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Our Ref: 19/00583/COUNOT

6 June 2019

Dear Sir/Madam

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2016

APPLICATION NO: 19/00583/COUNOT
PROPOSAL: Proposed change of use from part retail to part residential.
LOCATION: 7 Central House High Street Harwich Essex

Thank you for your notification on the above matter which was received on 11 April 2019 and made valid on 11 April 2019 and was allocated the reference **19/00583/COUNOT**.

I can now advise you that this proposal **requires prior approval** of the Local Planning Authority.

Determination by the Local Planning Authority that the prior approval of the authority is required as it fails to meet the conditions set out in Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Tendring District Council hereby refuse prior approval for the development proposed in the above-mentioned application for the following reasons:

- 1 National Planning Policy Framework 2019 Paragraph 85 states the local planning authorities should; Recognise town centres as the heart of their communities and pursue policies to support their viability and vitality; Retain and enhance existing markets and, where appropriate, re-introduce or create new ones; Promote competitive town centres that provide customer choice and diverse retail offer and which reflect the individuality of town centres and; Recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites.

The adopted Tendring District Local Plan (2007) categorises Harwich as a Town being one of the districts main urban areas with the emerging Tendring District Local Plan 2013-2033 Publication Draft (2017) categorising Harwich as a Strategic Urban Settlement. Furthermore, the site is within the Town Centre Boundary and Primary Shopping Frontage for the area as defined in both the adopted and emerging local plans. Policy ER31 of the Tendring District Local Plan 2007 states that development proposals which adversely affect the vitality, viability and the urban or rural regenerations objectives associated with each centre will not be permitted. Furthermore, Policy PP2 of the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft highlights this location as a key



location that can be resilient to future economic changes. Furthermore, ER33 states that within Primary Shopping Frontages non-retail uses will not be permitted at the ground floor level.

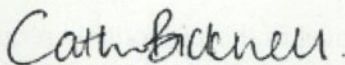
The application fails to satisfactorily demonstrate that there is no reasonable prospect of the building being used to provide A1 or A2 services or other commercial uses or leisure uses failing condition (d) (i). Full details of the marketing campaign and interest have not been provided. Both the agent and marketing agent state that smaller units would be viable but yet there is no indication that this has been explored through the marketing campaign. For example, the unit has the potential to be divided into 2 or 3 smaller units and marketed for both A1 and A2 uses.

The site adjoins existing residential properties to its rear but the commercial units along the High Street and the defined Protected Shopping Frontage continues to the west. The proposal results in the permanent loss of a ground floor commercial premises within a defined centre and key shopping area, setting an undesirable precedent for other units within the protected area to be lost, contributing to the erosion of the High Street therefore having a negative impact upon its sustainability failing condition (d) (ii).

It must therefore be concluded that it is undesirable for the building to change use to Class C3 dwelling under Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 therefore failing Conditions (d) (i) and (ii).

If you require any clarification on this matter or further information, please contact the case officer Amy Lang on 686150.

Yours faithfully



Catherine Bicknell
Head of Planning