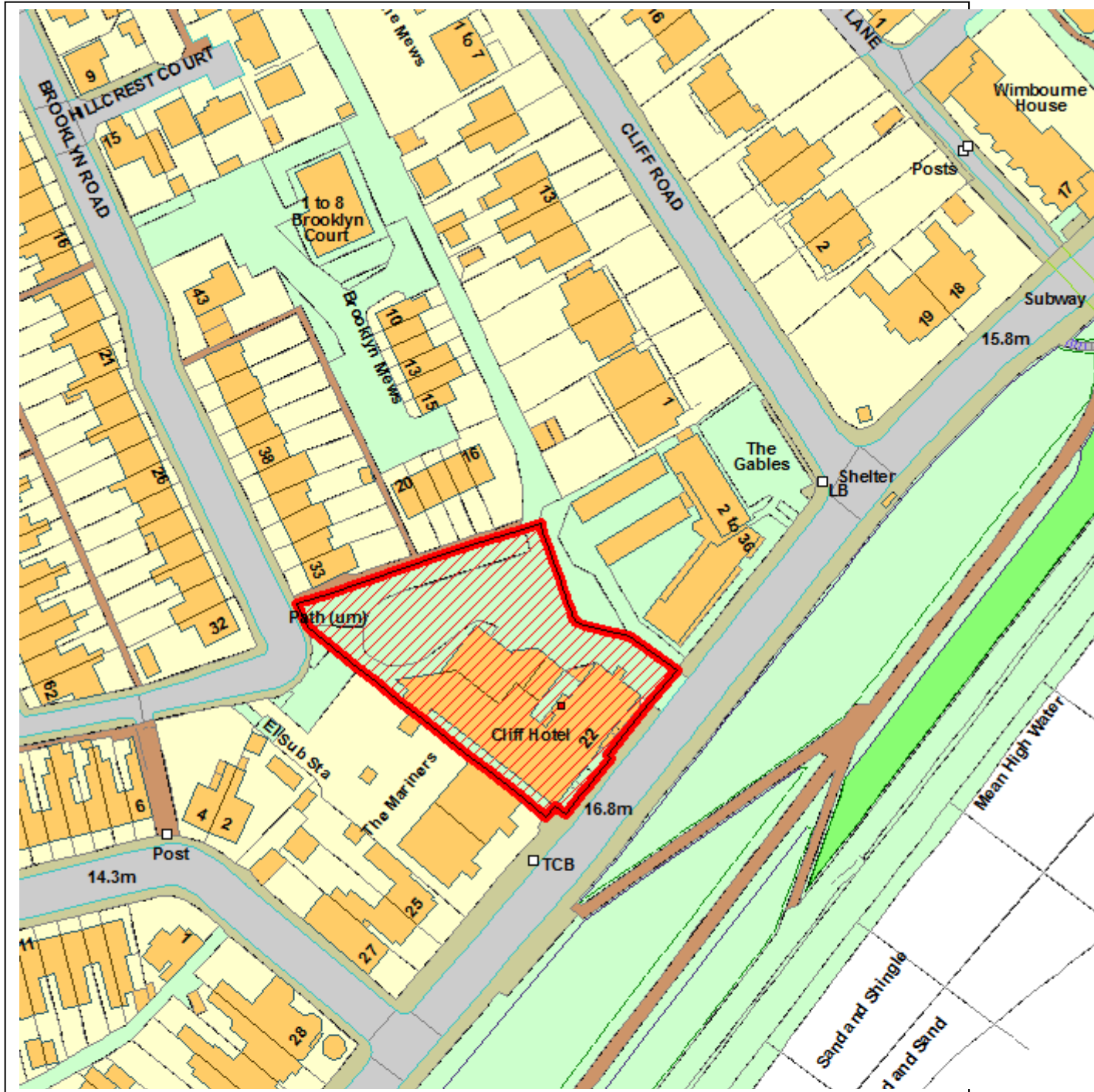


PLANNING COMMITTEE

15 January 2019

REPORT OF THE HEAD OF PLANNING

A.3 PLANNING APPLICATION - 17/01338/FUL - CLIFF HOTEL, 22 MARINE PARADE, DOVERCOURT, CO12 3RE



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Application:	17/01338/FUL	Town / Parish: Harwich Town Council
Applicant:	Mr Carl Richardson - Cliff Hotel Trading Company Ltd	
Address:	Cliff Hote,l 22 Marine Parade, Dovercourt, CO12 3RE	
Development:	Demolition of Cliff Hotel, function hall and ancillary outbuildings. Provision of a new 'Art Deco' style apartment block consisting of basement parking, 20 apartments and a bar/restaurant together with a 61 bed hotel to rear with ancillary parking.	

