

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	09/10/2020
Planning Development Manager authorisation:	SCE	09.10.2020
Admin checks / despatch completed	CC	09.10.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	09.10.2020

Application: 20/00759/LBC **Town / Parish:** Harwich Town Council
Applicant: Jennifer Monks
Address: Dovercourt Hall Hall Lane Dovercourt
Development: Reinstate internal wall.

1. Town / Parish Council

Harwich Town Council Not commented on this application

2. Consultation Responses

Essex County Council The application is to reinstate internal wall.
Heritage
There is no objection to this application.

3. Planning History

10/00268/LBC	Remedial work to side elevation fronting Low Road including replacement of sash windows and repairs to brickwork, as amended by drawing no. 812.2/2A received on 26/04/10.	Approved	02.06.2010
10/00652/FUL	Installation of 2 new dormers to the rear of the property and the alteration of an existing dormer to the rear of the property.	Approved	
10/00653/LBC	Installation of 2 new dormers to the rear of the property and the alteration of an existing dormer to the rear of the property.	Approved	
14/01264/FUL	Erect fence behind hedge, pair of gates to front entrance. Summerhouse in grounds - pre-fabricated on timber sleepers. 800mm picket fence in front of building on Wick Road frontage	Approved	24.11.2014

19/00101/LBC	Rake out and re-point wall to the south side of the property, repair soldier course above windows and re-point entrance porch on the west side.	Approved	20.03.2019
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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))

Proposal

This application seeks listed building consent to reinstate the internal wall.

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.

The Councils Historic Environment consultant has been consulted on this application and has stated that there is no objection to the proposal works.

It is therefore considered that the proposed works will not cause 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 to this application.

No letters of representation have been received.

6. Recommendation

Approval - Listed Building Consent

7. Conditions

- 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:

-Proposed Elevation Scanned 08 July 2020
-Applicant Email with Section Drawing Scanned 05 Oct 2020
-Floor Plan Scanned 08 July 2020

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