/227

Proposal

This application seeks listed building consent for the removal of cement render cladding to part of the front wall and repair to the framework and re-cladding with Lime plaster.

Assessment

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

Paragraph 194 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 201 of the Framework adds that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

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.

The Council's Historic Environment officer has been consulted on this application and has stated that the development site is Grade II Listed as The Post Office And The Thorn Hotel, With Right Return To The Green (List UID: 1074931), and is located within the Manningtree and Mistley Conservation Area.

The officer is unopposed to this application in principle, to be implemented in accordance with the submitted method statement (supplied as a contractor's quote), specified materials, and finishes.

Mechanical means should be avoided for the removal of cement render to avoid the destruction of brickwork behind.

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.

Other Considerations

Mistley Parish Council recommends that the LPA's heritage officer makes a decision under the LPA's scheme of delegation.

No letters of representation have been received.

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 plan -

- Email dated 12th July 2021 from Stewart Baldwin
- Email dated 1st September 2021 - Amended Paint Colours
- Silicate Masonry System Leaflet

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 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.

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