

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	21 st May 2020
Planning Development Manager authorisation:	SCE	22.05.2020
Admin checks / despatch completed	CC	22.05.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	22.05.2020

Application: 20/00269/LBC **Town / Parish:** Harwich Town Council
Applicant: Mr T Woodham
Address: 4 Orwell Road Dovercourt Harwich
Development: Proposed conversion of existing basement to create new self-contained two bedroom apartment.

1. Town / Parish Council

No comments received

2. Consultation Responses

Essex County Council
Heritage
02.04.2020

Built Heritage Advice pertaining to an application for: Proposed conversion of existing basement to create a new self-contained two-bedroom apartment with internal down takings and partitioning of rooms.

I am unopposed to this application.

3. Planning History

94/00235/LBC	(4 Orwell Terrace, Orwell Road, Dovercourt) Window repairs and part re-rendering (as plans)	Approved	07.04.1994
08/00837/LBC	Removal of 2 no. modern casement windows at top floor front dormers. Replace with 2 no. exact copies of original sash windows.	Approved	22.07.2008
20/00268/FUL	Proposed conversion of existing basement to create new self-contained two bedroom apartment.	Current	
20/00269/LBC	Proposed conversion of existing basement to create new self-contained two bedroom apartment.	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)

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Orwell Terrace is a row of thirteen Grade II listed Victorian terraced residences which have mostly been converted into apartments. Built between 1851 and the late 1850's of brick with Roman cement render and Welsh slate mansard main roof range. Number 4 consists of three main storeys with an attic and basement. No. 4 Orwell Terrace is currently divided into self-contained apartments on the ground, first, second & third floors with the basement currently empty & redundant.

Description of Proposal

The proposal is to convert the existing basement into a new two bedroom apartment. The redundant basement is accessed via a timber staircase from the shared Hall. The works proposed comprise the following:-

- The main rear wall is shown partly removed and the internal window is shown removed to allow the existing rear window opening in Bedroom 1 to be used.
- The existing internal window within the new Bedroom 1 will need to be removed to provide natural ventilation and daylight.
- The new partitions and one blocked up doorless opening (Bathroom/Kitchen/Dining) will be constructed of timber studwork so that they could be removed at a later date to reveal the historic layout of the basement.
- The existing brickwork external and party walls are to be lined with plasterboard on a lightweight metal framing system so that they could be removed at a later date to reveal the historic layout of the basement.
- The existing timber joist ceiling will be insulated between the joists to provide sound insulation and finished with a plasterboard finish to provide fire resistance.
- The ground floor entrance to the basement will be altered to provide safe access.
- The existing door at the top of the staircase will be removed and a new door installed within the existing opening into the shared Hall.
- The existing glazed Lobby entrance screen will be retained with the glass replaced with new obscure fire rated glass

Listed Building

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.

The Listing is described as:-

TM2531 ORWELL ROAD, Dovercourt 609-1/7/198 (North East side) 20/06/72 Nos.1-13 (Consecutive) and The Convent

Formerly known as: Banksea House Dovercourt. Terrace of marine residences now mostly flats with attached railings. 1851 to late 1850s. Brick with Roman cement render and Welsh slate Mansard roof over main range, flat roofs over end blocks. PLAN: main range (Nos 1-12) of 3 storeys with attics and basements and NW and SE blocks of 4 storeys with basements. EXTERIOR: the main range consists of 12 houses in handed pairs. The centre of each pair breaks forward slightly forming a regular series of recesses and projections. Each projecting part has 2 segmental-roofed dormers now with mixture of windows, the originals being double-hung sashes with margin glazing and single vertical glazing bar, the upper sash curved. Each party wall is taken

