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Application:	17/00393/FUL	Town / Parish: Manningtree Town Council
Applicant:	Edwards - Roundwood Restorations	
Address:	2 High Street, Manningtree, CO11 1AD	
Development:	Internal and external alterations and extensions of existing vacant bank premises in connection with residential re-development.	

1. Executive Summary

- 1.1. The application is referred to Planning Committee following a call-in request from Cllr. Giancarlo Guglielmi, Deputy Leader and Cllr. Alan Coley on the basis that “we strongly oppose the change of use from commercial to residential, on the basis that there has been a massive residential provision of Housing already in our three Parishes, and therefore the High Street will need even more so now than ever before, to retain commercial premises. I also understand that the Regeneration Team has submitted a strong objection”.
- 1.2. The land and building was a former bank in a prominent location on the corner of High Street and Brook Street, opposite the Council car-park/w.c's and within the Conservation Area.
- 1.3. The call-in relates more to ‘policy’ issues in relation to the equivalent Planning Application rather than any matters specific to the listed building, and irrespective of the outcome of the Planning Application, the Local Planning Authority must assess whether the proposed works are acceptable in relation to the character and setting of the listed building.
- 1.4. The site is an important listed building that has suffered from unsympathetic alterations and extensions over the years, and is in a poor state of repair, and as part of the proposed residential redevelopment, a major restoration – including the re-instatement of its historic façade (following removal of the banks front entrance feature at ground floor) and removal of unsightly rear alterations – would be undertaken.
- 1.5. Whilst the planning proposal would result in the loss of a commercial property contrary to Local Plan policy ER3 that is not relevant in relation to the consideration of the impact on the listed building and it's retention as a commercial building (or even a commercial ground floor with residential on the upper floors) would not secure the improvement works to the listed building, or the enhancement of the conservation area, which (in relation to the planning application) are considered to be compelling, and are considered to out-weigh the policy objection.
- 1.6. Whilst the consideration of this development proposal in relation to the planning application is a planning balance, between retaining a commercial use within the building that would not secure the restoration of the listed building, or allowing a residential scheme contrary to Policy ER3, but which would secure the proposed improvements to the listed building, however in relation to the current Listed Building Consent application, the sole issue is whether the works would be beneficial or not in relation to the special architectural/historic importance of the building.
- 1.7. The proposed works, particularly the re-instatement of the façade and the removal of unsightly modern structures at the rear, are considered to be extremely beneficial, and the application is therefore recommended for approval.

Recommendation: Approve**Conditions:**

1. 3 year commencement.
2. Development in Accordance with Approved Plans.
3. Materials to be agreed for new build.
4. Matching materials for repairs.
5. Further details to be submitted for joinery, gutters, eaves/verge treatment, sill/lintels and plinth.

2. Planning Policy

NPPF National Planning Policy Framework
National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy
QL9 Design of New Development
QL10 Designing New Development to Meet Functional Needs
QL11 Environmental Impacts and Compatibility of Uses
EN17 Conservation Areas
EN20 Demolition within Conservation Areas
EN22 Extensions or Alterations to a Listed Building
EN23 Development Within the Proximity of a Listed Building
EN29 Archaeology
EN27 Enabling Development
EN30 Historic Towns

Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document (July 2016)

SP1 Presumption in Favour of Sustainable Development
SPL3 Sustainable Design
PPL7 Archaeology
PPL8 Conservation Areas
PPL9 Listed Buildings
PPL10 Enabling Development