On 31st October 2017, the Planning Committee resolved to grant planning permission for the above development, subject to the completion of a S106 agreement and a series of planning conditions as set out below. 6 months was given to complete the S106 agreement, however, during this time a viability report was submitted and independently assessed. This concluded that the scheme generates a deficit and on this basis, the residualised land value would be negative and the scheme is therefore not viable.

The original report to the Planning Committee on 31st October 2017 is replicated below with the relevant updates indicated in bold, which are in relation to the outcome of the viability report and the new NPPF which came into force in July 2018.

1. Executive Summary

- 1.1 This is a full planning application seeking approval for the demolition of the Cliff Hotel and all ancillary buildings and erection of a new 'Art Deco' style apartment block consisting of 20 residential apartments and a 61 bed hotel. The proposed scheme provides a wider frontage to Marine Parade and the overall footprint of the new building extends further to the rear of the site than the existing structure. The application has been called into committee by Cllr Calver and due to the public interest shown in this application.
- 1.2 The application site measures 2.52 hectares and is located within the existing urban area of Dovercourt. It is in a location where new hotel and residential development would normally be supported.
- 1.3 The proposed development has attracted 64 objections from local residents although Harwich Town Council recommends support in principle for the development. Objections raised relate predominantly to highway impact, access and impact on existing residential amenity. However officers consider, in this case, that the proposed development does address these matters through careful design and layout and the scheme is recommended for approval **subject to a s106 agreement to secure an open space contribution and a contribution to the Park Pavilion.**

Recommendation: Approve

That the Head of Planning be authorised to grant planning permission for the development subject to:-

- a) ~~Within 6 (six) months of the date of the Committee's resolution to approve, the completion of a legal agreement under the provisions of section 106 of the Town and~~

Country Planning Act 1990 dealing with the following matters (where relevant):

- **Off-site open space/play equipment.**
- **Financial contribution to the Park Pavilion**

- b) Planning conditions in accordance with those set out in (i) below (but with such amendments and additions, if any, to the detailed wording thereof as the Head of Planning in her discretion considers appropriate).
- (i) Conditions:
1. Standard 3 year time limit;
 2. Highways conditions (as recommended by the Highway Authority);
 3. SUDS and drainage (surface water and foul drainage) conditions.
 4. Hard and soft landscaping plan/implementation;
 5. Ecological mitigation - wildlife/tree protection measures;
 6. Construction methods plan;
 7. Details of lighting, materials and refuse storage/collection points; and
 8. Archaeological investigation and report works, including historic building recording;
 9. Site lighting strategy, and;
 10. Broadband.
 11. Accordance with approved plans.
 12. Contaminated land.

2. **Planning Policy**

National Policy:

NPPF National Planning Policy Framework (2012)

- 2.1 The National Planning Policy Framework (**July 2018**) sets out the Government's planning policies and how these are expected to be applied at the local level.
- 2.2 Planning law requires that applications for planning permission be determined in accordance with the 'development plan' unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision taking. Where proposed development accords with an up to date Local Plan it should be approved and where it does not it should be refused – unless other material considerations indicate otherwise. An important material consideration is the NPPF's 'presumption in favour of sustainable development'. The NPPF defines 'sustainable development' as having three dimensions:
- an economic **objective**;
 - a social **objective**, and;
 - an environmental **objective**.
- 2.3 These **objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)**. Where relevant policies in Local Plans are either absent or out of date, **planning permission should be granted unless; the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would significantly**

and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

2.4 Section 5 of the NPPF relates to delivering a wide choice of quality new homes. It requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years worth of deliverable housing land against their projected housing requirements (plus a 5% or 20% buffer to ensure choice and competition in the market for land). If this is not possible, housing policies are to be considered out of date and the presumption in favour of sustainable development is engaged with applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

2.5 ~~Paragraph 187 of the NPPF states “Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area”.~~

2.6 Paragraph 127 of the NPPF makes the following statement in respect of design:

Planning policies and decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;***
- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;***
- c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);***
- d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;***
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and***
- f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.***

2.7 Paragraph 92 notes:

Planning policies and decisions should aim to achieve health, inclusive and safe places which:

- a) Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;***
- b) Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and***

c) Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

2.8 In respect of heritage assets, including locally listed buildings, paragraph 193 of the NPPF provides the following guidance:

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'.

