

**18/00795/LBC**

**COUNCIL OFFICES, 7 SOUTH STREET, ROCHFORD**

**PROPOSED REMOVAL OF AN EXISTING WINDOW AND  
REPLACEMENT WITH A SECURITY DOOR**

**APPLICANT: ROCHFORD DISTRICT COUNCIL,  
COUNCIL OFFICES, SOUTH STREET,  
ROCHFORD**

**ZONING: OFFICE/BUSINESS USE**

**PARISH: ROCHFORD PARISH COUNCIL**

**WARD: ROCHE SOUTH**

## **1 RECOMMENDATION**

- 1.1 It is proposed that the Minister for Housing, Communities and Local Government be advised that the Committee **RESOLVES**

That listed Building Consent be approved, subject to the following conditions:-

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of consent.

REASON: Required to be imposed pursuant to Section 18 Sub section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- (2) The development shall be undertaken in strict accordance with the following referenced plans and documents: Drawing reference(s) FRNT\_18.558\_200\_Proposed Block Plan and Location of Works Plan, FRNT\_18.558\_201\_Proposed and Existing Plans and Elevations

REASON: For the avoidance of doubt and to ensure that the development is completed in accordance with the details considered as part of the planning application.

- (3) Prior to the first installation of the door, details of its finished colour shall be submitted to the local planning authority for its written approval. The development shall be implemented with the agreed details.

REASON: To ensure that the colour finish of the door does not detract from the aesthetic of the listed building in compliance with policy DM1 Management

Plan adopted 16 December 2014 - DM1 and the provisions of the National Planning Policy Framework (July 2018) (Chapter 16 Conserving and Enhancing the Historic Environment) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **2 APPLICATION DETAILS**

- 2.1 The proposal relates to an aesthetical change to the rear elevation of a section of the Council building which forms part of Number 7 South Street which will involve the replacement of an existing window with a steel construction security door to provide access to a cashier area making service delivery and procedures more efficient. It is stated that the rear window is part of a recent addition to the building and does not form part of the original historic fabric. The application is for listed building consent which is submitted concurrently with a reciprocal application for planning permission. The Council cannot actually grant itself Listed Building Consent but must instead consider the application and advise the Minister for Housing, Communities and Local Government of its consideration who must then go on to make the final decision.
- 2.2 A schedule of the works is indicated to comprise the removal of brick work and associated skirtings below the existing window opening to form a full-height opening with the re-use of the bricks removed to create a door jamb and the insertion of the door making good all required areas.
- 2.3 The submitted plans indicate that the extent of the current opening is 1200mm in width which will be retained in the opening which will be increased vertically (from 1.4 m to 2.2 metres) by 600 mm to accommodate the door.

## **3 MATERIAL PLANNING CONSIDERATIONS**

### **Site and Context**

- 3.1 The proposed site sits on the east side of South Street, Rochford. The building itself is Grade II listed built of red brick under a red plain tiled roof incorporating left and right red brick chimney stacks. The listing description cites the building as "... having 2 bays extension to right. 2 storeys and attics. 2 segmental headed dormers. Parapet. 5:2 first floor small paned vertically sliding sash windows, gauged brick arches. 4:1 vertically sliding sash windows with horns to ground floor. Doorway central to original building. 6 panelled door, reveals, moulded surround with stepped keystone, moulded and dentilled open pediment on brackets. Carriageway to right of right extension with moulded jambs and lintel. "

- 3.2 The elevation to be altered is located adjacent to the covered walkway which serves the main entrance to the reception of the office block which is approached from South Street through the pedestrian underpass or alternatively from the rear car park area.

#### **4 SITE PLANNING HISTORY**

- 4.1 14/00025/LBC: Remove roof lights and install three windows to rear elevation: LBC granted.
- 4.2 95/00579/LBC: Replace 7 in number of vertical sliding sash windows (Anodised Aluminium) at first floor with white painted softwood side hung casement windows: LBC granted.

#### **5 CONSIDERATIONS**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a statutory responsibility on planning authorities to determine planning applications in accordance with the provisions of the Development Plan unless material planning considerations indicate otherwise.
- 5.2 A key strand of legislation is that of the provisions and guidance set out by the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out the consideration (when assessing an application for planning permission or listed building consent) of the desirability of preserving, on the grounds of its architectural or historic interest, any feature of the building consisting of a man-made object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged. This obligation, found in sections 16 and 66 of the 'Act' applies to all decisions concerning listed buildings. The relevant considerations are Sections 66 and 72 of the 1990 Act which in itself does not require the preservation of listed buildings or conservation areas *per se*, but rather it places a statutory duty on decision makers to ensure that their special interest is properly taken into account as material considerations when determining applications affecting their special interest, or the setting of listed buildings.
- 5.3 In addition the National Planning Policy Framework (July 2018) sets out the 'planning' context relating to 'conserving and enhancing the historic environment' which is covered by Chapter 16. The NPPF advice sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the assets assessed using appropriate expertise where necessary.

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- 5.4 It also indicates that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 5.5 In determining applications, local planning authorities should take account of:-
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.6 The advice sets out 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.
- 5.7 Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 5.8 The application expresses the view that this minor aesthetical change does not detract from the overall visual qualities and elements of the listed building and concludes that the proposal would not have any adverse effect on the application site and surrounding conservation area.
- 5.9 In considering this application in the context of the published guidance it is not considered that this material alteration detrimentally impacts upon the special interest of the building neither in terms of its historical or architectural interest since the features which justified its listing and those aspects which are particularly noted by the listing description are not considered affected. The proposal is therefore considered acceptable in planning policy terms.
- 5.10 The advice received from Essex County Council Place Services Historic Buildings and Conservation team is noted, which does not object to the material alteration, subject to either a pre-determination confirmation or alternatively a condition seeking certainty regarding the colour finish of the door. It is recommended that this aspect be covered by a condition to the grant of consent.