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF 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 216 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. As of 14th July 2016, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document. As this plan is currently at an early stage of preparation, some of its policies can only be given limited weight in the determination of planning applications, but the weight to be given to emerging policies will increase as the plan progresses through the later stages of the process. Where emerging policies are particularly relevant to a planning application and can be given some

weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

93/00964/LBC	Hanging Sign.	Approved	05.10.1993
94/00875/LBC	Installation of service till adjacent to existing window on Brook Street elevation.	Approved	23.08.1994
94/01520/FUL	Installation of new bank front	Approved	14.02.1995
95/00004/LBC	Elevational alterations and new signage.	Approved	14.02.1995
96/00919/LBC	Installation of two externally illuminated projecting hanging signs.	Approved	23.08.1996
97/01199/LBC	Air conditioning condensing unit on flat roof.	Approved	16.01.1998
02/01608/LBC	External signage alterations.	Refused	15.10.2002
02/02322/LBC	Display of non-illuminated signage.	Refused	05.02.2003
03/00622/LBC	Alterations to external advertisement signage.	Approved	14.05.2003
04/01246/LBC	5 No. external lights. Remove existing entrance step and hand rail and install new entrance door and frame.	Approved	19.08.2004
06/01479/LBC	Construction of 2nd sets of steps to rear fire exit and installation of handrails to unprotected roof to rear elevation.		16.03.2007
11/00731/LBC	Installation of free standing galvanised counter balance handrails to provide roof edge protection and installation of fixed retractable galvanised cat ladder to provide safe access to maintain M and E equipment to rear flat roof.		05.07.2011
15/01266/LBC	Upgrade of existing ATM and formation of a secure ATM room.	Approved	12.11.2015

4. Consultations

None

5. Representations

- 1.5. Mistley Parish Council objects to this planning application because: (1) do not want to lose ground floor commercial premises in the High Street, especially with the proximity to the market place; and (2) additional housing will put pressure on parking.
- 1.6. 2 individual letters of objection has been received which make the following points:
 - Object to change of use from retail/business to residential
 - Service nature of Manningtree is under threat already with the loss of the White Hart, and will become a High Street of charity-shops and will decline in to a dormitory for Colchester, Ipswich and London
 - Plan for house and 7 flats should have 8 parking spaces for 12 bedrooms, but there is only 2
 - Parking concerns are secondary to degradation of Manningtree High Street
 - NPPF says we should recognise town centres at the heart of the community, and when in decline, Planning Authorities should plan positively for the future – what is Tendring Council going to encourage more economic activity in Manningtree?
 - We need more jobs and services not housing
 - Granting this will add to the demise of the town
 - There will be a dramatic effect on Parking, which is inadequate for the size of the dwellings

It should be noted that the above comments relate to the Planning application considerations and are not relevant to the listed building application.

6. Assessment

The main planning considerations are:

- The Principle of the Re-use, and;
- Impact on Heritage Assets.

Site Location

- 1.1. The application site – which is a Grade II listed building - fronts on to the High Street in Manningtree with a secondary elevation to Brook Street.
- 1.2. The land is situated within the Town centre and the conservation area, in an area containing numerous listed buildings, and is directly opposite the Council car-park
- 1.3. The application site - formally the Nat West Bank – is an imposing 3-storey building on to High Street, and 2-storey on to Brook Street - although it is suffering from a poor state of repair, and unsympathetic alterations in the past, and numerous extensions and alterations at the rear, and the deteriorating condition is a concern and the building currently has a negative impact on the character of the area. In particular, the bank entrance/shop front – installed in the 1990's – seriously detracts from the architectural quality of the building as it fails to respect the former balanced frontage and window fenestration.
- 1.4. Whilst the Bank has closed, the ATM machine within a single-storey wing on Brook Street, is retained under contract.

- 1.5. The site has a rear service yard containing several unsightly extensions with flat roof, guard-rails and a secure 'vault' building with no windows, and there is a poor quality low wall and metal gates to the rear yard.
- 1.6. Internally, the building has been significantly altered, especially at ground floor, and there are few internal features of any merit remaining – some sash window to the main elevation, a fire-place within a first floor room, and the upper floor, room-plan.

