

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	22/07/22
Planning Development Manager authorisation:	JJ	25/07/2022
Admin checks / despatch completed	SH	27.07.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	27.07.2022

Application: 22/00536/LBC **Town / Parish:** Manningtree Town Council

Applicant: Mr Tim Adams

Address: The Crown 51 High Street Manningtree

Development: Proposed internal alterations to create 4 No. letting rooms ancillary to pub.

1. Town / Parish Council

MANNINGTREE TOWN
COUNCIL
03.05.2022

Manningtree Town Council have no objection to the planning application on the basis that the time food service is to be stopped is agreed to be by 8pm - as per the application states that at the moment food service is stopped between 8 and 9pm but this should be made a guarantee as part of the application due to the increased use of the outside space for dining as per the application in consideration for the surrounding neighbours.

2. Consultation Responses

Essex County Council
Heritage
10.05.2022 (initial
comments)

We generally support the conversion of the flats into letting rooms ancillary to pub.

At Ground floor, we do not support the proposed layout to convert the existing kitchen into en-suite and children room as this will affect the legibility of the room, and proposed this is retained as one room. We don't have objection to the new opening between this en-suite and bedroom 1, however we recommend that the original door to the hallway is blocked and retained.

At First Floor, we do not support the new en-suite to bedroom 4 as, again, this will affect the legibility of the original layout of the room, and we recommend this room is also retained as it is.

The internal doors are modern addition and therefore there would be no objection to their replacement, however we advised that details of new doors as well as any new built-in joinery could be submitted as part of this application in order to avoid any conditions at approval.

Essex County Council
Heritage
06.07.2022 (revised
comments following
submission of amended
plans)

The application is for proposed change of use of outbuilding from two existing flats (used ancillary to the pub), to create 4no. letting rooms ancillary to pub. This follows site meeting with the applicant to review the original proposal and submission of revised drawings.

The proposed site is a 17th Century Grade II listed pub within the Manningtree and Mistley Conservation Area, with a 19th Century extension (no 53 High Street) also included in the listing.

The proposed change of use of this heritage asset would undoubtedly cause some degree of harm, however, as per Paragraph 197a, in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The proposal for the conversion of the outbuilding is considered to preserve the special interest of the listed building, as per Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is therefore acceptable.

It is recommended that all the new joinery design is in keeping with the character of the building. All original historic features shall be retained.

There are no objections to this application, subject to the following conditions:

- o Prior to commencement of any work, a schedule of repair (where appropriate) and a method statement explaining how the original building will be protected by any damage due to ongoing building works, shall be submitted and approved in writing by the Local Planning Authority;

- o Prior to installation, a schedule of drawings that show details of all proposed doors, in section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such;

- o Prior to installation, a schedule of drawings that shows detail of built-in joinery (where required) shall be submitted to and approved in writing by the Local Planning Authority;

- o Prior to installation, specifications of all proposed external features, including rainwater goods, ventilation outlets shall be submitted to and approved in writing by the Local Planning Authority. All proposed external features shall be black painted or powder-coated metal and shall be permanently maintained as such.

3. Planning History

00/01223/FUL	Minor internal alterations to public house to upgrade bar area and access to that area	Approved	02.11.2000
00/01224/LBC	Minor internal alterations to upgrade bar area and access to that area	Approved	02.11.2000
93/01366/FUL	(The Crown Public House, High Street, Manningtree) a) Refurbishment and extension to existing public house b) Self contained 2 No. existing 1 bedroom flats	Approved	23.08.1994
93/01370/LBC	(The Crown Public House, High Street, Manningtree) a)	Approved	23.08.1994

	Refurbishment and extension to existing public house b) Self contain 2 No. existing 1 bedroom flats		
22/00418/FUL	Proposed change of use of outbuilding from two existing flats (used ancillary to the pub), to create 4no. letting rooms ancillary to pub.	Current	
22/00437/FUL	External alterations to existing patio area and car park area to create improved pub garden.	Current	
22/00438/LBC	External alterations to existing patio area and car park area to create improved pub garden.	Withdrawn	14.04.2022
22/00452/LBC	Proposed provision of tented structure over existing patio to provide covered external area for patrons.	Withdrawn	14.04.2022
22/00453/FUL	Proposed provision of tented structure over existing patio to provide covered external area for patrons.	Approved	22.06.2022
22/00535/FUL	Proposed internal alterations to create 4 No. letting rooms ancillary to pub.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

PPL9 Listed Buildings

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal

Site Description

The application site is 51 High Street, which is sited adjacent to The Crown public house, and lies to the north-eastern section of High Street within the parish of Manningtree. The building is Grade II

Listed and falls within the Settlement Development Boundary, and Conservation Area, for Manningtree.

The character of the area is heavily urbanised, with residential and commercial development to all sides. The buildings listing reads as follows:

"Public house. Of 2 ranges with carriageway between, the left range C17 or earlier, C19 carriageway and right range. Left range, timber framed, C18 painted brick faced, hipped red tiled roof. Carriageway and right range, gault brick faced. Off centre left red brick chimney stack to left range, right and left gault brick chimney stacks to right range. Rear ranges. 2 storeys. Left to right. 4 first floor small paned vertically sliding sashes, gauged brick arches. Left tripartite, centre and right vertically sliding sashes with glazing bars. Doors to right and left of central window, reveal panels, capitals and bases to pilasters, fascia carries over both doors and window. The lower gabled central carriageway with dressed gable, roundel to apex, archway with segmental head. Right range. 3 window range of C19 vertically sliding sashes with glazing bars, stone lintels to ground floor."

