

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	BB	21/05/2025
EIA Development - Notify Planning Casework Unit of Decision:	N/A	
Pre-commencement condition agreement:	N/A	
Team Leader authorisation / sign off:	MP	22/05/2025
Assistant Planner final checks and despatch:	ER	23/05/2025

Application: 25/00535/LBC **Town / Parish:** Manningtree Town Council

Applicant: Lorraine Jackson

Address: 23 South Street Manningtree Essex

Development: Application for Listed Building Consent - Replace existing window with doors in rear extension.

1. Town / Parish Council

Manningtree Town Council No comments received.

2. Consultation Responses

Essex County Council Heritage
09.04.2025 The application is for the replacement of an existing window in a rear extension with French Doors.

This proposal affects a Grade II Listed Building formed of Nos. 23, 25, and 27 South Street (List Entry No.1261225), formerly known as No. 23 (Jumbles). The Listed Buildings significance is mainly derived from its special historic having been built in phases (its rear wing dates from the seventeenth century and the front range the eighteenth century), and from its special architectural interest as housing of vernacular design that has well-crafted features such as the various forms of sash windows including tripartite styles with moulded surrounds.

There is no objection to this proposal, on the basis that the alteration impacts a twentieth century built lean-to extension to the rear range of the Listed Building, which is the phase of the least significance and is therefore considered less sensitive to the impact of alterations. Moreover, the French Doors would replace a modern manufactured timber framed casement window that has small paned glazing and is considered to be of neutral contribution to the architectural interest of the Listed Building. The new French Doors are of a sympathetic design that is considered to more closely follow the pattern of historic fenestration, in including side lights that reflect the tripartite proportions, and as such, they accord with the best practice advice of Historic England 'Traditional Windows - Their Care, Repair and Upgrading' set out by Section 6 for the replacement of non-historic windows.

The large-scale sectional details submitted for the new French Doors with side lights are considered to be appropriate and have specified the use of 16mm thick slimline double glazing with solid bars, and timber joinery painted to match the existing.

With regards to the National Planning Policy Framework (NPPF), the proposal is not considered to give rise to harm and in respect of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal is considered to preserve the special interest of the Listed Building in accordance with the expectations of Section 66(1), and the character and appearance of the Conservation Area in line with the expectations of Section 72(1) of the Act.

3. Planning History

25/00535/LBC	Application for Listed Building Consent - Current Replace existing window with doors in rear extension.
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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 Local Plan 2013-33 and Beyond (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 made and the Minerals and Waste Local Plans adopted by Essex County Council.

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>

At the time of writing, there are no draft or adopted neighbourhood plans relevant to this site.

6. Relevant Policies / Government Guidance

National:

National Planning Policy Framework 2025 ([NPPF](#))

National Planning Practice Guidance ([NPPG](#))

Local:

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

PPL8 Conservation Areas

PPL9 Listed Buildings

7. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located on the eastern side of the South Street and consists of a Grade II Listed Building. The dwelling is two storey terraced property nestled between 21 South Street (Osyster Cottage) to the north and 29 South Street to the south. The site is located directly adjacent the highway where its front elevation, which consists of a timber front door, red plain roof tiles and timber sash windows including tripartite styles, appears prominently to the street scene. To the rear

of the site, the dwelling has been extended outwards with more modern additions that cover a large portion of the private amenity space, which itself is a mix of hard and soft landscaping. Access to the rear of the site is possible via covered passageway which appears to be a more recent addition. The site is located within the Settlement Development Boundary for Lawford and Manningtree, the Conservation Area for Manningtree and Mistley and the Historic Town for Manningtree.

Description of Proposal

This application seeks planning permission to replace the existing window with doors in the rear extension.

Assessment

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.

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.

Paragraph 205 of the NPPF confirms 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 208 confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Due to the listed status of the host dwelling, Essex County Council Heritage Team (Place Services) have been consulted for their advice, full details of which can be found above. The proposal seeks to replace an existing window with a set of french doors. The proposal will involve having to expand the existing aperture on the eastern facing elevation of the rear extension; however, as this is a more recent addition dating from the twentieth century, there will be minimal impact to the fabric of the Listed Building. Further, the design of the french doors which consists of solid bars running through the double glazing, closely resembles the pattern of historic fenestration including the side lights that reflect the tripartite proportions. As such, the harm posed by the alterations is considered not have a significantly detrimental impact to the Listed Building, or the visual amenities and character of the Conservation Area to warrant refusal of this application.

Other Considerations

Manningtree Town Council have submitted no comments supporting or objecting to the proposal.

No other letters of representation have been received.

Conclusion

In the absence of any significant material harm as a result of the proposed development, the policy aligns with local and national planning policies and is therefore 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.

Drawing No. 1125-01

Drawing No. 1125-02

Document titled; Design, Access and Heritage Statement incorporating Schedule of Works – Received 28/03/2025

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.

10. Informatives

Not Applicable.

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
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12. Notification of Decision

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	<u>NO</u>
Are there any third parties to be informed of the decision? If so, please specify:	YES	<u>NO</u>
Has there been a declaration of interest made on this application?	YES	<u>NO</u>