

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	ER	19/01/2024
Team Leader authorisation / sign off:	AN	19/01/24
Assistant Planner final checks and despatch:	ER	19/01/24

Application: 23/01521/LBC **Town / Parish:** Manningtree Town Council

Applicant: Mr and Mrs Rose

Address: 57 South Street Manningtree Essex

Development: Single storey rear extension, external staircase and alterations.

1. Town / Parish Council

Manningtree Town Council At its Planning Committee Meeting on the 6th November 2023, the Parish Council recommended that this application be passed to the Heritage Team.

2. Consultation Responses

Essex County Council
Heritage
19.01.2023
Following Amended Plans

The application is for proposed single storey rear extension and alterations. This follows my previous advise dated 23rd November 2023.

The revised scheme has addressed the main concerns previously raised and discussed on site and during our follow up meeting. The revised scheme for the proposed extension offers now a more holistic design which is considered to preserve the significance of the listed building and the character and appearance of the Conservation Area.

There is no objection to this application subject to conditions as previously advised.

Essex County Council
Heritage
23.11.2023
Initial Comments

The proposal site is Grade II Listed House Attached to North East of Number 59 (List Entry Number: 1261193) within the Mistley and Manningtree Conservation Area. The historic core of the property dates back at least to the 18th and has been later extended and altered in the 1930s with the addition of the south east range and the redesign of the rear elevation. The later extension is of lesser significance however it has been sympathetically designed and contributes to the special interest of the listed building and to the character and appearance of the Conservation Area. The special interest of the building mostly relates to its group value with adjoining no59.

The proposed internal alterations will mostly involve the 1930s addition and are overall not considered to affect the special interest of the listed building. Concerns were initially raised regarding the demolition of the wall between the 18th century core and the 1930s extension, however the applicant provided additional information showing that most of the wall to be demolished and the chimney are later addition and limited historic fabric survives. It is advised that the chimney is retained externally as this is a feature that positively contributes to the character and appearance of the Conservation Area and to the roofscape.

I advise the proposed studio within the kitchen at ground floor is removed, in order to retain the legibility of the historic layout of this room. Similarly, I am not able to support the proposed alterations to the snug to create a study and a large cupboard, as this would alter the original layout of the historic core of the listed building. The removal of later partitions to the drawing room and the reinstatement of the original layout of this room would be beneficial.

There are no objections in principle to the construction of a rear extension, however the proposed design should be improved to be more in keeping with the historic character of the listed building. The proposed extension is wide and with an extensive glazing surface which doesn't relate to the existing opening at first floor, resulting incongruous as part of the rear elevation. The lean-to roof abuts just under the first floor window sills, making the rear elevation cluttered in appearance.

A smaller extension, which approximately occupies the extent of the existing bays, and of more traditional proportions and design which takes into account the historic nature of the existing building could offer a more sympathetic addition to this designated heritage asset. A flat roof might be able to achieve a better detail at the abutment with the rear wall and better accommodate proposed solar panels which could be concealed from views from the Conservation Area.

If alterations are made to the proposed alterations and extension, then there would be no objection to this application. However, in this current form the proposal does not preserve or enhance the character or appearance of the Conservation Area and the special interest of the listed building, contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF. With regards to the National Planning Policy Framework (2021), the level of harm is considered to be 'less than substantial'. As such the local planning authority should weigh this harm against any public benefits of the proposal including, where appropriate, securing its optimum viable use as per Paragraph 202.

I also advise the following conditions are included:

- Prior to commencement of above ground works/installation, a schedule and samples of all external finish materials shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such;
- As the building would require extensive demolitions, a method statement and details of proposed structural works, shall be submitted and approved in writing by the Local Planning Authority prior commencement of any work;
- Prior to installation, a schedule of drawings that show details of all proposed windows and doors, in section and elevation at scales between 1:20 and 1:1 as appropriate, showing details of glazing type, framing, glazing bars, and cills, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such;
- Prior to installation, details of proposed staircase and all built in joinery, at appropriate scale of representation, shall be submitted to and approved in writing by the Local Planning Authority. Works shall

be implemented in accordance with the approved details and shall be permanently maintained as such;

- Before work begins, the position, type and method of installation of all new and relocated services and related fixtures to the new kitchen and laundry shall be specified and agreed in writing with the Local Planning Authority wherever these installations are to be visible, or where ducts or other methods of concealment are proposed. The works shall be implemented only in accordance with such approval;
- Rainwater goods shall be black painted or powder-coated metal and shall be permanently maintained as such.