Local Plan Policy:

2.9 Section 38(6) of the Planning Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the 'development plan' unless material considerations indicate otherwise. In the case of Tendring the development plan consist of the following:

Tendring District Local Plan (Adopted November 2007) – as 'saved' through a Direction from the Secretary of State. Relevant policies include:

QL1: Spatial Strategy: Directs most new development toward urban areas and seeks to concentrate development within settlement development boundaries. The policy defines Harwich and Dovercourt as a town.

QL2: Promoting Transport Choice: Requires developments to be located and designed to avoid reliance on the use of the private car.

QL3: Minimising and Managing Flood Risk: Seeks to direct development away from land at a high risk of flooding and requires a Flood Risk Assessment for developments in Flood Zone 1 on sites of 1 hectare or more.

QL9: Design of New Development: Provides general criteria against which the design of new development will be judged.

QL10: Designing New Development to Meet Functional Needs: Requires development to meet functional requirements relating to access, community safety and infrastructure provision.

QL11: Environmental Impacts: Requires new development to be compatible with its surrounding land uses and to minimise adverse environmental impacts.

QL12: Planning Obligations: States that the Council will use planning obligations to secure infrastructure to make developments acceptable, amongst other things.

ER7: Business, Industrial and Warehouse Proposals

Seeks to ensure proposals are compatible with locality, causes no unacceptable impact to amenity, ensure satisfactory access can be gained to premises.

ER16: Tourism and Leisure Uses

Seeks to ensure development is accessible, sufficient parking provision, no adverse impact on amenity.

ER24: Protection of Hotels and Guest Houses

Changes of use of hotels within the main coastal resorts will not be permitted unless it can be proven that the current land use is no longer viable.

ER25: New Hotels and Guesthouses

Supports proposals for new hotels, considers previous use of site, character of surrounding area, parking and highways, design implications.

HG1: Housing Provision

Sets out the strategy for delivering new homes to meet the need up to 2011.

HG3: Residential Development Within Defined Settlements

Supports appropriate residential developments within the settlement development boundaries of the district's towns and villages.

HG3a: Mixed Communities

Promotes a mix of housing types, sizes and tenures to meet the needs of all sectors of housing demand.

HG4: Affordable Housing in New Developments

Seeks up to 40% of dwellings on large housing sites to be secured as affordable housing for people who are unable to afford to buy or rent market housing.

HG6: Dwellings Size and Type

Requires a mix of housing types, sizes and tenures on developments of 10 or more dwellings.

HG7: Residential Densities

Requires residential developments to achieve an appropriate density. This policy refers to minimum densities from government guidance that have long since been superseded by the NPPF.

HG9: Private Amenity Space

Requires a minimum level of private amenity space (garden space) for new homes depending on how many bedrooms they have.

COM2: Community Safety

Requires developments to contribute toward a safe and secure environment and minimise the opportunities for crime and anti-social behaviour.

COM21: Light Pollution

Requires external lighting for new development to avoid unacceptable impacts on the landscape, wildlife or highway and pedestrian safety.

COM23: General Pollution

States that permission will be refused for developments that have a significant adverse effect through the release of pollutants.

COM26: Contributions to Education Provision

Requires residential developments of 12 or more dwellings to make a financial contribution, if necessary, toward the provision of additional school places.

COM29: Utilities

Seeks to ensure that new development on large sites is or can be supported by the necessary infrastructure.

COM31a: Sewerage and Sewage Disposal

Seeks to ensure that new development is able to deal with waste water and effluent.

EN6: Biodiversity

Requires existing biodiversity and geodiversity to be protected and enhanced with compensation measures put in place where development will cause harm.

EN12: Design and Access Statements

Requires Design and Access Statements to be submitted with most planning applications.

EN13: Sustainable Drainage Systems

Requires developments to incorporate sustainable drainage systems to manage surface water run-off.

EN29: Archaeology

Requires the archaeological value of a location to be assessed, recorded and, if necessary, safeguarded when considering development proposals.

