

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	AP	5/4/2023
Planning Manager / Team Leader authorisation:	SCE	05.04.2023
Planning Technician final checks and despatch:	CC	05.04.2023

Application: 23/00227/LBC **Town / Parish:** Mistley Parish Council

Applicant: Ms Welch

Address: 5 The Green Mistley Manningtree

Development: Proposed replacement timber framed door with glazing.

1. Town / Parish Council

Mistley Parish Council At the Parish Council's Planning Committee Meeting on the 27th February 2023 the Parish Council supported the application, subject to Heritage approval.

2. Consultation Responses

Essex County Council The application is for proposed replacement timber framed door with
Heritage glazing.
23.03.2023

The proposal site is part of the Grade II Listed row of cottages 1-12 The Green, within the Mistley and Manningtree Conservation Area.

As per Historic England recommendation, historic doors should be kept wherever possible, along with their 'furniture' - usually a knob, knocker and letterbox. These are irreplaceable resources and contributes to the significance of the designated heritage asset. However, where the original joinery has been assessed to be beyond repair, a replacement like for like is considered an acceptable solution.

The joinery details of the proposed door will be replicate on a like for like basis and the existing stained glass will be carefully removed and set apart to be reused in the new door. The insertion of a secondary glazing is also not considered to affect the external appearance of the designated heritage asset. There is therefore no objection to this application

3. Planning History

15/30088/PREAPP	Repaint front of property.		10.06.2015
22/00397/LBC	Proposed 2 no. replacement timber sash windows.	Approved	20.05.2022
23/00227/LBC	Proposed replacement timber framed door with glazing.	Current	

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)

SP7 Place Shaping Principles

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

SPL3 Sustainable Design

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

5 The Green is one of 12 Grade II listed terraced cottages facing The Green in Mistley. The application site lies within the settlement development boundary of Mistley and the Mistley and Manningtree Conservation Area.

Description of Proposal

The application proposes the replacement of the front door. No other alterations are proposed.

Heritage Assessment

The listed description of numbers 1-12 The Green in the main describes the architectural features that are unmistakable when viewed from The Green. It is important to ensure that the character of the listed building is preserved when alterations to it are proposed.

Policy PPL9 of the Tendring District Local Plan 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 existing front door is a white painted timber example with leaded light stained glass. The proposed replacement door will replicate the existing door, it will be timber and the existing leaded light glazing and stained glass will be transferred to the new door. Secondary glazing will sit behind the transferred leaded light glazing and stained glass. The timber door will be painted white, which will match the existing frame.

The applicant has submitted a design and access statement and heritage statement to support their application which provides detailed information and justification of the replacement door. It states "*The new door will match the material, size, colour and design of the existing door. It is not known if the door is original, but as is common for a timber door, it has become rotten and needs to be replaced*".

Heritage advice was sought from Place Services at Essex County Council and they confirmed that they have no objection to the listed building consent application as it not considered to affect the external appearance of the designated heritage asset.

The proposal is not considered to have a detrimental effect on the listed building of 5 The Green as the alterations serve to upgrade the door and provide comfort, warmth, energy efficiency and security to the home while preserving its character and charm. The alterations proposed would not adversely impact upon the historic fabric of the listed building but rather preserve what is there for future generations and sympathetically add to it ensuring it continues to be used as a home. It is considered that the proposal will not significantly harm the listed building.

Other Considerations

Mistley Parish Council support the application subject to heritage approval.

No other letters of representation have been received.

Conclusion

It is considered that the proposal will not result in any adverse impact on the character, appearance and historic fabric of the listed building. The application is therefore recommended for approval.

6. Recommendation

Approval - Listed Building Consent

7. Conditions

1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with 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 Section 51 of the Planning and Compulsory Purchase Act 2004

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below 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 subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

The approved red line plan drawing is Promap site plan 1:1250 received 10th February 2023.

Drawing Number: 9630

Drawing Number: GIP.LL.HDJ
Drawing Number: GIP.LL.I
Drawing Number: GIP.LL.S
Design and Access Statement

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

8. Informatives

None

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