

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	29/11/2023
Planning Manager / Team Leader authorisation:	ML	30/11/2023
Planning Technician final checks and despatch:	ER	01/12/2023

Application: 23/01471/LBC **Town / Parish:** Little Clacton Parish Council

Applicant: Mr Jeb Erswell

Address: Reedlands Cottage Holland Road Little Clacton

Development: Proposed re-pointing of the two inglenook fireplaces, raking out the existing grey cement mortar and re-pointing with traditional lime mortar. Replace approximately thirty isolated bricks using reclaimed soft clay Tudor or Imperial soft red bricks.

1. Town / Parish Council

Little Clacton Parish
Council Supports

2. Consultation Responses

Essex County Council The proposal site is Grade II Listed Reedlands Farmhouse (List
Heritage Entry Number: 1165880).
09.11.2023

There is no objection to the proposed repair to the two inglenook fireplaces as specified in the submitted Design and Access Statement.

3. Planning History

22/01902/LBC	Demolition of existing garage and construction of new annex, alterations and extension to existing conservatory. Weatherboarding to existing house.	Approved	23.05.2023
22/01903/FULHH	Demolition of existing garage and construction of new annex, alterations and extension to existing conservatory. Weatherboarding to existing house.	Approved	23.05.2023
23/01471/LBC	Proposed re-pointing of the two inglenook fireplaces, raking out the existing grey cement mortar and re-pointing with traditional lime mortar. Replace approximately thirty isolated bricks using reclaimed soft clay Tudor or Imperial soft red bricks.	Current	

4. Relevant Policies / Government Guidance

NATIONAL:
National Planning Policy Framework July 2023 (NPPF)
National Planning Practice Guidance (NPPG)

LOCAL:

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 application site comprises of a two-storey detached building currently finished in render. The site is located outside of the development boundary of Clacton and is Grade II listed.

Proposal

This application seeks Listed Building Consent for the proposed re-pointing of the two inglenook fireplaces, raking out the existing grey cement mortar and re-pointing with traditional lime mortar. Replace approximately thirty isolated bricks using reclaimed soft clay Tudor or Imperial soft red bricks.

Assessment

The house benefits from two inglenook fireplaces in the property which are in need of repair. The first is in the Snug and fitted with a woodburning stove and has a curved chamber and brick hearth. The second is in the Living Room and is fitted with a woodburning stove and has a square back, plastered inner panels, and a brick hearth. Both have full brick chimney breasts.

The supporting information states that both inglenooks, will be repointed using a traditional lime mortar. Any replacement bricks will either be reclaimed and are therefore sympathetic to the existing features, the lime mortar will also be suitably sourced to match the existing.

The proposed alterations will be to the interior of the house and therefore not publicly visible. These alterations are considered suitable in regard to the existing character and historic features of the house and would not adversely impact the character or setting of this listed building.

The ECC Heritage team have been consulted and have provided no objections to the proposal.

Other Considerations

Little Clacton support the application.

There have been no letters of representation received.

Conclusion

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

SITE PLAN - REC 18.10.23

DESIGN AND ACCESS STATEMENT - REC 18.10.23

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

9. Equality Impact Assessment

In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.

It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral