

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case Officer recommendation:	JR	01.02.2023
Planning Manager / Team Leader authorisation:	JJ	01/02/2023
Planning Technician final checks and despatch:	ER	02/02/2023

Application: 22/01844/LBC **Town / Parish:** Brightlingsea Town Council

Applicant: Mr Joshua Hine

Address: 89 High Street Brightlingsea Colchester

Development: Proposed alterations to existing positions of rear window and door, new roof lights and minor alterations to ground floor.

1. Town / Parish Council

Brightlingsea Town Council, 14.12.2022 Supports application.

2. Consultation Responses (Summarised)

Essex County Council Heritage 15.12.2022 The proposal site is Grade II Listed as a group with Nos 83, 85 and 87 High Street and is located within the Brightlingsea Conservation Area.

The proposal will reinstate some of the features which were removed in 2010 under listed building consent 10/00032/LBC and is therefore generally considered acceptable, subject to revisions to the rear window, the removal of the roof light and conditions with regard to detailed drawings of the proposed works to the fireplace and of the proposed window and door.

Officer note: Amended plans have been received which has removed the rooflight and altered the rear kitchen window to a timber frame sash window to reflect the original windows to the house.

3. Planning History

10/00032/LBC	Brick up existing rear kitchen door and colourwash to match existing. Remove window to dining room and replace with new entrance door. Remove damaged area of front elevation and re-build to match existing. Renew dormer to front elevation.	Approved	03.03.2010
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4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2021 (NPPF)
National Planning Practice Guidance (NPPG)

Local:

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
SP7 Place Shaping Principles

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

PPL8 Conservation Areas
PPL9 Listed Buildings
SPL3 Sustainable Design

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 relates 89 High Street, Brightlingsea and is a Grade II Listed three storey dwelling. The site is located within the settlement development boundary of Manningtree, Lawford and Mistley and within the Manningtree and Mistley Conservation Area.

BRIGHTLINGSEA HIGH STREET TM 0816-0916 (north side)

8/34 Nos. 83, 85, 87 and 89

GV II

Row of 4 houses, formerly a dwelling. C16 origin, with later alterations and additions including C18 and C19 facades. Timber framed, part plaster, part red brick faced. Red plain tiled roof. Left red brick and off centre right gault brick chimney stacks. 2 storeys and attics. 4 dormers, the 2 left hipped, those to right flat headed, various windows including one horizontal sliding sash. The facade now of 3 bays with pilasters between.

Parapet to left and central bays. 2:2:2 first floor and 1:2:2 ground floor windows, all vertically sliding sashes with glazing bars. Left bay No. 83 with simple surround and C20 door, central bay, No. 85, C18 6 panelled door, fluted pilasters, triglyphs to frieze, dentilled soffits to moulded pediment. Right bay, Nos. 87 and 89 with 2 central C20 doors. Timber frame dated early C16 by C.A. Hewitt.

Interior features visible in No. 83 include large chamfered bridging joists, some top plates and side girts visible. The chimney stack to left is C18 and there is a fireplace with iron soffit tie. The facade of this house was incorporated with that of No. 85 during C18. No. 85 with C17/C18 panelling to hall and front ground and first floor rooms. There is a corner cupboard with 3 moulded shelves, original window seats, moulded cornice and boxed-in moulded bridging joist to ground floor. This room now has a C20 fireplace but there is a large chimney stack, probably originally external. To rear of the hall the probably original stair turret with open well staircase, moulded string, heavy turned balusters, moulded handrail and dado panelling. Horizontally boarded walls to attic staircase. Vertically boarded attic doors with ironmongery. The panelled front bedroom with moulded cornice, panelled doors with original ironmongery, one with cockshead hinges. Both this room and ground floor room have circular moulded hooks to walls. Fine C18 cast iron hob grate. Doors in this room at one time led into No. 85 but no inspection of this or No. 87 at time of re-survey.

Proposal

The application seeks Listed Building consent to re-instate the rear kitchen door to its original location and replace the door opening with a new sash window to the kitchen/dining area. Internally it is proposed to remove the internal wall to the bathroom and rebuild the internal wall to increase the depth of the bathroom by some 0.6m and a new lintel over the existing fireplace, to facilitate a larger opening to the chimney breast and the revised kitchen layout.

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.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act imposes a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

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 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.

The proposed alterations to the fireplace would see the loss of some of the existing historic fabric in order to enlarge the existing opening. However, as the original surround has been lost and the fireplace is not in use anymore, the proposal is considered acceptable, subject to the submission of detailed drawings of the existing and proposed fireplace, structural details and schedule of the proposed works, including any work required to insert extractor fan and ducting, and method statement.

ECC Heritage Place Services have been consulted on the proposed works and subject to details being submitted in regard to the fireplace works and new window and door details. These elements can be secured by condition to any grant of Listed Building Consent.

It is noted that amended plans have been submitted which show that the kitchen window has been replaced with a timber framed sash window instead of the originally proposed casement window and the proposed rooflight has been removed from the scheme. Therefore, there is no objection raised to the proposed works and it is considered that the proposal would re-instate some of the features of the Listed Building that were removed in 2010.

It is therefore considered that the proposed works are acceptable and subject to conditions would satisfactorily preserve and enhance the setting of the Listed Building and the character and appearance of the Conservation Area.

6. Recommendation

Listed Building Consent – Approval

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 drawings / documents, and / or such other drawings / documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings / documents as may be subsequently approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard:

Site Plan and Block Plan – 001-A-001 Rev 00

Proposed Plans and Elevations – Rev A received 27.01.2023 - showing removal of roof light to bathroom.

Design and Access Statement

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

3. Prior to the commencement of any works to the fireplace, detailed drawings of the existing and proposed fireplace opening, in plan, section and elevation, structural details, schedule of proposed works and a method statement shall be submitted and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

Reason: The application relates to a listed building and is located within a Conservation Area and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building in the wider area.

4. Prior to the first installation of the new window and door, a schedule of drawings that show details of the new proposed window and door, in section and elevation at scales between 1:20 and 1:1 as appropriate, showing details of glazing type, framing, glazing bars, and cills, 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.

Reason: The application relates to a listed building and is located within a Conservation Area and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building in the wider area.

8. Informatives

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:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO