

## 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:** 23/00581/LBC **Town / Parish:** Clacton Non Parished

**Applicant:** Rhythmic Care UK Ltd

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

**Development:** Proposed replacement of roof tiles.

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

Clacton Non parished

### **2. Consultation Responses**

Essex County Council  
Heritage  
14.08.2023

The application is for proposed replacement of roof tiles.

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.

Following the submission of proposed schedule of works for roof repairs, there is no objection to this application.

### **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 2021 (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.

The building is located within a public car park within the development boundary of Clacton on Sea.

##### **Proposal**

This application seeks Listed Building Consent for proposed replacement of roof tiles.

##### **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 of the existing roof tiles to the building. 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 locale and would not appear as a prominent or harmful change.

The proposed roof tiles will be similar in appearance to those already on the existing house.

The proposal is therefore considered a sympathetic addition to the site which would not adversely impact upon the appearance/ character of the host dwelling or area.

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

The proposed roof tiles will match those already present on the existing house allowing for the character and appearance of the listed building to be maintained.

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 would not result in a harmful impact in this regard.

A Heritage Statement has been provided detailing the limited impact the proposal will have on the protected building and area and is compliant with the requirements of the NPPF.

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/112

N.A/28NR/111 A

N.A/28NR/110 A

N.A/28NR/109 A

N.A/28NR/108 A

N.A/28NR/107 A

N.A/28NR/106 A

N.A/28NR/105 A

Design and Access Statement - Rec 19/04/2023

Heritage Statement - Rec 19/04/2023

Schedule of Works - Rec 26/07/2023

Roof Tile Details (Marley Acme Double Camber Plain Clay Roof Tile) - Rec 12/07/2023

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**

### Positive and Proactive Statement

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.