

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	26/06/19
Planning Development Manager authorisation:	AN	8/7/19
Admin checks / despatch completed	SB	09/07/19

Application: 19/00607/LBC **Town / Parish:** Harwich Town Council

Applicant: Mr Nick May

Address: 26 Kings Head Street Harwich Essex

Development: Retrospective consent for the removal of modern wall and ceiling finishes added to the older fabric of the interior.

1. Town / Parish Council

Harwich Town Council

Harwich Town Council has no objection however the council, whilst appreciative of the positive benefits this project may bring to the town, concerns are raised over another retrospective application being submitted.

2. Consultation Responses

Historic England

Thank you for your letter of regarding further information on the above application for listed building consent. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Essex County Council
Heritage

The application is for retrospective consent for the removal of modern wall and ceiling finishes added to the older fabric of the interior. The building is Grade II* listed (List Entry ID:1281089) and located in a conservation area.

The Listing description states:

House and frontage wall to SE. Early and late C16. timber-framed and rendered with gabled plain clay tile roof. 2 storeys with attics with 2-storey extensions of rear and SE flank. EXTERIOR: gabled front elevation has 2-light casement to attic, double-hung sash window with 2 vertical glazing bars to first floor and entrance with moulded surround and 6-panel door. Southern flank extension has richly moulded frieze window on 3 exposed sides above a lean-to machine-made clay plain tile roof and C19 double-hung sash window in former door opening. This is linked to a high, ancient, knapped flint front boundary wall also linking to No.27 (qv). The rear of this wall reveals rubble construction. INTERIOR: 2-bay high quality timber-frame, at right-angles to street with spine beam in rear bay. Probably originally jettied to street. All posts are jowled and principal timbers are flat-

chamfered with plain stops. A crown post with straightish arch braces has been reused to support ceiling on first floor. Door of elaborate linenfold panelling is now on ground floor. Until recently a brick spiral staircase (as part of stack) existed behind rear of C16 wing. 2-storey rear extension probably of C18 with gabled clay plain tile roof and reused timber. The small southern flank extension is of considerable interest and is a box-like structure, windowed on the 3 sides of upper floor. Elaborate moulded 'cornice' at front and rear eaves and joisted ceiling beneath roof. West front elevation (now concealed) has 2 short ogee-profile wall braces to a central stud below the window sill. Cross-wing may have formed part of a single dwelling with The Alma Inn (qv), to the NW. (RCHME: Essex NE: London: 1922-: 136 (22)). I have no objection to this application. I understand no further strip-out work, to that already undertaken which are detailed in this application, will be undertaken.

3. Planning History

91/00795/CON	Demolition of outhouse.	Approved	14.08.1991
98/00027/FUL	() Part demolition of boundary walls to Eastgate Street and adjoining property, reconstruction of boundary wall to incorporate folding door, adjustment of vehicular access. Replace existing gates to beer garden.	Approved	31.03.1998
98/00028/LBC	() Part demolition of boundary walls to Eastgate Street and adjoining property, reconstruction of boundary wall to incorporate folding door, adjustment of vehicular access. Replace existing gates to beer garden	Approved	31.03.1998
95/00224/LBC	Conservatory addition	Approved	06.06.1995
19/00607/LBC	Retrospective consent for the removal of modern wall and ceiling finishes added to the older fabric of the interior.	Current	

4. Relevant Policies / Government Guidance

National Planning Policy Framework
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 (2019) 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 26 Kings Head Street, which is a south west facing Grade II* Listed Building and is also being used in conjunction with the adjacent 'Alma' public house which is a Grade II Listed Building.

26 Kings Head Street Listing is as follows:

House and frontage wall to SE. Early and late C16.

timber-framed and rendered with gabled plain clay tile roof. 2 storeys with attics with 2-storey extensions of rear and SE flank.

EXTERIOR: gabled front elevation has 2-light casement to attic, double-hung sash window with 2 vertical glazing bars to first floor and entrance with moulded surround and 6-panel door. Southern flank extension has richly moulded frieze window on 3 exposed sides above a lean-to machine-made clay plain tile roof and C19 double-hung sash window in former door opening. This is linked to a high, ancient, knapped flint front boundary wall also linking to No. 27 (qv). The rear of this wall reveals rubble construction.