TR1a: Development Affecting Highways

Requires developments affecting highways to aim to reduce and prevent hazards and inconvenience to traffic.

TR3a: Provision for Walking

Seeks to maximise opportunities to link development with existing footpaths and rights of way and provide convenient, safe attractive and direct routes for walking.

TR4: Safeguarding and Improving Public Rights of Way

Encourages opportunities to expand the public right of way network.

TR5: Provision for Cycling

Requires all major developments to provide appropriate facilities for cyclists.

TR6: Provision for Public Transport Use

Requires developments to make provision for bus and/or rail where transport assessment identifies a need.

TR7: Vehicle Parking at New Development

Refers to the adopted Essex County Council parking standards which will be applied to all non-residential development.

Tendring District Local Plan 2013-2033 and Beyond: Publication Draft June 2017

Relevant policies include:

SP1: Presumption in Favour of Sustainable Development

Follows the Planning Inspectorate's standard wording to ensure compliance with the NPPF.

SP4: Infrastructure and Connectivity

Requires the provision of infrastructure, services and facilities that are identified to serve the needs arising from new development.

SP5: Place Shaping Principles

Requires the highest standards of built and urban design and sets out the key principles that will apply to all new developments.

SPL1: Managing Growth

Identifies Harwich and Dovercourt as a town within a hierarchy of settlements designed to direct future growth to the most sustainable locations.

SPL2: Settlement Development Boundaries

Seeks to direct new development to sites within settlement development boundaries.

SPL3: Sustainable Design

Sets out the criteria against which the design of new development will be judged.

HP1: Improving Health and Wellbeing

Requires a Health Impact Assessment on all development sites deliver 50 or more dwellings and financial contributions towards new or enhanced health facilities where new housing development would result in a shortfall or worsening of health provision.

HP4: Open Space, Sports and Recreation Facilities

Requires new developments to contribute to the district's provision of playing pitches and outdoor sports facilities and also requires larger residential developments to provide land as open space with financial contributions toward off-site provision required from smaller sites.

LP1: Housing Supply

Sets out the broad location of where new housing is proposed to be built to over the next 15-20 years to meet objectively assessed needs.

LP2: Housing Choice

Promotes a range of house size, type and tenure on large housing developments to reflect the projected needs of the housing market.

LP3: Housing Density

Policy requires the density of new housing development to reflect accessibility to local services, minimum floor space requirements, the need for a mix of housing, the character of surrounding development and on-site infrastructure requirements.

LP4: Housing Layout

Policy seeks to ensure large housing developments achieve a layout that, amongst other requirements, promotes health and wellbeing; minimises opportunities for crime and anti-social behaviour; ensures safe movement for large vehicles including emergency services and waste collection; and ensures sufficient off-street parking.

LP5: Affordable and Council Housing

Requires up to 30% of new homes on large development sites to be made available to the Council or a nominated partner, at a discounted price, for use as Affordable Housing or Council Housing.

PP8: Tourism

Supports economic growth in tourism.

PP9: Hotels and Guesthouses

Supports proposals for new hotels and guesthouses. Change of use or redevelopment to non-hotel use is not supported.

PP12: Improving Education and Skills

Requires the impacts of development on education provision to be addressed at a developer's costs and also requires applicants to enter into an Employment and Skills Charter or Local Labour Agreement to ensure local contractors are employed to implement the development and that any temporary or permanent employment vacancies (including apprenticeships) are advertised through agreed channels.

PPL1: Development and Flood Risk

Seeks to direct development away from land at a high risk of flooding and requires a Flood Risk Assessment for developments in Flood Zone 1 on sites of 1 hectare or more.

PPL4: Biodiversity and Geodiversity

Requires existing biodiversity and geodiversity to be protected and enhanced with compensation measures put in place where development will cause harm.

PPL5: Water Conservation, Drainage and Sewerage

Requires developments to incorporate sustainable drainage systems to manage surface water run-off and ensure that new development is able to deal with waste water and effluent.

PPL7: Archaeology

Where developments might affect archaeological remains, this policy requires proper surveys, investigation and recording to be undertaken.

CP1: Sustainable Transport and Accessibility

Requires the transport implications of development to be considered and appropriately addressed.

CP3: Improving the Telecommunications Network

Requires new development to be served by a superfast broadband (fibre optic) connection installed on an open access basis and that can be directly accessed from the nearest British Telecom exchange and threaded through resistant tubing to enable easy access for future repair, replacement or upgrading.

