

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	01/09/2023
Planning Manager / Team Leader authorisation:	ML	04/09/2023
Planning Technician final checks and despatch:	JJ	08/09/2023

**Application:** 23/00578/LBC **Town / Parish:** Clacton Non Parished

**Applicant:** Rhythmic Care UK Ltd

**Address:** Great Clacton Hall 28 North Road Clacton On Sea

**Development:** Proposed erection of boundary walls and front metal security-safety doors and railing.

### **1. Town / Parish Council**

Not required Clacton

### **2. Consultation Responses**

Essex County Council  
Heritage  
19.07.2023

The application is for proposed erection of boundary walls and front metal security-safety doors and railing. This follows previous advice dated 17th May 2023.

The proposal site is Grade II Listed Great Clacton Hall, within the Great Clacton Conservation Area and in proximity to Grade I Listed Church of St John the Baptist.

Specifications of materials and details of proposed gate and railing are considered acceptable. There is therefore no objection to this application.

Essex County Council  
Heritage  
13.07.202

Thank you for forwarding these.

Roof tiles and gate are acceptable, I can't find a reference for the brick manufacturer.

RE: proposed railings, a more traditional design would be more appropriate in this context but I understand this choice might be due to safety reasons. Could an alternative solution, maybe with only a single horizontal top rail be considered?

I hope this helps but please let me know if I can help further

### **3. Planning History**

00/01488/FUL	Two storey extension (variation of scheme approved under TEN/96/1011 to comply with new space standards for residential homes).	Approved	19.10.2000
00/01508/LBC	Variation of scheme approved under LB/96/1012 to comply with new space standards for Residential Homes (additional 49m2 of floor area)	Approved	19.10.2000

96/01011/FUL	(Gt Clacton Hall, Great Clacton) Alterations and extensions as previously approved under TEN/807/88 and TEN/906/89	Approved	30.09.1996
96/01012/LBC	(Great Clacton Hall, Gt Clacton) Alterations and extensions as previously approved under TEN/807/88 and TEN/906/89	Approved	30.09.1996
05/01364/FUL	Two and a half storey extension to include alterations within the existing building (renewal of permission 00/01488/FUL).	Approved	05.10.2005
05/01479/LBC	Two and a half storey extension to include alterations within the existing building renewal of permission 00/01508/LBC	Approved	05.10.2005
91/00448/FUL	Proposed conservatory.	Approved	31.05.1991
91/00449/LBC	Proposed conservatory.	Approved	31.05.1991
09/01136/LBC	Part retrospective application for a two and a half storey side extension to a listed building to house a passenger lift, fire escape staircase and thirteen bedrooms and to include internal alterations within the existing building.	Approved	13.01.2010
09/01137/FUL	Part retrospective application for two and a half storey side extension to a listed building to house a passenger lift, fire escape staircase and thirteen bedrooms and to include internal alterations within the existing building.	Approved	13.01.2010
23/00474/TCA	1 No. Sycamore - Remove to ground level. 1 No. False Acacia - Remove to ground level.	Approved	24.04.2023
23/00478/WTPO	1 No. False Acacia - Remove to ground level. 4 No. Sycamore - 30% reduction including crown lift.	Approved	24.04.2023
23/00577/DISCON	Discharge of conditions 3 (Construction Environment Management Plan) and 6 (Biodiversity Enhancement Layout) of application 20/00197/FUL.	Approved	19.05.2023
23/00578/LBC	Proposed erection of boundary walls and front metal security-safety doors and railing.	Current	

23/00581/LBC	Proposed replacement roof tiles.	Current
23/00582/FUL	Proposed erection of boundary walls and front metal security-safety doors and railing.	Current
23/00601/FUL	Proposed replacement of roof tiles.	Current

#### **4. Relevant Policies / Government Guidance**

##### **NATIONAL:**

National Planning Policy Framework July 2023 (NPPF)

National Planning Practice Guidance (NPPG)

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

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), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any neighbourhood plans that have been brought into force.

#### **5. Officer Appraisal (including Site Description and Proposal)**

##### **Site Context**

The proposal site is Grade II Listed Great Clacton Hall, within the Great Clacton Conservation Area and in proximity to Grade I Listed Church of St John the Baptist.

##### **Proposal**

This application seeks Listed Building Consent for the erection of boundary walls and front metal security-safety doors and railings.

##### **Assessment**

The proposal will be a noticeable change to the existing site due to the location of the house and the surrounding public car park.

The proposal will result in the replacement and repair of the existing wall and formation of metal railings and gates. Whilst visible from the public car park and surrounding pedestrian accesses the proposal is of a small-scale nature which will respect the character and appearance of the existing building and would not appear as a prominent or harmful feature.

The proposed wall itself will be finished in materials which are consistent with the existing boundary wall allowing it to appear appropriate to the site and building. The metal railings and gates will represent a new feature as they will comprise of black metal. Whilst different, the small-scale nature of the development will allow for these to appear appropriate in comparison with other features and would not be detrimental to the appearance character of the existing building or its surroundings. Furthermore, the metal railings, gates will provide a suitable visual feature breaking up the expanse of render.

The building itself comprises of a Grade II Listed Building and therefore consideration should be taken in regard to the proposal's effect on its character and setting.

The proposed railings incorporate a traditional design which is suitable in comparison to the existing building and will make use of robust materials which will not deteriorate quickly.

The proposal is of a minor nature which will surround the building. These are considered sympathetic in terms of design and scaling which would not result in a significant harm to its appearance or setting.

The site is also close to St Johns Church which is a Grade I Listed Building, however, due to the small-scale nature of the proposal and distance away from this protected building, the proposed development would not result in a harmful impact in this regard.

Upon confirmation of the design and materials to be used the ECC Heritage Team have been consulted on the proposal and provide no objections to the scheme.

### Conclusion

The proposal is therefore considered to be compliant with national and local policy and in the absence of material harm resulting from the proposed development is 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.

N/A/28NR/203 A  
N.A/28NR/204 A  
N.A/28NR/205 A  
N.A/28NR/206 A  
N.A/28NR/207 A  
N.A/28NR/208 A  
N.A/28NR/209 A  
N.A/28NR/211 A  
N.A/28NR/212

Railings Design - Rec 14/07/2023  
Brick Details - Rec 12/07/2023  
Driveway Gate Details - Rec 12/07/2023  
Edwardian Mult Red Infor Card - Rec 14/07/2023  
Design and Access Statement Rec 19/04/2023  
Heritage Statement - Rec 19/04/2023

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**

N/a