

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	06/09/2023
Planning Manager / Team Leader authorisation:	AN	07/09/23
Planning Technician final checks and despatch:	JJ	08/09/23

**Application:** 23/00895/LBC **Town / Parish:** Manningtree Town Council

**Applicant:** Mr Ashe

**Address:** 59 South Street Manningtree Essex

**Development:** Replacement and restoration of existing windows.

### 1. Town / Parish Council

Manningtree Town Council No objections

### 2. Consultation Responses

Essex County Council Heritage 06.09.2023 <b>Following change in proposal</b>	This is now in line with our advice so there's no further objection
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Essex County Council  
Heritage  
29.08.2023  
**Following Receipt of Additional info**

The application is for replacing existing non-original timber sash windows on north elevation with new handmade sash windows with slim FINEO 8 glazing. This follows my previous advice dated 20th July 2023.

As stated within the Wandsworth Sash Windows Condition Report and additional note dated 03/08/23, only about 50% of the existing windows are considered to be beyond repair. Some of the existing windows have also been assessed to be later 20th century replacement due to their simple design and cheaper material. I believe it is reasonable to agree that the following windows could be replaced without a conspicuous loss of historic fabric:

- All second floor windows, which are later replacement and in poor condition;
- Ground floor windows W1 and W2, which are considered to be a later 20th century replacement due to the use of modern construction techniques;
- First Floor Window W7 which is considered structurally unsafe.

Ground floor Window W3 and first floor Window W8 have been assessed to be in very poor condition, and the replacement of one or both the sashes might be considered on the basis of further assessment of the actual extent of rot (it should be noted that only a visual survey has been carried out at this stage).

The remaining windows (Ground floor window W4 and first floor windows W5, W6 and W9) seems to be of more historic and architectural significance and in repairable conditions and my advice remains that local repairs (including the reinstatement of more sympathetic features and glazing bars where these have been

replaced) and retention of the historic windows should be considered in this case.

The application is for replacing existing non-original timber sash windows on north elevation with new handmade sash windows with slim FINEO 8 glazing. A site visit has been carried out as part of a previous application process for the extension, repair and refurbishment of the main building.

The proposal site is Grade II Listed 59 South Street, or Grove House, within the Mistley and Manningtree Conservation Area and in close proximity to a number of designated and nondesignated heritage assets, including but not limited to:

- Grade II Listed House Attached to North East of Number 59;
- Grade II Listed 65, 67 and 69, South Street;
- Grade II Listed 71, 73 and 75, South Street;
- Grade II Listed Methodist Church.

The main core of Grove House is a timber frame structure which dates back possibly to the 17th Century. The main elevation (and probably the side elevation, now rendered) was refaced in the early 19th century with a red brick Georgian façade. The building has been heavily altered over the past and many original features and large part of the historic timber structure is lost.

As assessed in the Heritage Statement and Windows Condition Report, the existing windows to the front elevation, might not be original and have been repaired at different time in the past and not always at high standard. However, during our previous site visit, they were deemed to be of historic significance, and they contribute to the special interest of the listed building.

It is noted that all the existing windows are in poor conditions, however overall, only a number of them are deemed to be structurally unsafe or beyond repair. Surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible. The complete loss of the front elevation windows would therefore have a detrimental impact on the significance of the listed building and the character and appearance of the Conservation Area which would result in 'less than substantial harm' (Paragraph 202 of the NPPF is relevant here).

I am therefore not able to support the complete replacement of all the windows and advise a more conservative approach is taken instead by replacing only the windows that are considered structurally unsafe and strictly beyond repair as highlighted in the detailed condition report. Any window which could be carefully and sympathetically repaired, or elements replaced on a like for like basis, should be retained and historic timber preserved wherever possible.

Historic England guidance Traditional Windows. Their Care, Repair and Upgrading is a useful source of information on how sympathetically repair historic windows and upgrade their thermal performance through draft proofing and secondary glazing (where installation is possible) while retaining historic timber windows.

