

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	18/05/2021
Planning Development Manager authorisation:	JJ	26/05/2021
Admin checks / despatch completed	ER	26/05/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	26.05.2021

Application: 20/01836/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr and Ms Barrowcliff and Warner

Address: 515 Main Road Harwich Essex

Development: Proposed single storey rear and side extensions and first floor rear extension.

1. Town / Parish Council

Harwich Town Council
19.02.2021

Harwich Town Council has no objection to this planning application.

2. Consultation Responses

Essex County Council
Heritage
22.02.2021

Built Heritage Advice pertaining to an application for: Proposed single storey rear and side extensions and first floor rear extension.

This property is located adjacent to Grade II listed (list entry no. 1205044) The Monks' Houses which are a row of five early sixteenth century timber frame cottages. It is also located within the setting of Grade II listed Old Timbers (list entry no. 1187919), and Grade II* listed Church of All Saints (List UID: 1205059).

This letter should be read in the context of previous correspondence regarding development at this site including letters dated 20th January and 29th June 2020.

I do believe that there is potential here for single storey extension here, sympathetic to the setting of the adjacent listed buildings, however this has not been accomplished in the current iteration of the proposals.

I am unsupportive of the principle of a garage infilling the gap between the house and the listed Monk's Houses. Previous correspondence advised: "The existing sky gaps either side of no. 515 and the two listed properties creates a clear separation between the listed and unlisted property. It is important that the two heritage assets remain the most prominent features within the streetscene. By extending the width of the property it will become a competing structure adjacent to the listed buildings and detract from their significance." The proposed infilling of the gap between number 515 and the Monk's Houses is not supported as they would detract from the architectural interest of the listed building by agglomeration of the structures and by reducing the prominence of the gambrel roofed gable and would remove the distinct separation between the structures. This harm to the setting of the Monk's Houses would result in less than substantial harm to their significance, making paragraph 196 of the NPPF relevant here.

The following items are not also unsupported as they would detract from the setting and significance of the listed buildings either side:

- The proposed Juliet balcony, large area of walling dominated by sliding doors, proposed lantern rooflights are not supported, and first floor rear extension would, through detracting from the architectural interest of the rears of the listed buildings and the experience of views to the listed church possible from the houses and gardens south of the property. Based on the information I have to date I consider these items to be challenging.
- The loss of the western chimney stack is also not supported as both the existing prominent chimneys make a positive contribution to the setting of the adjacent designated heritage assets through continuing the rhythm of the stacks of the Monk's Houses.
- The proposed unsympathetic design of the west elevation with an awkward stepped-in area which would in-part forms the setting of Old Timbers and of the Monk's Houses, particularly during winter months when this elevation would be more visible, is not supported. The existing blank wall with hipped roof and large chimney matching the eastern stack make a positive contribution to the setting of the adjacent designated heritage assets through continuing the rhythm of the stacks of the Monk's Houses.
- The proposed generic porch is not supported in principle as it would result in the loss of visibility to the arched lintel over the front door. The porch would detract from the distinctive porches to the Monk's Houses and the decorative architrave and portico of Old Timbers, which make an important contribution to the architectural interest of these listed buildings.

The proposals would, in my opinion, fail to preserve the special interest of the listed building, contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework (2019), the level of harm is considered to be 'less than substantial' as per paragraph 196. 'Great weight' should be given to the identified heritage asset's conservation as per paragraph 193.

Were the applicant to submit revised proposals to resolve the above outlined harmful elements, to propose a single story extension to the rear and west through a sympathetic and carefully considered scheme, I would be happy to provide updated comments and would request that I be reconsulted on the application.

3. Planning History

19/01819/FUL	Proposed two storey side extensions and single storey rear extension to form bedrooms, dining area, kitchen and garage.	Refused	10.02.2020
20/00550/FUL	Proposed single storey and two storey side and rear extensions to form bedrooms, dining room, utility room and garage.	Refused	17.09.2020
20/01836/FUL	Proposed single storey rear and side extensions and first floor rear extension.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)
QL9 Design of New Development
QL10 Designing New Development to Meet Functional Needs
QL11 Environmental Impacts and Compatibility of Uses
EN23 Development Within the Proximity of a Listed Building
HG9 Private Amenity Space
HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

5. Officer Appraisal

Proposal

This application seeks permission for single storey side extensions and single and two storey rear extensions to a detached house located within the development boundary of Harwich. The application site lies between the listed buildings of Old Timbers to the west and The Monks Houses to the east and opposite the listed church of All Saints.