Other Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The ‘development plan’ for Tendring is the 2007 ‘adopted’ Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector’s initial findings were published in June 2018. They raise concerns, very specifically, about the three ‘Garden Communities’ proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector’s concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years’ worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for

development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

3. Relevant Planning History

02/00428/FUL	Two-storey extension to provide 14 guest bedrooms	Approved	20.06.2002
05/01235/FUL	Erection of 8 self contained flats	Withdrawn	08.09.2005
06/01150/FUL	Erection of 7 self contained flats	Withdrawn	31.07.2006
17/01338/FUL	Demolition of Cliff Hotel, function hall and ancillary outbuildings. Provision of a new 'Art Deco' style apartment block consisting of basement parking, 20 apartments and a bar/restaurant together with a 61 bed hotel to rear with ancillary parking.	Current	

4. Consultations

Arch. Liaison Off, Essex Police	Satisfied that proposed design that the relevant considerations of Sections 58 & 69 of the NPPF have been appropriately addressed.
Essex County Council Archaeology	Request submission of Heritage Statement as existing building is of local significance. The building is a late Victorian purpose built seaside hotel with later additions. Recommended that if approved a condition securing a programme of historic building recording is required.
Building Control and Access Officer	No adverse comments at this time.
Regeneration	The Regeneration Team fully supports this application which will see the redevelopment of this redundant hotel into a new 61 bedroom hotel, (giving the site an additional 34 bedrooms) a bar and restaurant and 20 apartments. It is envisaged that the development would also create up to 34 new full and part time jobs.
Waste Management	Communal bin storage areas should be constructed with secure access doors with access on level hard standing ground with vehicular access.
Tree & Landscape Officer	The application site is not well populated with trees although there are a few Sycamores on the perimeter of the land that have some visual amenity value.

Taking into account the historical use of the land as a car park and the propensity of Sycamore to self-seed it is likely that the trees on the land have germinated and become established along the perimeter fence lines from wind blown seeds.

Nevertheless the single specimen Sycamore shown in the proposed car park close to the north eastern corner is in reasonable condition and has a softening impact of the appearance of the area.

There are also two other Sycamores, just 'off-site', by the 'dog-leg' along the same north eastern boundary. These two trees are also reasonable specimens

The trees that are situated on the northern boundary also provide a pleasant softening effect on the surrounding.

In terms of the desire to achieve a well designed car park area with an appropriate level of soft landscape it would not be unreasonable to take a practical view on the amenity value of the trees on the land. Whilst it would be desirable for them to be retained they are not of such quality that they should unduly shape the layout of the car park.

In this respect it is possible that a well-designed car park with new tree and shrub planting would be the best way to secure the maximum amount of soft landscaping for the site and consequently provide the greatest benefit in terms of the visual amenity value of the locality

Should planning permission be granted then a condition should be attached to secure details of tree retention (where appropriate) and soft landscaping to both soften, screen and enhance the appearance of the development.

ECC Highways Dept

Whilst it is recognised the parking provision for this scheme does not accord with the current policy standards, the site is in close proximity to public transport routes, and a range of services within walking distance.

This Authority has assessed the highway and transportation impact of the proposal and does not wish to raise an objection to the above application subject to the following:

' Prior to occupation of the development the vehicular parking and turning facility, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council

Supplementary Guidance in February 2011.

' Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the highway.

Reason: To enable vehicles using the access to stand clear of the highway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent highway in the interest of safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' The cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times.

Reason: To ensure appropriate bicycle parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

INF01 Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ.

INF02 Cost of Works - The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority

against such compensation claims a cash deposit or bond may be required.

INF03 - Site Workers - Steps should be taken to ensure that the Developer provides sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

ECC Schools Service

Confirm no education contributions required.

ECC SuDS Consultee

Initial objection on grounds that no surface water drainage strategy has been submitted. At the time of writing this information has now been provided by the applicant and the response from the Lead Local Flood Authority awaited. The Committee will be provided with an update.

UU - Open Space Consultation

Require financial contribution towards improvements in play equipment to Cliff park.

