

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	7 th April 2022
Planning Development Manager authorisation:	JJ	07/04/2022
Admin checks / despatch completed	DB	07.04.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	07.04.2022

Application: 22/00262/FULHH **Town / Parish:** Mistley Parish Council

Applicant: Mr and Mrs Arnold

Address: Park Manse 24 New Road Mistley

Development: Proposed alterations and extension to house. Erection of garden building.

1. Town / Parish Council

No comments received

2. Consultation Responses

Essex County Council The application is for proposed alterations and extension to house.
Heritage Erection of garden building.
25.03.2022

The heritage assets for consideration include the listed building (Grade II, List Entry ID: 1261078), and the Site is located in the Manningtree Conservation Area.

There is no objection to this application which would aesthetically improve the rear elevation where there has been previous poor-quality extension.

3. Planning History

TPC/93/52	Eucalyptus	Current	23.12.1993
01/00789/TCA	Reduce height by 30% Eucalyptus tree at bottom left hand corner of garden; reduce height by 30% of tree of heaven to left hand side of garden and remove self-seeded oak saplings from front garden area	Approved	25.06.2001
93/00236/LBC	Proposed new vehicular accessway and car parking area. Precast concrete	Approved	21.04.1993
93/00237/FUL	Proposed new vehicular access way and car parking area	Approved	21.04.1993
10/00376/FUL	Two storey and single storey rear extensions and internal alterations to existing rear extension and	Withdrawn	07.07.2010

	raising and replacing of existing store roof.		
10/00377/LBC	Two storey and single storey rear extensions and internal alterations to existing rear extension and raising and replacing of existing store roof.	Withdrawn	07.07.2010
10/00488/TCA	1 No. Eucalyptus - crown thinning as done in 2001	Approved	24.05.2010
12/01167/TCA	1 No. Spruce - fell	Approved	13.11.2012
22/00262/FULHH	Proposed alterations and extension to house. Erection of garden building.	Current	
22/00263/LBC	Proposed alterations and extension to house. Erection of garden building.	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 North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP3 Spatial Strategy for North Essex

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL3 Sustainable Design

PPL8 Conservation Areas

PPL9 Listed Buildings

CP1 Sustainable Transport and Accessibility

Supplementary Planning Documents

Tendring District Council Conservation Area Review 2006 for Manningtree and Mistley Conservation Area

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

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

Park Manse (Park Villa when originally built) was constructed for the Reverend Thomas Pinchback and his wife Sarah. The house was constructed on parkland formerly associated with the Rigby family estate of Mistley Hall, which was broken up into lots and sold off in 1844.

Park Manse is an early Victorian Regency style villa, lying in a prominent position at the junction of New Road and The Park, Mistley. The property is Grade II Listed, having been included in the National Heritage List in 1987, and lies within the Manningtree and Mistley Conservation Area, being included within the 1981 extension. Other Listed Assets lie in close proximity to Park Manse, including the Grade II Dorset House to the North of The Park, and the Grade II The Hollies just to the South.

The property displays a symmetrical facade to New Road, featuring soft red facing brickwork laid in Flemish bond, with plaster detailing around the sliding sash windows and spoked fanlight adorned front door. A hipped slate roof is flanked with a brickwork chimney to each end. The West (side) elevation, and South (rear) elevation, present white painted brickwork, whilst the East elevation is clad with painted pebbledash render. An asbestos roofed single storey lean to forms an external store, spanning between the East wall and the boundary wall to The Park, and a low, simple, single storey brick and slate range extends out to the South West of the main house. A first floor protrusion to the South elevation is supported on brickwork piers. There is a mixture of original multi-pane sliding sash windows and later replacements. The brickwork bonding, texture and pointing evidence various phases of alteration to the rear of the house. A brickwork boundary wall, predominantly laid in Monk bond, with sections of more contemporary stretcher bond, runs along the entire Southwestern boundary with The Park.

Description of Proposal

There are principally three main elements to the application:-

Alterations to lean to structure to East of house

The outside wall of the store will be increased in height slightly, and the terminating pier rebuilt. The roof will be raised up at the eaves and finished externally with natural slate. Once completed the structure would be used as a larder/boot-room.

Single storey extension to South of house

A contemporary, modern addition, would be added to the left-hand side of the rear elevation. The extension would be 4.7m wide and project 3.6m. It would have a mono-pitch roof with eaves around 2.1m and a mono-ridge of 2.8m. Internally it would provide an enlargement to the existing kitchen.

Erection of garden building

A detached outbuilding (potting shed style structure) is planned for the South East corner of the site. The ground levels are rising up towards this part of the garden, so a new hedge is proposed to help screen views of this building from wider aspects. The footprint of the building is roughly square, being in the region of 4.5m x 4.5m. Towards the rear (shared boundary with the side of No. 10 The Park) the eaves would be around 1.5m, with an upwardly-sloping roof to a ridge of 2.8m which then slopes downwards on the garden side to an eaves a little over 2.1m.