Proposal

- 1.7. The planning application seeks permission to change the building in to 7 flats across 3 floors, with 2 unsightly structures at the rear being rebuilt on the same footprint, and raising the single storey wing (retaining the ATM machine) to 2 storey height, and with a new 2-storey dwelling on the back-edge of the pavement.
- 1.8. The proposal in relation to Listed Building Consent, relates to the internal and external works to the building in order to carry out the conversion works of the planning application.
- 1.9. The proposed works to the listed building involve demolition and replacement of flat roof structures at the rear with new buildings, and the insertion of a new façade on the front elevation, replacing the existing bank front entrance.
- 1.10. The re-development scheme proposes a major re-furbishment of the Grade II listed building which includes:
 - the removal of the unsightly rear extensions, flat-roof structures and untidy rear yard – replacing them with a new dwelling and rear flat.
 - Repairs to failing elements – structural cracking above the side door – and the replacement of unsympathetic elements at the rear including a concrete lintel.
 - Up-grading of the rear wall of the building, which has been subject to various blocked-up openings in the past and poor pointing.
 - General repairs through-out.
 - Removal of 1970's style internal alterations and stud walls/compartments
 - Refurbishment of the interior and repair of the sash windows/fitting of secondary glazing, and importantly.
 - The removal of the unsightly former bank entrance/shop-front on to High Street and the reinstatement of the original style frontage, with central entrance door and side sash windows, restoring the historic façade.
- 1.11. The re-instatement of a historic style frontage with a central main entrance and balanced window fenestration, including new sash windows to match the original ones remaining on the front elevation is seen as a significant benefit in relation to the quality of the architecture of the listed building.

The Principle of the Use

- 1.12. The site falls within the defined town centre of Manningtree, and the re-use for residential purposes is considered in relation to the planning application, although clear, changing the use of a listed building has implications for any necessary alterations.
- 1.13. The building was formerly a substantial Town-house with servants quarters at the rear, although the previous bank-use has totally obliterated any previous architectural features of any merit on the ground floor – the ground floor being totally open-plan, with all former walls removed with the insertion of steel beams to hold up the upper floors remaining walls.

- 1.14. Generally, a re-use for the original purpose of a listed building is the most beneficial in relation to alterations to the building, although given its size, it is doubtful whether the building would ever again be re-used as a single residence, however a flat-use is appropriate and can be accommodated without too many changes to the building, and importantly, can be accommodated whilst retaining the original plan-form and room layouts.
- 1.15. Key to the restoration of the listed building is the removal of the unsightly bank entrance and its replacement with a replica of the façade that would have previously existed.
- 1.16. The bank entrance as currently exists has been installed just below the projection brick-band between the ground and first floor windows, and the entrance is a rendered panel with a horizontal emphasis which jars with the brick detail of the remainder of the elevation and in particular, the existing window fenestration has a vertical emphasis that has been lost.
- 1.17. The treatment of the 1990's bank frontage, contains a front door with a disproportionately small door, and a very large fan-light which fails to reflect the historic façade and large Georgian sash-windows, and a row of 6 windows have been added, the proportions and scale of which are at odds with the elegant nature of the remainder of the façade, and with the application of render – which breaches the projecting brick plinth – coloured fascia and projecting signs and night-safe, the front of the building in its current form, seriously harms the character and setting of the listed building.
- 1.18. Clearly, the removal of this existing front entrance – which comprises around 60% of the ground floor front elevation – and its replacement with a more historically correct façade, will be a considerable building operation and expensive, not least because replica sash windows will need to be manufactured.
- 1.19. The new façade will have 2 new sash windows of proportions to match the existing windows on the front elevation – positioned correctly below the equivalent windows on the first floor, and the sill/lintel treatment will match. A correctly proportioned front door and surround will be inserted below the upper floor window.
- 1.20. The above treatment, when combined with the removal of unsightly modern structures at the rear – including a very substantially constructed bank vault – will be expensive, and is only justified by the proposed residential conversion.
- 1.21. It is noted from the comments of the Parish Council, that there is a call locally for the building to remain in some form of commercial use – certainly on the ground floor - however the down-side of this is that any potential user would be likely to want to rent the building in its current form, and spend as little as possible on repairs and alterations, and there are few investors currently taking on listed buildings, particularly those requiring significant funds spending on them, and the future of the listed building and its long-term maintenance is in this instance, of paramount and over-riding concern.
- 1.22. It is considered that by forcing the retention of the building as a commercial use, this could potentially impact on the future of the listed building, and the protection of such buildings and their long-term future, is a statutory duty placed on Local Planning Authorities by the Planning (Listed Buildings and Conservation Areas) Act 1990, and as such outweighs any development plan policies.
- 1.23. By allowing the re-development of this building contrary to Policy ER3, it would constitute a form of enabling development, and the applicant's proposals for residential re-development would result in significant improvements to both the structural stability and repair (that would preserve the building), but would also result in the significant enhancement of the building by securing the removal of the current bank-front (which seriously detracts from the