3. Planning History

00/01392/LBC	Remove and replace old metal 'crittell' window frames to front of property, and replace with timber sash units, in keeping with rest of property and original character (6 windows in all)	Approved	22.11.2000
04/00692/FUL	Replacement of existing carport with timber framed structure, using existing brickwork and retaining wall	Approved	19.07.2004
23/01509/FULHH	Proposed single storey rear extension, external staircase and alterations.	Current	
23/01521/LBC	single storey rear extension, external staircase and alterations.	Current	

4. 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. 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>

6. Relevant Policies / Government Guidance

NATIONAL:

National Planning Policy Framework 2023 (NPPF)

National Planning Practice Guidance (NPPG)

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

PPL9 Listed Buildings

7. Officer Appraisal

Site Context

The proposal site is Grade II Listed House Attached to North East of Number 59 (List Entry Number: 1261193) within the Mistley and Manningtree Conservation Area. The historic core of the property dates back at least to the 18th century and has been later extended and altered in the 1930s with the addition of the south east range and the redesign of the rear elevation. The later extension is of lesser significance however it has been sympathetically designed and contributes to the special interest of the listed building and to the character and appearance of the Conservation Area. The special interest of the building mostly relates to its group value with adjoining no59.

Proposal

This application seeks Listed Building Consent for a single storey rear extension, external staircase and alterations.

The size and design of the proposal has been amended since initial receipt of the application to reduce its size and bulk allowing it to appear better inkeeping with the protected building.

Assesment

The main consideration is the impact of the proposal on features of special architectural or historic interest and that the special character and appearance or setting of the building would be preserved or enhanced.

Paragraph 205 of the National Planning Policy Framework ("the Framework") states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 1 states that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric, although the Plan recognises that the scope for a listed building to adapt to modern life and requirements will itself depend upon a number of considerations and it will not always be possible to incorporate modern design solutions without also causing harm to its special character fabric, or appearance.

The site includes a Grade II Listed Building.

The proposed extension will be of a single storey design which is suitably stepped in from the shared boundary and largely screened by the boundary wall. The plans state that similar materials will be used and whilst we await further information of these by way of submission of a discharge of condition request this will aid in allowing the extension to blend in with the new house and prevent it from having a harmful impact to the appearance/ character of the Listed Building. The extension has been significantly reduced in height since initial receipt of the application and now retains a flat roof and more traditional appearance allowing it to appear as a more appropriate addition to this Listed Building.

The proposed staircase will be sited away from the house and due to its lower level setting will be largely screened by boundary treatments which means it will not be visible in relation to the existing house and would therefore not have a harmful impact to the character/ setting of the Listed Building.

The internal alterations will result in the blocking up of the existing internal door serving the study and the formation of a new laundry room off of the kitchen. These alterations are internal and would not effect the external appearance of house. These adaptations will result in a change to the internal layout of the house however these are minor and would not adversely impact the historic fabric of the listed building.

The ECC Heritage team raised initial concerns over the proposal in particular some of the internal alterations to the kitchen and snug which have now been removed. They also raised initial concerns over the size and design of the extension however since meeting with the agent and receiving amended plans they have retracted these concerns and now have no objections to the proposal. Conditions requesting further information on openings, materials, demolition method statement, stair case and relocation of services shall be imposed upon the consent.

Other considerations

Manningtree Town Council raised no objections however recommended that this application be passed to the Heritage Team.

Officer Response - The ECC Heritage team have been consulted on the proposals and have provided advice and support in seeking amended plans. The impact of the proposal in terms of heritage has been fully assessed above.

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.

8. Recommendation

Approval - Listed Building Consent

9. 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.

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1622-01

DESIGN, ACCESS AND HERITAGE STATEMENT - 23/10/23

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.

3 FURTHER APPROVAL: HERITAGE

Prior to commencement of above ground works/installation, a schedule of all external finish materials (including manufacturer, range and colour details), shall be submitted to and approved in writing by the Local Planning Authority, including brickwork and bond pattern. Works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

4 FURTHER APPROVAL: HERITAGE

Prior to installation, a schedule of drawings that show details of all proposed windows and doors, in section and elevation at scales between 1:20 and 1:1 as appropriate, showing details of glazing type, framing, glazing bars, and cills, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

5 COMPLIANCE: HERITAGE

Rainwater goods shall be black painted or powder-coated metal and shall be permanently maintained as such.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

6 FURTHER APPROVAL: HERITAGE

Prior to demolition works a method statement and details of proposed structural works, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in full accordance with the approved scheme.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

7 FURTHER APPROVAL: HERITAGE

Prior to installation, details of the proposed staircase and all built in joinery, at appropriate scale of representation, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

8 FURTHER APPROVAL: HERITAGE

Prior to commencement of the internal alterations the position, type and method of installation of all new and relocated services and related fixtures to the new kitchen and laundry shall be specified and agreed in writing with the Local Planning Authority wherever these installations are to be visible, or where ducts or other methods of concealment are proposed. The works shall be implemented only in accordance with such approval.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

10. Informatives

Not required

11. 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