Principle

The site is located within the Development Boundary of Manningtree therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design & Appearance

Section 1 Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context. Section 2 Policy SPL3 of the 2013-33 Local Plan also requires, amongst other things, that the development respects or enhances local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features. Paragraph 130 of the Framework requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

Form is the three-dimensional shape and modelling of buildings and the spaces they define. Buildings and spaces can take many forms, depending upon their size and shape in plan; height; bulk - their volume; massing - how bulk is shaped into a form and relationship to the plot boundary. Scale is the height, width and length of each building proposed within a development in relation to its surroundings. This relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings, and to the scale of their parts. It affects how a space can be used and how it is experienced. The relationships between the different dimensions of a building or component are known as its proportions. Appearance is the aspects of a building or space within the development which determine the visual impression the building or space makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

The alterations to the lean-to are relatively minor, with a minor increase of its flank/boundary wall by 0.2m (to 2.0m) and an increase of the eaves from 1.7m to 2.0m and the mono-ridge increased from 2.2m to 2.9m. The single-storey rear extension is a contemporary, highly glazed structure – designed to be a modern addition, ensuring the evolution of the building can be appreciated. It would occupy less than half of the total width of the rear elevation and extends no further than the first 'step' of the original rear range. The garden building will be visible from viewpoints around the site, but it will not appear incongruous, and is the type of ancillary residential structure expected for a reasonably sized house such as Park Manse. The quality of detailing and materials are 'above normal', as is appropriate for this historic setting.

For these reasons the form, bulk and massing of the proposal is acceptable and respects views, skylines and existing street patterns which is sympathetic to local character.

Impact to Neighbouring Amenities

The NPPF, at paragraph 130 states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Section 1 Policy SP7 of the Tendring District Local Plan 2013-2033 requires that all new development protects the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

The rear extension would be entirely contained behind the existing two-storey structure and would not be visible from/to the occupiers of No. 22 New Road. The outbuilding would be sited close to the rear boundary with No. 10 The Park however the proposed outbuilding is modest in scale, bulk and height and the existing two-storey element at No. 10 is against the boundary.

Overall the proposal is considered to protect the amenity of existing residents with regard to loss of light, overbearing and overlooking.

Highway Issues

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. Paragraph 112 states that applications for development should (a) give priority first to pedestrian and cycle movements and (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter. Paragraph 130 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. These objectives are supported adopted Policy SP7 of the Tendring District Local Plan 2013-2033.

The proposal neither generates a need for additional parking nor diminished the existing level of parking.

Conservation Area

Heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The character of an area is made up not only by individual buildings but also their relationship to each other and the sense of place that they create. The setting of a building is therefore a material consideration when assessing the suitability of development proposals in Conservation Areas.

Paragraph 197 of the NPPF requires the Local Planning Authority, when determining applications for development, to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy PPL8 of the adopted Plan (Development within a Conservation Area) requires that development must preserve or enhance the character or appearance of the Conservation Area. Development will be refused where it would harm the character or appearance of the Conservation Area, including historic plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain, or significant natural or heritage features.

Manningtree lies on the south bank of the River Stour, near the head of the tides and about 1.5km east of the old Colchester-Ipswich road (A137). Mistley is approximately 1km east where the river channel passes close to the Essex bank. Mistley, originally Mistley Thorn, is the earlier settlement of the two, as the Church of St Michael and All Angels in Manningtree (demolished c.1966) was the successor to a building founded as a chapel of ease of Mistley church. Little survives from the earliest periods in Mistley: even the original parish church gave way to a replacement around 1735 designed by Adam. Mistley owes much of its present appearance firstly to the Rigby family, owners of the Mistley Estate. Richard Rigby made a fortune from the South Sea Company, settled at Mistley and built a mansion, a new wharf and kilns. He was succeeded by his son, also Richard, who with the patronage of the Prince of Wales and the Duke of Bedford rose to become Paymaster of the Forces in 1768. By the time he died in 1788, he had recast the Hall and the church, erected the almshouses provided for in his father's will, and built commercial and residential properties in the village.

New Road has the character of a spacious well-established street, where mature planting is if anything more significant than the varied buildings lining it. Notable features are another listed

Regency villa on the south east side, a pleasant range of terraced houses with much surviving detail on the same side north of the railway line, and the gothic detailing of the house on the corner of Norman Road. The property is alluded to in the Statement as “Notable features are another listed Regency villa on the south east side”.

Although elements of the work will be visible from surrounding private and public viewpoints, the proposals are congruous with existing built form and will sit sensitively in their setting, preserving the historic environment. The replacement of the corrugated asbestos roof with natural slate will be an improvement to the streetscene. For these reasons the proposals are considered to have a neutral impact on the character of the Conservation Area.

Listed Building

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

Development affecting the setting of a Listed Building can have as dramatic, and if not properly controlled, as severe an impact as unacceptable alterations to the building itself. The setting of a Listed Building is a material planning consideration when considering planning applications. Adopted Policy PPL9 states that proposals for development that would adversely affect the setting of a Listed Building, including group value and long distance views will not be permitted, emerging Policy reflects these considerations.

Paragraph 197 of the NPPF requires the Local Planning Authority, when determining applications for development, to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 of the NPPF requires 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, where appropriate, securing its optimum viable use.

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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The Listing is described as:

House. Mid C19. Red brick. Hipped grey slate roof. 2 chimney stacks to right and left hips. 2 storeys. Central band. 3 window range of small paned vertically sliding sashes, plastered gauged arches with keystones. Central door with top light. Round headed fanlight with glazing bars. Plastered round headed surround with impost and keystone.

The Heritage Officer comments that there is no objection to this application which would aesthetically improve the rear elevation where there has been previous poor-quality extension.

Representations

No comments have been received in response to the publicity of the application.

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: 2521 - 04 B, 2521 - 05 B and 2521 - 06A; received 9th February 2022.

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?		NO
Are there any third parties to be informed of the decision?		NO