

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: 23/00224/LBC **Town / Parish:** Mistley Parish Council

Applicant: Mr Clifford Jones

Address: 6 High Street Mistley Manningtree

Development: Remove cement based render on front facade and replace with lime based render, painted with colour to match existing.

1. Town / Parish Council

Mistley Parish Council At its Planning Committee Meeting on the 27 February 2023 the Parish Council recommended supporting this application.

2. Consultation Responses

Essex County Council The application is for removing cement based render on front facade and replace it with lime based render, painted with colour to match existing.
Heritage
06.03.2023

The proposal site is Grade II Listed 1-6 High Street within the Mistley and Manningtree Conservation Area.

There is no objection to this application.

3. Planning History

92/00889/LBC	Internal alterations	Approved	06.10.1992
03/01566/LBC	Reinstatement of original window and formation of dormer	Approved	25.09.2003
11/00232/LBC	Demolition of redundant garden shed (1.0 x 1.2 brick built).	Approved	06.05.2011
12/60049/HOUEN Q	Erection of free standing timber shed at end of rear garden		07.02.2012
12/00819/FUL	Erection of a free-standing timber garden shed.	Approved	06.09.2012
16/00295/LBC	Internal alterations to lower level: 1. Remove fitted carpet and lay re-claimed brick tile floor, 2. re-align modern cupboard partition, 3. Line existing plasterboard walls with re-claimed painted timber panelling.	Approved	19.04.2016

23/00224/LBC Remove cement based render on front facade and replace with lime based render, painted with colour to match existing. 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

6 High Street is one of eight Grade II listed terraced cottages facing onto the High Street and backing onto Mistley Quay. 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 removal of the existing cement render from the front of the cottage and its replacement with lime render and coloured lime wash. No other alterations are proposed.

Heritage Assessment

The listed description of numbers 1-6 High Street, numbers 8 and 9 and Swan House in the main describe the architectural features that are unmistakable when viewed from the High Street. 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 finish to the front of the cottage is cement render painted light pink which has started to crack and peel due to its unsuitability for a historic building. The proposal will carefully remove the cement render and replace it with appropriate lime render and a lime render colour wash in light pink.

The applicant has submitted a Heritage Statement which includes details of the exact materials and methods to be used to replace the render. It supports the application and provides detailed information and justification of the works. It confirms that *“As is well documented with historic properties, cement renders do not allow a building to ‘breathe’ resulting in systematic cracking of the render and peeling paintwork. Furthermore, moisture is being trapped within the external wall, resulting in wetness on the room-side face of the wall causing damage and potential mould”*.

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.

The proposal is not considered to have a detrimental effect on the listed building of 6 High Street as the alterations serve to maintain and preserve the listed building. The alterations proposed would not adversely impact upon the historic fabric of the listed building but rather preserve what is there for future generations 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.

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 site plan received 10th February 2023
Heritage Statement (Incorporating Design and Access Statement) received 10th February 2023

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