Description of Proposal

This application seeks the approval of Listed Building Consent in order to facilitate internal alterations to convert the existing two flats into four letting rooms, which is the subject of a separate full planning application (reference 22/00418/FUL). The works involve no external alterations, with internal alterations to the ground floor and first floor as follows:

Ground Floor:

- Inclusion of two new doors to the hallway; and
- Erection of partition wall to facilitate a linen/cleaner room.

First Floor:

- Two new doors to the hallway, and two new doors to the WC/Bathroom; and
- Erection of partition walls to facilitate a new en-suite to serve bedroom 4.

Assessment

The main consideration is the impact of the proposal on features of special architectural or historic interest and that the special character and appearance or setting of the building would be preserved or enhanced.

Paragraph 199 of the National Planning Policy Framework ("the Framework") states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 1 states that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric' although the Plan recognises that the scope for a listed building to adapt to modern life and requirements will itself depend upon a number of considerations and it will not always be possible to incorporate modern design solutions without also causing harm to its special character fabric, or appearance.

A design and access and heritage statement has been submitted in support of the application which provides justification for the works involved and why they would be sympathetic in respect of the character of the Grade II Listed Building.

Essex County Council Place Services have been consulted for their heritage advice, and initially stated that while they supported the conversion into letting rooms, they did not support the proposed layout to convert the existing kitchen into an en-suite and children room as this would affect the legibility of the room, and instead proposed this be retained as one room. In addition no objections

were raised to the new opening between the en-suite and bedroom 1, however it was recommended that the original door to the hallway be blocked and retained. Further concerns were also raised regarding the new en-suite to bedroom 4 at first floor as it would affect the legibility of the original layout of the room and it was recommended to be retained in its existing form.

Following these comments, the applicant provided amended plans that addressed all concerns raised with regards to impacts to the ground floor. In relation to the en-suite on the first floor, discussions have been ongoing with Place Services as it would not be a viable option to have no en-suite to support the letting room, with the applicant demonstrating how alternative approaches would require additional alterations.

Essex County Council Place Services have since provided revised comments in light of these amended plans, as follows:

"The proposed site is a 17th Century Grade II listed pub within the Manningtree and Mistley Conservation Area, with a 19th Century extension (no 53 High Street) also included in the listing.

The proposed change of use of this heritage asset would undoubtedly cause some degree of harm, however, as per Paragraph 197a, in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The proposal for the conversion of the outbuilding is considered to preserve the special interest of the listed building, as per Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is therefore acceptable.

It is recommended that all the new joinery design is in keeping with the character of the building. All original historic features shall be retained.

There are no objections to this application, subject to the following conditions:

- Prior to commencement of any work, a schedule of repair (where appropriate) and a method statement explaining how the original building will be protected by any damage due to ongoing building works, shall be submitted and approved in writing by the Local Planning Authority;

- Prior to installation, a schedule of drawings that show details of all proposed doors, in section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such;

- Prior to installation, a schedule of drawings that shows detail of built-in joinery (where required) shall be submitted to and approved in writing by the Local Planning Authority;

- Prior to installation, specifications of all proposed external features, including rainwater goods, ventilation outlets shall be submitted to and approved in writing by the Local Planning Authority. All proposed external features shall be black painted or powder-coated metal and shall be permanently maintained as such."

Accordingly, previous concerns highlighted have now been addressed and no outstanding objections remain subject to the suggested conditions, which are recommended to be included to this decision,

Other Considerations

Manningtree Town Council have no objection to the planning application on the basis that the time food service is to be stopped is agreed to be by 8pm. However this does not relate to the works involved subject of this listed building consent application, and is therefore not applicable.

No letters of representation have been received.

Conclusion

In the absence of any significant material harm as a result of the proposed development, the policy aligns with local and national planning policies and is therefore 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:

Drawing Number 2386-003B and document titled 'Design and Access and Heritage Statement'.

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

- 3 Prior to commencement of any work, a schedule of repair (where appropriate) and a method statement explaining how the original building will be protected by any damage due to ongoing building works, shall be submitted and approved in writing by the Local Planning Authority.

Reason - In the interests of protecting the Grade II Listed Building.

- 4 Prior to their installation, a schedule of drawings that show details of all proposed doors, in section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved in writing by the Local Planning Authority. Works shall then be implemented in full accordance with the approved details and shall be permanently maintained as such.

Reason - In the interests of protecting the Grade II Listed Building.

- 5 Prior to their installation, a schedule of drawings that shows details of built-in joinery (where required) shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In order to protect the Grade II Listed Building.

- 6 Prior to installation, specifications of all proposed external features, including rainwater goods, ventilation outlets shall be submitted to and approved in writing by the Local Planning Authority. All proposed external features shall be black painted or powder-coated metal and shall be permanently maintained as such.

Reason - In the interests of protecting the Grade II Listed 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.