

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NW	21/10/2020
Planning Development Manager authorisation:	TC	28/10/20
Admin checks / despatch completed	CC	28/10/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	28/10/2020

Application: 20/01195/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr Michael Payne - Harwich Kindertransport Memorial Trust

Address: The Quay Harwich Essex

Development: Proposal to erect a memorial statue to commemorate the Kindertransport to be located on Harwich Quay opposite the Pier Hotel.

1. Town / Parish Council

Ms Lucy Ballard, Town
Clerk Harwich Town Council has no objection to this application.
Council
15.10.2020

2. Consultation Responses

Essex County Council Built Heritage Advice pertaining to an application for: Proposal
Heritage to erect a memorial statue to commemorate the Kindertransport
30.09.2020 to be located on Harwich Quay opposite the Pier Hotel.

The proposal is located in Harwich Conservation Area and would be sited opposite the Grade II listed Angel Public House (List UID: 1187932) and the Grade II listed Pier Hotel (List UID: 1187933).

I support this application subject to the following condition:
- Prior to commencement, a suite of scale drawings including plan and elevations showing the proposal at an appropriate scale in context shall be submitted to the local planning authority for approval.

3. Relevant Planning History

18/00397/FUL Proposed replacement of Approved 08.05.2018
communication mast.

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

QL11 Environmental Impacts and Compatibility of Uses

EN17 Conservation Areas

EN23 Development Within the Proximity of a Listed Building

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

HP1 Improving Health and Wellbeing

HP2 Community Facilities

PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

For background on this proposal, the port of Harwich was the main point of entry for most of the 9300 children who came to Britain on the Kindertransport. Kindertransport was the name given to the mission which took thousands of children to safety ahead of World War Two (1939-1945). Kinder means 'children' in German. Many hundreds of these children spent the first weeks in this country at the Dovercourt Holiday Camp, two miles from the docks.

Harwich played a crucial role in the narrative of the 'Kind'. Although, there are few 'reminders' of that history in the town apart from two plaques and an exhibition in the Harwich Redoubt Fort which is open only on limited occasions.

The proposal is to build a statue in memory of the 'Kindertransport'. The longer term goal is to create a focal point and tourist attraction for peoples young and old to learn more about these factual events.

The application site is located within Harwich Conservation Area opposite a row of Grade II Listed Buildings including; the Angel (public house), The Pier Hotel and the Quayside Court. A large number of residential building to the south of the site are also Grade II listed.

The Heritage Statement accompanying the application provides both a Maquette image and a sketches of the proposed statute. Essentially, the bronze sculpture shall depict 5 young children walking down a ramp as if leaving a ship that has just arrived.

The dimensions given of the sculpture are:

Height = 1830mm
Width = 920mm
Length = 1220mm

Standing on a plinth:

Height = 100mm
Width = 1420mm
Length = 1720mm

The Conservation Officer has offered support to this application subject to detailed plans and elevational drawings being submitted. However, Officers are satisfied with the location of the statue via the block plan and dimensions / appearance details via the information provided in the Heritage Statement (Page 3 of the short 3 page document). The details adequately show the arrangements proposed, these have been publicised during the consultation process. No objections have been received. A planning condition confirming the submitted arrangements as 'approved plans' is considered sufficient.

The statue will be located alongside some benches behind an existing parking location on the Quay. The exact placement is where a public bin currently stands. The Waste Manager has been consulted, they have confirmed no objections. Also, the Waste Management team shall move the public bin that is located in the exact position of the statue's future siting. An informative shall be provided requesting the applicant to work with the Waste Manager, essentially to ensure the public bin is moved before the installation works commence.

The statue would be in a prominent position however, the interesting local historic reminder would enhance the setting of the nearby Listed Buildings and enhance the character and appearance of the Harwich Conservation Area.

Officers are supportive of this application. However, are also mindful of the impressive refurbished pavement and curb stones in this area. An informative is recommended, reminding the applicant of their responsibilities to work with the Highway Department thus ensuring this existing street furniture is replaced to the same high standard, once the installation works are complete.

Officers also suggest a planning condition requiring security fencing to be erected during the construction works to protect pedestrians and motorist.

Harwich town council has not objected to the application and there have been no comments received from members of the public.

6. Recommendation

Approval - Full

7. Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason - The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site plan Received by the Local Planning Authority 02/09/2020

Block plan Received 02/09/2020

Heritage and planning statement (page 3 for statue dimensions and appearance details) Received 02/09/2020

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

3. During the construction / installation phase of the statute on site. A temporary security fence that complies with British Standard BS 1722-18:2020, must be secured around the location of the development.

Reason - To ensure pedestrian and motorist safety.

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.

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 – Development Management Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
CO7 7LT

The applicant is reminded to secure the statute once erected to the plinth to minimise the risk of theft. The Local Planning Authority shall accept no responsibility for its safe upkeep. Consideration should be given to local CCTV cameras in the area to ensure there is a system in place to monitor the statute's safety.

The applicant is reminded to contact the Waste and Street Scene Manager, Jonathan Hamlet at Tendring District Council, to ensure the statue installation works commence once the public bin has been relocated. The contact details are outlined below:

Jonathan Hamlet
Street Scene Manager
Operations Department
Northborne Depot

Clacton on Sea
jhamlet@tendringdc.gov.uk
01255 686770

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