above the mansard with long party wall stacks. Plain parapet now pierced with mixture of semicircular and rectangular cut-outs to dormers. Prominent cornice on brackets and pulvinated frieze. Second floor has 2 narrow unsubdivided double-hung sash windows with plaster moulded surrounds. First floor has 2 similar deeper windows with semicircular-headed moulded surround and set in slight recess. Ground floor, as elsewhere in complete complex, has Doric pilasters, entablature and cornice forming base. This treatment is carried round paired, projecting flat-roofed porches each with a semicircular arch-headed window in its flanks. Iron bootscraper beside each front door. Front doors of Nos 1, 2 & 5-9 have 2 vertical panels, Nos 3 & 4 have 6 raised-and-fielded panels. Others are C20. Elevation of recessed part has 2 similar dormers. Second floor has 2 square double-hung sash windows with margin glazing, central vertical glazing bars and moulded plaster frames. First floor has 2 aedicule pedimented windows with eared, upward-tapering architraves. These have margin glazing and central horizontal glazing bar to each sash. These reach to floor level and each has a projecting balcony on brackets with X-pattern iron railings between rectangular corner piers (formerly with ball finials). Ground floor has tripartite arrangement of central and 2 narrow double-hung sash windows with margin glazing set between pilasters. Similar arrangement to basement but with small panes. Wing walls project between each unit within recessions with pier and wrought-iron railings linking with porches and enclosing basement area. These have adorned 'halberds' as main supports with scroll backstays and minor bars have pronounced spearheads. Stone-paved terrace with granite curbing, fronts Nos 1-12 with remnants of iron railings at northern end. Each unit has stone step from road level and iron coal-shute cover to cellar beneath. The 2 larger end units are taken up to 4 storeys with flat-leaded roofs behind parapets. The pilaster base treatment is carried through and each block has banded giant pilaster and quoin treatment to corners. The south-west facade of The Convent has similar cornice carried through below 4th floor and this is broken and arched over a window of 3rd floor where facade breaks forward slightly. Third floor has 2 square double-hung sash windows with 2 vertical glazing bars and one narrow double-hung sash, all with plaster frames. The second floor has one narrow and 2 wide double-hung sashes with pilasters and straight entablature and floor level sills on consoles enclosing apron panels. First floor has one narrow double-hung sash and 2 with semicircular-headed pediments. Single projecting porch on ground floor. The seaward elevation of The Convent employs similar motifs but with more variety and windows of 2nd and 3rd floors are linked. One half of this facade projects with banded pilasters/quoins and with projecting pilastered canted bay with pilasters and balustrade. The SW elevation of No.13 employs similar motifs with the centre of 3 window range breaking forward slightly and with projecting similar porch and separate terrace/steps. The NE elevation, overlooking Cliff Park is treated as an unbroken range but with The Convent and No.13 breaking forward and surmounted by pediments. General arrangement of facades is similar to SE but with continuous stone balcony at 1st-floor level, supported on pierced brackets and breaking forward at end pavilions. This has simple iron handrail (By Coopers of Ipswich). First-floor windows have aedicules with pediments as elsewhere. Ground floor treatment has large frame French windows between pilasters. INTERIORS of Nos 7 & 8 (still single houses) remain substantially intact. Narrow but elegant well staircases with winder corners, continuous curved soffits, continuous hardwood handrails and alternating iron balustrade of oval loops with anthemion motif and foliate sticks. Variety of richly applied cornices of neo-classical patterns including guilloche and egg-and-dart, varied from room to room and unit to unit. Plaster ceiling roses, plaster skirtings and contemporary panelled doors and moulded architraves. Cornice to porch of No.8 has standing leaves. Standard pattern marble fireplaces with shelf on consoles, white on first floor and black to main ground floor room. The interior of The Convent is similar but on a larger scale with staircase bridging over a lower flight to reach 3rd floor. This house has semicircular arches within entrance lobby and on first-floor landing with free-standing lintel with rounded decorations. Attics have soft water cisterns to collect water from roofs. Rear gardens are Bagshaw MP, the only completed part of Dovercourt New Town. This monumental project was designed by WH Lindsey, a London architect. Bagshaw was declared bankrupt in 1859 and the necessary land was broken up. The project as built was loosely based on that part of Lindsey's scheme, but the name of a Dovercourt architect, Horace Darken, appears on sale documents.

As initially submitted there was sufficient concern that the application, by not including a Heritage Statement failed to adequately demonstrate an understanding of the designated heritage asset as expected by paragraph 189 of the NPPF. Further, the changes that would have resulted from the proposal's attempt to fit two bedrooms into the eastern end of the property would result in a substantial loss of the historic floorplan, the loss of at least one if not two historic windows, and the loss of a large area of wall. These losses and potential harm, combined with the blocking up of

interior openings and one of the casements to the casement windows at the north side of the basement is missing and boarded up, contribute to the loss of the historic floorplan and harm being caused to the significance of the designated heritage asset as a significant component of its architectural and historic significance is derived from an ability to read the historic layout of the basement.

Following extensive negotiations and discussing, a Heritage Statement was submitted that provided additional information along with photographs of the existing interior and exterior. Amended plans were submitted on 13th May that showed changes to the layout including retaining the existing opening in the new bathroom area as well as retaining the existing glazed lobby entrance screen. In addition the rear wall was shown as mostly retained with only a small area removed to provide natural ventilation and daylight to bedroom 1. The existing internal window to this section of wall is retained. The proposed internal layout of the basement uses all the existing walls and openings with new removable partitioning used only where necessary. As the historic layout of the basement is now not altering there is no objection to the development.

6. **Recommendation**

Approval - Listed Building Consent

7. **Conditions / Reasons for Approval**

- 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: 3441-PA-11-B and 3441-PA-12, received 13th May 2020.

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

8. **Informatives**

Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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