INTERIOR: 2-bay high quality timber frame, at right-angles to street with spine beam in rear bay. Probably originally jettied to street. All posts are jowled and principal timbers are flat-chamfered with plain stops. A crown post with straightish arch braces has been reused to support ceiling on first floor. Door of elaborate linenfold panelling is now on ground floor. Until recently a brick spiral staircase (as part of stack) existed behind rear of C16 wing. 2-storey rear extension probably of C18 with gabled clay plain tile roof and reused timber.

The small southern flank extension is of considerable interest and is a box-like structure, windowed on the 3 side of upper floor. Elaborate moulded 'cornice' at front and rear eaves and joisted ceiling beneath roof. West front elevation (now concealed) has 2 short ogee-profile wall braces to a

central stud below the window sill. Cross-wing may have formed part of a single dwelling with The Alma Inn (qv), to the NW. (RCHME: Essex NE: London: 1922-: 136 (22))

The Alma Listing is as follows:

Public House, early to mid C16 and C19. Timber framed and pebbledashed with clay plain tile roofs.

EXTERIOR: 2 storeys with attics. Front has timber parapet and, on first floor a tripartite and canted oriel bay window with double-hung sash windows with small square panes. Ground floor is of 5 bays with pilaster piers, a double door, 2 single doors and 2 bays of windows. Stallrisers and lower part of doors have raised-and-fielded panels. Continuous fascia between console stops. All window and door glass is etched. Rear elevation to yard has black glazed pantiles and flat-roofed dormer. Here frame is exposed showing C16 original brick nogging infill and 2 frieze windows of moulded mullions. Short bay to the NW has black tarred weatherboarding. Rear ground floor has part Welsh slate, part patent glazed single-storey extension.

To the rear at right angles is a 2-storey timber-framed extension linking with Eastgate Street range (qv). This is rendered with Welsh slate roof and C19 double-hung sash windows with small panes. Large stack penetrates roof and ground floor is recessed to allow through route.

INTERIOR: main block is 2 bays of elaborately moulded timber-framing some exposed. Moulded bridging joists and spine beams, formerly jettied to street. Upper floor has jowled post and part of central tie beam exposed with mortice for missing tie beam brace. North wall has remains of contemporary stack, hearth now forming cupboard with reused mantel beams. Framing in NW wall appears 'open'. Roof rebuilt and some suggestions for the loss of a 3rd wall.

Proposal

This application seeks retrospective listed building consent for the removal of the modern wall and ceiling finishes added to the older fabric of the interior.

Assessment

The only consideration as part of this application is the above mentioned amendments on the character, appearance and historic fabric of the listed building.

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.

Policy EN22 of the Saved Plan states that development involving proposals to extend or alter a Listed Building will only be permitted where; it would not result in the damage or loss of features of special architectural or historic interest; and the special character and appearance or setting of the building would be preserved or enhanced. These requirements are carried forward to Policy PPL9 of the Emerging Publication Draft (June 2017) which also requires the use of building materials, finishes and building techniques that respect the listed building and its setting.

Number 26 King Street is currently vacant and any works undertaken will be considered to be a positive contribution to the local area.

The Councils Historic Environment consultant has been consulted on this application and has stated that there is no objection to the works that have been undertaken as long as there is no further strip out works to that which have already been undertaken within this application. It is therefore considered that the proposed works have not caused any harm to the historic fabric or character of the Listed Building, and the proposal is therefore acceptable against this criteria.

Other Considerations

Harwich Town Council has no objection however the council whilst appreciative of the positive benefits this project may bring to the town, concerns are raised over another retrospective application being submitted.

4 letters of objection have been received and raise the following concerns;

1. Second retrospective application by the owner showing disregard to the process of applying for planning permission
2. No change of use has been applied for
3. Damage to a Grade II* listing building
4. Impact upon the Conservation Area
5. Amenity issues – in particular overlooking/overhearing
6. No 26 – is a dwelling and is suitable for its original use

In response to the concerns above, the officer undertook a site visit with the Historic consultant from Essex County Council to assess the works noted within this application. As mentioned in the report above, the consultant had no objections to the works. The applicant has been made aware that a change of use application will be required for the works proposed. It is considered that there will be no impact on the Conservation Area as the proposed works are internal only.

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. The application is therefore recommended for approval.

6. Recommendation

Approval – Listed Building Consent

7. Conditions / Reasons for Refusal

- 1 The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing No. 747/18/SYIA Ground Floor Plan Existing, Drawing No. 747/18/SY2A First Floor Plan Existing, Drawing No. 747/18/SY3A Second Floor Plan Existing

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

Are there any third parties to be informed of the decision? If so, please specify:	YES	NO