**6 CONSULTATIONS AND REPRESENTATIONS**

Essex County Council Place Services Historic Buildings Advice

- 6.1 No objection, subject to confirmation in writing pre-determination or a condition requiring details of the colour of the door to ensure it does not detract from the aesthetic of the listed building.

**7 SUMMARY AND CONCLUSIONS**

- 7.1 It is concluded that the works to the building which in terms of its extent is considered minimal will have no significant or indeed detrimental impacts on the architectural or historical interest of the building on the basis of which it is considered that the works are acceptable. The time limit for the undertaking of the works under the relevant section of the 'Act' relating to listed buildings is 5 years compared to the 3 year commencement limitation imposed by Section 91 of the 'Act' which applies to planning permissions.

**8 EQUALITY AND DIVERSITY IMPLICATIONS**

- 8.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.



Marcus Hotten  
Assistant Director, Environmental Services

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**Relevant Development Plan Policies and Proposals**

(National Planning Policy Framework (July 2018) Conserving and Enhancing the Historic Environment.

Planning (Listed Buildings and Conservation Areas) Act 1990.

Rochford District Council Local Development Framework Development Management Plan adopted 16 December 2014 - DM1

Rochford District Council Local Development Framework Evidence Base Rochford  
Conservation Area Appraisal (May 2007)

**Background Papers**

None.

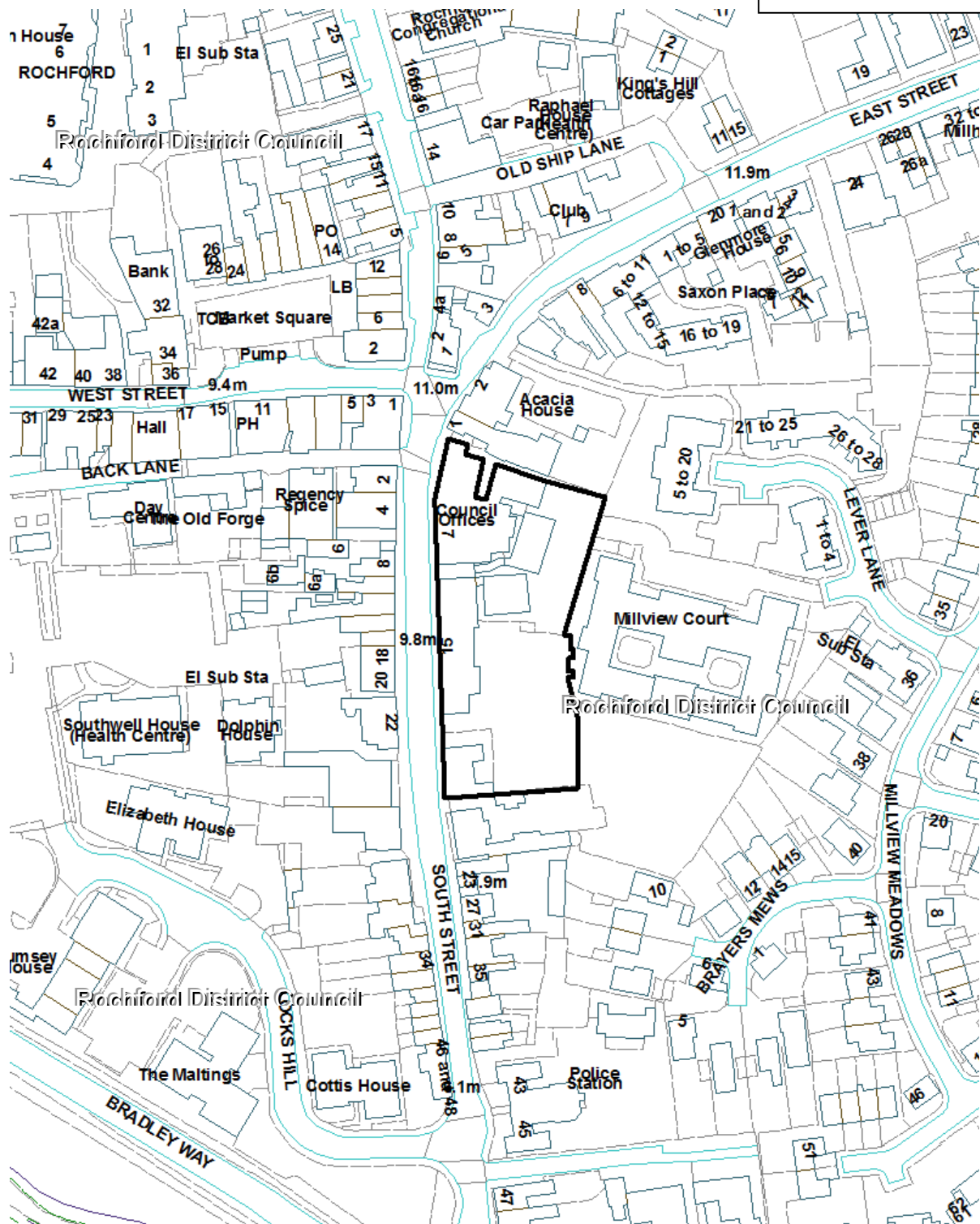
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