

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	18 th May
Planning Development Manager authorisation:	AN	18/05/2020
Admin checks / despatch completed	CC	18/05/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	18/05/2020

Application: 20/00271/LBC **Town / Parish:** Harwich Town Council

Applicant: Mr Young

Address: 31 Kings Quay Street Harwich Essex

Development: Installation of internal walls to create en-suite bathroom, replacement of existing window and installation of ventilation ductwork to go through existing brickwork.

1. Town / Parish Council

No comments received.

2. Consultation Responses

Essex County Council Heritage Notwithstanding the harm caused to the designated heritage asset through previous schemes, I support this application subject to conditions.

3. Planning History

19/01439/LBC	Retention of internal alterations to basement to add additional en-suite bedroom and refurbishment to kitchen on ground floor.	Approved	03.01.2020
20/00271/LBC	Installation of internal walls to create en-suite bathroom, replacement of existing window and installation of ventilation ductwork to go through existing brickwork.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

EN23 Development Within the Proximity of a Listed Building

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

SPL3 Sustainable Design

PPL9 Listed Buildings

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

31 & 32 Kings Quay Street is a Grade II Listed Building lying within the Harwich Conservation Area. The wider group of properties comprise former sea captain's group of Georgian properties with big bow fronted windows; the larger of these fine properties is Esplanade House, with green paintwork and High House, of yellow brick above a stuccoed ground floor with excellent Regency ironwork.

Detailed records remain showing that 31 & 32 Kings Quay Street was 'substantially rebuilt and improved' as a single dwelling in 1808/1809. In 1812 the house was sold and then split into two houses, and remained that way for the next 177 years.

Proposal

The proposal is to convert the basement into an en-suite guestroom. The main modifications required are:-

- Replastering of the internal aspect of external walls using a Limelite High Impact Finishing Plaster to allow breathability with the historic stone walls. This finishing plaster would be on

top of a bonding plaster which was already on the wall when the client purchased the property. For other internal walls which do not have an external face, a gypsum based plaster will be used.

- The formation of an en-suite room through the installation of plasterboard stud walls.
- As it is a requirement that the feature sandstone fireplace is maintained in its original state the bathroom stud wall will dog-leg around the left side of the fireplace.
- The installation of a cupboard with shaker-styled timber panelled doors to the right of the fireplace.
- A ventilation extraction system will need to be installed to provide external extraction. Ducting will exit through an existing grille at ground floor level.

In regards to the modifications to the utility room which are proposed, these are:-

- The install of additional storage units to match the existing style.
- Replacement of the louvre window with one which is black powder coated aluminium frame, including the retention of the exterior glazing bars.

Listed Building

The property is a Grade II Listed Building, first listed in September 1951.

Development affecting the setting of a Listed Building can have as dramatic, and if not properly controlled, as severe an impact as unacceptable alterations to the building itself. The setting of a Listed Building is a material planning consideration when considering planning applications.

Paragraph 192 of the NPPF requires the Local Planning Authority, when determining applications for development, to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 196 of the NPPF requires 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, where appropriate, securing its optimum viable use.

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.

Policy EN17 of the Saved Plan (Development within a Conservation Area) requires that development must preserve or enhance the character or appearance of the Conservation Area. Development will be refused where it would harm the character or appearance of the Conservation Area, including historic plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain, or significant natural or heritage features. Emerging Policy PPL8 reflects this consideration.

The Listing is described as:-

House with attached iron railings. 'newly built 1813'. Cream Gault bricks with Welsh slate gambrel roof, the upper part hipped on the SE end. 3 storeys with attics and cellars and with complex extension to rear. EXTERIOR: symmetrical front with continuous parapet and 2 full-height brick bows, each with painted timber entablature at each storey height. The bows each have 3 grouped double-hung sash windows with small panes on each floor, framed by painted timber pilasters and with stone sills. In the centre, the upper 2 floors each have a double-hung sash window with small panes and red rubbed brick arches with stone imposts. The central entrance has a semi-circular red brick arched head on stone imposts, enclosing an Adamesque fanlight. 6-panel door with reeded panel mouldings and reeded pilasters and frieze. Flight of stone steps with cast-iron handrails and bootscrapers. Cellars are lit by double-hung sash windows into an area enclosed by

spear-headed cast-iron railings of segmental plan form echoing the bows. One stack at NW end of ridgeline. INTERIOR: substantially unchanged plan form with central hall leading through semicircular-arched opening to the staircase placed at right-angles. This is a cantilevered, open-well stair with stick balusters and wreathed hardwood handrail. Service stairs in rear. All major rooms have reeded architraves and skirtings and simple plaster cornices. 2 curved doors with curved reeded architraves survive, perhaps remnants of an earlier unrealised scheme. Some rooms have semicircular-headed recesses and cupboards with reeded surrounds. All first-floor rooms have reeded door architraves with lions' heads at the intersections.

This application seeks to reiterate works which were approved by way of an amended scheme in early January 2020. These include matters such as the retention of the sandstone fireplace in its original form (condition 3, attached to this application requires evidence to be submitted to the Local Planning Authority that the unlawful battens have been removed); the amended plans show that the plasterboard stud walls no longer cut-across the fireplace by dog-legging around it, clarifies which replastering systems are being used on which walls, all ducting/extraction systems are in locations which help to mitigate the harm already caused to this designated heritage asset and clarification of the external finishes of the replacement high-level window in the utility room.

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:- Design and Access Statement (received 19th February 2020), Ecosystem 50 Specifications and TDS Limelite Plaster Specifications (received 10th March 2020) and Drawings 101 Revision C, 102 Revision A, and 103 (received 20th March 2020).

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

- 3 Any unpermitted works such as the fixing of battens to the sandstone fireplace are removed entirely and are to be previously approved in writing by the planning authority, prior to the commencement of the works contained in this application and thereafter permanently maintained as such.

Reason - To ensure the proposed works do not prejudice the architectural or historic merits of the listed building.

- 4 The rear window to the basement shall be of black powder coated aluminium and contain three panes, with two vertical glazing bars. Notwithstanding the submitted details, a slimmer casement and frame to this window shall also be proposed and approved in writing by the planning authority prior to installation. The window shall be permanently maintained as such.

Reason - To ensure the proposed works do not prejudice the architectural or historic merits of the listed building.

- 5 The external grille to the ventilation duct shall be no larger than the existing grille and shall be black. Grille and ducting shall be permanently maintained as such.

Reason - To ensure the proposed works do not prejudice the architectural or historic merits of the listed building

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?		NO
Are there any third parties to be informed of the decision?		NO