character of the building) and the re-instatement of an architecturally more appropriate façade in keeping with the original form of the building.

- 1.24. It is considered that this current proposal represents a one-off means of securing substantial preservation and enhancement benefits for the building, that would otherwise not occur, and the benefits are so substantial that they completely out-weigh any minor breach of the above policy which seeks to retain the building in employment use.
- 1.25. The benefits for the future of the listed building arising from the proposal are considered to be so significant, they over-ride any breach of development plan policy, and due to the special circumstances, would not set a precedent for the change of use of other buildings.

The Impact on Heritage Assets

- 1.26. The site lies within the boundary of policy EN30 - Historic Towns - which requires an appropriate archaeological investigation before development takes place, however in this instance, the development relates to a site which has already had appreciable disturbance within the open areas of the site and as a result, any sensitive archaeology that might have existed will already have been disturbed.
- 1.27. As a result, the archaeology consultee is only requiring a 'historic building recording' condition.
- 1.28. The building falls within the conservation area and adjacent to several other listed buildings, and the current deteriorating condition of the building, as well as the unsightly modern additions at the rear combine to have a detrimental and harmful impact on the character of the conservation area as well as the setting of listed buildings.
- 1.29. The proposed works or repair and restoration of the listed building will be significant, and as stated above, are only likely to be delivered as a result of the applicant's proposed residential re-development.
- 1.30. The benefits for the listed building (and the character of the conservation area) are substantial, and the works will result in the long-term restoration of historic features as well as overall improvements and repairs, and as a result of the development, the impact on the character and setting of listed buildings as well as the character of the conservation area will be significant.
- 1.31. In addition to the re-instatement of an imposing façade, the listed building will be enhanced by the repairs and retention of the few remaining features of any architectural significance.
- 1.32. Apart from the changes to the front elevation, the proposals will remove the unsightly structures, flat-roof buildings and railings from the rear, and the key change to the appearance will be along Brook Street.
- 1.33. The existing single-storey wing containing the ATM machine would be built over to provide a small flat, and the new dwelling attached to it (with an arched entrance leading to the rear courtyard), would mask the unsightly rear of this building and the adjacent one, which has a very high party-wall, comprising a multitude of brick types.
- 1.34. The new buildings would create a form of enclosure and would enhance the street scene and more closely reflect the surrounding built-form and the new dwelling is of simple design, that is clearly subservient to the main principal listed building, and is a form that reflects the surrounding development and would not impact on the character of the Conservation Area.

- 1.35. The character and setting of the conservation area/listed buildings would therefore be unharmed and therefore preserved as required by the Act.

Conclusion

- 1.36. The Planning (Listed Buildings and Conservation Areas) Act 1990, places a special duty on the Local Planning Authority to consider the preservation and enhancement of the special character and setting of listed buildings and the character and appearance of Conservation Areas, and in relation to the proposed works to the listed building, these are the only considerations that can be taken in to account.
- 1.37. On balance, it is considered that the overall benefits to the repair and restoration of the listed building is compelling. The proposed works would not cause any demonstrable harm to the listed building (and is considered to be a sustainable one), where the benefits of the scheme demonstrably out-weight any other considerations, and would ensure the long-term future of the listed building.
- 1.38. Allowing the proposed works to the listed building would meet the statutory duty placed on the Council by the above Act, and the works are appropriate and recommended for approval.

Background Papers

None