The potential to replace existing glass with slim FINEO glass could be considered following the submission of the required additional

information. It is noted that the limited thickness and general appearance of the proposed FINEO glass makes it generally more acceptable than double glaze to be used in historic contexts. However there are concerns that, should only a limited number of windows be reglazed, the different appearance between different types of glass would impact on the symmetry and homogeneous appearance of the Grove House, detracting from the significance of the listed building and the character and appearance of the Conservation Area.

### 3. Planning History

22/01066/FULHH	Proposed alteration, improvement and extension to a Grade II Listed Building, including a new outbuilding to the rear garden to provide off-street parking.	Approved	21.12.2022
22/01067/LBC	Proposed alteration, improvement, internal and external and extension to a Grade II Listed Building, including a new outbuilding to the rear garden to provide off-street parking.	Approved	21.12.2022
23/00553/FULHH	Erection of single storey rear extension and detached outbuilding (Alteration to approval 22/01066/FULHH).	Approved	15.06.2023
23/00554/LBC	Proposed internal alterations, erection of single storey rear extension and detached outbuilding (alteration to approval 22/01067/LBC).	Approved	15.06.2023
23/00633/DISCON	Discharge of conditions 3 (Construction Methodology Statement), 4 (Timber Survey), 5 (Cleaning Methods to Timber), 6 (Damage to Building), 7 (Wall Repairs), 8 (Materials) and 10 (Front Elevation Details) of application 22/01066/FULHH.	Approved	05.06.2023
23/00875/LBDISC	Discharge of conditions 3 (Timber Condition Survey), 4 (Cleaning Methods), 5 (Method Statement) and 6 (Boundary Wall) of application 23/00554/LBC.	Approved	27.07.2023
23/00895/LBC	Replacement and restoration of existing windows.	Current	

### 4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2023 (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)  
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)**

### **Proposal**

The application is for replacement and restoration of existing windows to the north elevation of the building.

### **Assessment**

The proposal site is Grade II Listed 59 South Street, or Grove House, within the Mistley and Manningtree Conservation Area and in close proximity to a number of designated and non designated heritage assets, including but not limited to:

- Grade II Listed House Attached to North East of Number 59;
- Grade II Listed 65, 67 and 69, South Street;
- Grade II Listed 71, 73 and 75, South Street;
- Grade II Listed Methodist Church.

The main core of Grove House is a timber frame structure which dates back possibly to the 17th Century. The main elevation (and probably the side elevation, now rendered) was refaced in the early 19th century with a red brick Georgian façade. The building has been heavily altered over the past and many original features and large part of the historic timber structure is lost.

As assessed in the Heritage Statement and Windows Condition Report, the existing windows to the front elevation, might not be original and have been repaired at different times in the past and not always at high standard. Lack of this evidence means that they have been deemed to be of historic significance, and are considered to contribute to the special interest of the listed building.

The proposed replacement and restoration of the windows in this elevation are considered a minor change which is considered appropriate to the existing building and would not adversely impact its setting or character.

The ECC Heritage Team have been consulted during the course of the application and requested additional information. In this instance the agent has confirmed that windows labelled W1, W2, W7, W10, W11, W12, W13 & W14 are to be replaced, and existing windows labelled W3, W4, W5, W6, W8 & W9 are to be sensitively restored. This has been supported by way of submission of an amended plan and confirmation of no objection from ECC Heritage.

### **Conclusion**

The proposed alteration is therefore considered a suitable change to the appearance of the listed building and therefore is recommended for approval.

## **6. Recommendation**

## 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.

396-PL-21 A

Proposed Window Sections - Rec 23/06/2023

Proposed Elevation Type 1 Second Floor - Rec 23/06/2023

Proposed Elevation Type 2 Ground and First Floor - Rec 23/06/2023

Heritage Statement - Rec 23/06/2023

Planning, Design and Access Statement - Rec 23/06/2023

Wandsworth Sash Windows Brochure - Rec 23/06/2023

Wandsworth Sash Windows Condition Report - Rec 23/06/2023

Wandsworth Sash Windows Item Detail Sheet - Rec 23/06/2023

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**  
Not required