5. Representations

- 5.1 Harwich Town Council have no objection to the application so long as all of the national and local planning policies and protocols are met in terms of height, density and parking availability, and that particular attention is paid to ensuring there is no increased risk of surface water flooding in the Brooklyn Road area as a result of the nature of the development. Furthermore, Harwich Town Council believes that should approval be given, either to the proposed development or an amended form of the proposed development, a condition should be included to prohibit use of the new vehicular access onto Brooklyn Road to anything other than the emergency services and refuse collection vehicles. In the opinion of The Council, the refuse collection area should be screened and include a wash-down facility. The Council also requests that the Development Management Plan includes a provision under which all vehicles involved in the demolition and building access the site through the existing vehicular access onto Marine Parade. HTC requests that this application is determined by the Planning Committee and not by Officers using delegated authority.
- 4.2 The Harwich Society supports the art deco design but raised concern in relation to inadequate parking and impacts on Brooklyn Road.
- 4.3 **65** letters of representation received raising the following Issues:
- Overdevelopment of the site
 - Overbearing impact
 - Visually intrusive
 - Loss of amenity and privacy
 - Access and parking issues associated with site access, impact on Brooklyn Road, impact on neighbouring vehicular access.
 - New building set too close to 'The Mariners'
 - Surface water drainage issues
 - **When the Mariners' planning permission was approved, some 20 years ago, the building line was forced back to match that of 25 and 26 Marine Parade.**
 - **Lack of parking**
 - **The proposal is for an art deco style frontage which is inconsistent with any other building in Marine Parade or nearby Dovercourt.**

6. Assessment

6.1 The main planning considerations are:

- Location and Site
- Proposed Scheme
- Policy Issues
- Issues raised in representations

Location and Site

6.2 The existing site is occupied by the Cliff Hotel a five storey Victorian Hotel with existing vehicular access from Marine Parade and pedestrian access to Brooklyn Road to the rear of the site. The main car park area is also provided to the rear of the property. The locality is predominantly residential in character with apartment developments (The Mariners and The Gables) set on either side of the application site. The application site measures 2.52 hectares in area and as noted by the landscape officer has a number of self-seeded trees set to the rear of the site.

6.3 The site is located in close proximity to Harwich town centre and is located within the main Dovercourt seafront area. The site is close to both regular bus and train services and close to a range of local services. The site is located within the existing settlement development boundary.

Proposed Development

6.4 The existing building is of late Victorian design and is considered by the applicant to be in poor repair no longer being fit for purpose and an alternative concept for the site is therefore proposed. The proposed design consists of an 'Art Deco' style design of similar height to the existing building. The design 'borrows' some of the original Cliff Hotel features including horizontal decorative banding and balconies, with 20 two bed apartments located to the front of the new building. To the rear a 61 bed hotel will be established. One parking space per apartment is proposed along with additional parking for hotel guests. The level provided is considered acceptable to the Highway Authority taking into account the location of the premises close to public transport facilities.

6.5 The front part of the building facing onto Marine Parade forms the highest part of the new building and rises in a series of tiers to eventually form a central tower. The building is then stepped down towards the rear of the new building. Window openings have been positioned in a manner which does not cause overlooking to adjacent property. Proposed materials include white render finish to the main walls, powder coated aluminium double glazed windows, balustrades consisting of Grey/Green toughened glass (with similar privacy screens). A slate grey single ply membrane is proposed as the roof finish. The design is attractive and would enhance the existing appearance of the locality.

6.6 The footprint of the new building is in fact set further back from the highway than the existing which actually increases the outlook from the adjoining apartment blocks. Vehicular access will be provided to the north east side of the building leading to undercroft parking space for the apartments and hotel use. A total of 57 parking spaces will be provided which is an increase of 39 spaces compared to existing parking provision. Lift and stairways lead from the car park to upper levels. Access will be provided from Brooklyn Road but this will be restricted to delivery vehicles only. The upper ground floor of the new building includes a new restaurant bar which will be open to the public as well as hotel residents. Alongside the restaurant, apartments are provided, overlooking Marine Parade. The hotel accommodation is entirely separate and located to the rear of the restaurant and apartment areas. This is then repeated on floors above. The building steps down from six floors at the front to just four floors to the rear of the building taking into

account the slight slope of the site and the proximity to adjoining property. The overall design concept is considered appropriate to this locality and would become a landmark design within the street frontage.

- 6.7 It is proposed that the new development will employ a total of 34 employees working either within the new hotel or restaurant.

Planning Policy and Assessment

- 6.8 In relation to planning policy the scheme is considered to comply with the NPPF which seeks to promote sustainable design and transport.
- 6.9 The adopted Local Plan, policy QL1 directs most new development to the larger urban areas of the district including Harwich and Dovercourt. The principle of providing both a new hotel facility and additional housing is therefore acceptable both in terms of the existing and emerging Local Plan policy and is also consistent with the National Planning Policy Framework in terms of the location for sustainable development.
- 6.10 In respect of policy specific to tourism and hotel provision the following policies are relevant: Policy ER16 sets out criteria for new leisure and tourism development in general. The main requirements are a) that it is accessible; b) there is suitable vehicular access and public transport access; c) there is no undue disturbance by reason of noise; d) no adverse impact on agricultural holdings or irreversible loss of high quality agricultural land and where appropriate results in improvement to damaged land or despoiled landscapes. Policy ER24 seeks to protect existing hotels from changes of use unless existing sites are found unviable. Policy ER25 is supportive of new hotel and guesthouse provision. Similarly policy PP9 of the Publication Draft Plan also supports new hotel provision but does suggest that part changes of use perhaps should not be supported.
- 6.11 In this case the existing hotel is in poor structural repair and in terms of its design and layout does not reflect the requirements of the present day in terms of hotel provision. Although accepting it is considered a building of 'local interest', the building is not listed nor within a conservation area. The poor condition of the building is considered to detract from the appearance of the locality and is considered beyond economic repair. Although there will be an element of residential use within the new building this plays a role as enabling development for the scheme and is considered acceptable in the context of this site. Although acknowledging the historic role played by the hotel over many years replacement with a well-designed new building is considered acceptable in principle and therefore conforms with adopted and emerging Local Plan policy.
- 6.12 In normal circumstances the proposal for 20 apartments would generate an affordable housing contribution. In this case the applicant considers that the cost of demolition and necessary site remedial works make the scheme unviable with an affordable housing element included. ~~The applicant has indicated that they may be able to make an alternative financial contribution through s106 towards the Park Pavilion. A viability assessment has been submitted to the Council and is currently being assessed. Members will be updated at committee in respect to the outcome of this assessment. If it is concluded that the viability assessment is accurate then an affordable contribution will not be sought but a financial contribution secured towards the Park Pavilion.~~ The viability report submitted by the applicant has been independently assessed. This concluded that the scheme generates a deficit and on this basis, the residualised land value would be negative and the scheme is therefore not viable. On the 31st October 2017 the Planning Committee resolved to grant planning permission for the proposal subject to a S106 agreement to secure a financial contribution towards off-site open space/play equipment and a financial contribution to the Park

Pavilion. Given the outcome of the viability report it is Officer's view that no financial contributions should be sort.

- 6.13 An objection has been raised by the Lead Local Flood Authority on grounds that no surface water drainage strategy has been submitted. The applicant has now submitted this information and a final response is awaited from the County Council. This will be reported to Committee.

Issues raised in representations

- 6.14 The comments of the Town Council are noted – although accepting the development in principle they have raised concern with regard to the use of Brooklyn Road for non-emergency vehicles. This issue has also been raised by some local residents. The rear access from Brooklyn Road is proposed for use by delivery vehicles only and is not to be used by residents or hotel guests. The Highway Authority have not raised objection to the proposed access points or to the level of parking proposed. It would not therefore be reasonable to consider refusal of the scheme on grounds of access or car parking.
- 6.15 In terms of the design, scale and massing of the new building and the impact on adjoining property, although accepting that the footprint of the new building is larger than existing it will be set further back from Marine Parade than the existing building and will improve outlook from adjoining property to the street frontage. The rear part of the building which extends into the current car park area is set further into the site away from the south boundary than the existing building – the new building is set some 4.5 metres in from the southern boundary. Some hotel windows are located to the south elevation but only have an oblique view of the rear face of the adjoining apartment block - The Mariners. Impact on existing amenity is not compromised by this arrangement. The north facing elevation is set some 27 metres from other property located to the north and again existing amenity is maintained.
- 6.16 In conclusion the proposed scheme is considered to present a well-designed development which makes effective use of the site area. It results in provision of additional housing assisting with housing supply and will retain a large part of the site in hotel use. The proposed scheme is considered to comply with planning policy and is recommended for approval.

Background Papers

None.