

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	JJ	02/01/2024
Planning Manager / Team Leader authorisation:	ML	04/01/2024
Planning Technician final checks and despatch:	ER	04/01/2024

Application: 23/01505/LBC **Town / Parish:** Clacton Non Parished

Applicant: Star Pubs and Bars

Address: Robert Burre 183 Burrs Road Clacton On Sea

Development: Proposed erection of illuminated and non-illuminated signs to the exterior of the building.

1. Town / Parish Council

N/A

2. Consultation Responses

Essex County Council
Heritage
04.12.2023

The application is for proposed erection of illuminated and non-illuminated signs to the exterior of the building.

The proposal site is Grade II Listed The Robert Burre, formerly listed as Burr's Farmhouse.

The impact of the current proposal on the significance of the identified heritage asset has been discussed and concerns clarified within the previous application 23/00465/ADV.

There is no further objection to this proposal.

3. Planning History

00/00383/LBC	Internal and external alterations	Approved	28.07.2000
00/00384/ADV	Raised gilded lettering applied to building above porch; 2 No facility boards at low level	Approved	28.07.2000
02/00034/FUL	Retention of timber pergola at entrance of property	Refused	13.03.2002
97/01335/FUL	Car parking area with new access	Refused	10.12.1997
97/01347/LBC	Car parking area with new access	Refused	10.12.1997

98/00440/FUL	Car park	Refused	21.07.1998
98/00444/LBC	Car park	Refused	21.07.1998
16/00550/ADV	New signage.	Approved	06.06.2016
16/00551/LBC	New business signage.	Approved	06.06.2016
16/00733/FUL	New food preparation extract and fresh air input ductwork.	Approved	01.07.2016
16/00734/LBC	New food preparation extract and fresh air input ductwork. Removal of existing bar counter and installation of new screens.	Approved	01.07.2016
18/02092/FUL	Provision of new smoking shelter.	Approved	31.05.2019
18/02093/LBC	Provision of new smoking shelter.	Approved	31.05.2019
20/00221/LBC	Proposed repair works to existing roof.	Approved	15.04.2020
23/00465/ADV	Proposed erection of illuminated and non-illuminated signs to the exterior of the building.	Approved	11.08.2023
23/01505/LBC	Proposed erection of illuminated and non-illuminated signs to the exterior of the building.	Current	

4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework 2023 (NPPF)
National Planning Practice Guidance (NPPG)

Local:

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.

Neighbourhood Plans

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

5. Officer Appraisal (including Site Description and Proposal)

Application Site

The application site is located on the western side of Burrs Road, in Clacton-on-Sea and comprises of a public house, known as The Robert Burre. There is a separate car park area on the other side of Burrs Road. The building is a Grade II Listed Building and situated within a predominantly residential area.

The Listing is as follows:

CLACTON-ON-SEA BURR'S ROAD TM 11 NE 7/2 The Robert Burre. 10.1.51 (formerly listed as Burr's Farmhouse) II Hotel, formerly a farmhouse. C18 and C19 of possibly earlier origin. Timber framed. Gault brick faced. Hipped red tiled roof. 3 hipped dormers. Off centre red brick chimney stack. 2 storeys and attics. 3 window range of vertically sliding sashes, some small paned, that to ground floor left tripartite. C20 hipped gault porch with panelled door.

Proposal

The application seeks listed building consent for the proposed erection of illuminated and non-illuminated signs to the exterior of the building.

The signs have previously received advertisement consent under 23/00465/ADV.

This listed building consent application is for:

- The signs
- Painting of windowsills
- Installation of two x A1 poster cases
- Installation of two x new wall lights
- Installation of the linolites and trough light

Assessment

The proposed painting of the windowsills will match the colour of the already approved signs.

The installation of two A1 poster cases, will replace the existing cases. These are a like for like replacement so will not cause any harm to the historic fabric or significance of the property.

The installation of the two new wall lights sits above the proposed A1 poster cases. This will allow for the illumination of the posters as well as illuminating the entrance and pathway outside of the property. As the building is currently used as a pub, the light would be beneficial due to the pub being open during hours when it is dark.

The installation of the linolites are to replace the existing. The trough lights will be positioned above the already approved sign above the door. The previous sign although in a slightly different place also included trough lights.

All proposed works are external and do not affect the structure of the building. The proposals would not result in a detrimental impact to the historic fabric of the property and would not harm its significance effectively replacing existing signage and lighting with alternatives.

Essex County Council Heritage have been consulted on this application and submit no further comments from the previous planning application 23/00465/ADV. Their comments were covered within the delegated report for that application.

Other Considerations

There have been no letters of representation received.

Conclusion

The proposed development is consistent with the above mentioned national and local planning policies.

The proposed external alterations and improvements are acceptable and would preserve the Listed Building.

6. Recommendation

Approval - Full

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).

Site Plan - Received 23.10.2023
Existing and proposed front elevation - Received 23.10.2023
Proposed Signage Details - Received 23.10.2023
Proposed Signage - Received 23.10.2023

REASON: For the avoidance of doubt.

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.

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

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

Are there any letters to be sent to applicant / agent with the decision? If so please specify:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO