

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	15/01/2019
Planning Development Manager authorisation:	SCE	16.01.19
Admin checks / despatch completed	RL	17/1/19

Application: 18/01821/LBC **Town / Parish:** Harwich Town Council
Applicant: Mrs Amanda Bostock
Address: 1 Old Customs Houses West Street Harwich
Development: Replace three front windows.

1. Town / Parish Council

Harwich Town Council Harwich Town Council has no objection to this application.

2. Consultation Responses

Not Applicable

3. Planning History

18/01821/LBC Replace three front windows. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN22 Extensions or Alterations to a Listed Building

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

PPL9 Listed Buildings

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is 1 Old Customs Houses, West Street, Harwich which is a north easterly facing terraced Grade II Listed Building. The site lies within Harwich Conservation Area, Flood Zone 3 and falls within the Settlement Development Boundary of Harwich within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft. The listing for this property is as follows;

Two houses, former customs house. Early C19 and possibly earlier. Red Flemish-bond brickwork with Gault brick dressings. Roof of clay plain tiles, gabled at SE and hipped to NW. 2 storeys with attics and cellars. Symmetrical handed pair with 2 flat-roofed dormers behind parapet.

EXTERIOR: front has 4-window range of recessed double-hung sash windows with small panes, the central part, with 2 windows breaking forward slightly. All windows have flat rubbed brick arches and elongated brick keystones which, on first floor, link with projecting string band below parapet. Ground floor has 2 similar windows in other parts of facade and 2 recessed entrances with keystones above and tall contemporary doors with 6 raised-and-fielded panels above 2 flush panels.

Raised platform in front of doors, 2 lateral stair flights of 4 stone steps and simple cast-and wrought-iron handrails. High tarred plinth with moulded top.

North-west flank has similar detail and 3 similar windows with keystones and C19 red brick, 2-storey lean-to block with Welsh slate roof and 2 unequally subdivided horizontally sliding casements under segmental-arched heads. 3 small irregularly placed stacks and 2 rooflights in NW roof face.

INTERIOR: No. 2 has 2 very large bridging joists and small floor joists possibly predating front.

Proposal

The application seeks planning permission to replace three front windows.

Appraisal

Paragraph 189 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is retained by draft Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Paragraph 196 of the Framework adds 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 securing its optimum viable use.

The result of the proposal would see the existing three front elevation windows removed and replaced with a window. As stated in the supporting statement, the timber frames including the cills are completely rotten. The proposed windows will have the same detailing as the existing windows, introducing a 25 mm glazing bar with 12 mm heritage glass. The proposed changes are to the front of the listed building and are considered to preserve and enhance the historic character of the building as well as being a visual improvement. Therefore, having regard to the aims of the NPPF and local plan policies, the proposed replacement windows will sustain and enhance the significance of the heritage asset. The development is acceptable in design terms using timber, heritage glass and glazing bars resulting in little visual or street scene impact. The development will preserve the character and historic integrity of the listed building whilst making a positive contribution to the overall tidiness of the building.

Conclusion

It is considered that the proposal will not result in any adverse impact on the character, appearance and historic fabric of the listed building or the setting of the Conservation Area. The application is therefore recommended for approval.

6. Recommendation

Approval - Listed Building Consent

7. Conditions / Reasons for Refusal

- 1 The works hereby permitted shall begin before the expiration of three years from 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 the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Existing and Proposed Glazing Bar scanned 31st October 2018 and Proposed Timber Replacement Scale 1:20.

Reason - For the avoidance of doubt and in the interests of proper planning.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

The above hereby notified shall remain in effect for the period of three years from the date of the consent.

Consent - To comply with the requirements in section 10(1) of the Planning (Listed Buildings and Conservation Areas) Act 1967, as amended by the Planning and Listed Buildings Act 2004.

The above consent is hereby granted on the condition that the applicant shall comply with the following conditions:
 1. The applicant shall submit a detailed design statement to the Council for their consideration.
 2. The applicant shall submit a detailed design statement to the Council for their consideration.
 3. The applicant shall submit a detailed design statement to the Council for their consideration.

Consent - To comply with the requirements in section 10(1) of the Planning (Listed Buildings and Conservation Areas) Act 1967, as amended by the Planning and Listed Buildings Act 2004.

The Local Planning Authority has granted consent on the condition that the applicant shall comply with the following conditions:
 1. The applicant shall submit a detailed design statement to the Council for their consideration.
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 3. The applicant shall submit a detailed design statement to the Council for their consideration.

<p>40</p>	<p>Are there any other parties to be notified of the decision? If so please specify:</p>
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