History

Application reference 19/01819/FUL and 20/00550/FUL, which both proposed two storey side extensions and a single storey rear extension were refused by reason of their harm to the character and appearance of the existing dwelling and street scene, and its prominence which would detract from the setting and significance of the two designated heritage assets which lie either side of the application site.

Informal advice was sought by the applicant following the refusals in which the Council suggested that a two storey extension would be better positioned to the rear of the existing dwelling.

Design, Appearance and Heritage

Policy QL9 seeks to ensure that new buildings, alterations and structures are well designed and should maintain or enhance local character and distinctiveness and also to ensure that the development relates well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials. Policy EN23 of the of the adopted Tendring District Local Plan 2007 state that proposals for development that would adversely affect the setting of a listed building, including group value and long distance views will not be permitted, these sentiments are carried forward through Policy PPL9 of the of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) which states proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance, fabric and are of a scale, design and use materials and finishes that respect the listed building and its setting.

The property at 515 Main Road holds a prominent position between two Grade 2 listed buildings and opposite the listed church of All Saints'. It is accepted that the setting of this grouping of listed buildings has changed considerably since their construction however the protection of settings which could be easily eroded is vitally important.

The single storey side extension which incorporates the garage, utility room and wc on the eastern side of the existing dwelling was confirmed acceptable by Essex County Council Place Services when considered as part of the previous application 20/00550/FUL. Evidence was submitted by the applicant that shows historically a previous single storey structure adjoined the eastern elevation of 515 Main Road which appeared to be a shop or commercial premises. In addition the extension will replace the existing timber framed garage/shed structure which is currently set back behind the side gates.

The proposal of a small single storey side extension on the western elevation is considered acceptable as it ensures that a 'sky gap' is maintained between the properties of 515 Main Road and Old Timbers ensuring that the proposal does not encroach at scale towards Old Timbers. Both single storey side elements are low traditional hipped rooves.

The two storey rear extension has a hipped roof which is slightly lower than the existing roof of the house to ensure it appears subservient to the main dwelling. Although the extension is at the rear it will be glimpsed from Main Road but will not have a significant impact on the character of the immediate area including the setting of both listed buildings. A small flat roof single storey rear extension fills in the gap between the two storey rear extension and the eastern single storey side extension which benefits from roof lights.

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case as a result of the two storey rear extension. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary.

In this case there is a distance of 4.5 metres to the western side boundary shared with Old Timbers and a distance 9.7 metres is maintained to the eastern side boundary shared with 511 Main Road ensuring this criteria is met. The two storey extension sited at the rear ensures that the open space around the dwelling is maintained and does not adversely impact upon the spacious appearance of the dwelling within the street scene.

ECC Place Services have been consulted on this application for their heritage advice and they consider various elements of the proposals, including the Juliet balcony in the first floor rear elevation, would fail to preserve the special interest of the listed buildings and that the level of harm is considered to be 'less than substantial' as per paragraph 196 of the National Planning Policy Framework (full comments included in section 2 of the report). Whilst the Juliet balcony and bi-fold doors and two storey elements are located at the rear and are not publicly visible or incorporated in public views of the listed buildings, these elements will be visible from private rear garden views and seen in context with the adjacent listed buildings, however officers consider that the rear extensions and Juliet balcony will be seen against the backdrop of the existing host property, the architectural finish will be of its time and will relate well with the rear elevation of host building. In addition, the width of the rearward projection (at first floor level) has been kept to a minimum and the bulk is significantly away from the eastern boundary shared with the end of terrace cottage, and separated from the property to the east by garden space, greenery and sky gaps. It is considered that with all these elements combined, the impact on the rear elevations of the adjacent listed buildings will be neutral, and the key front elevations (of the listed buildings) will continue to be read and appreciated as per the current situation due to the restrained nature of the single storey side extensions, again the impact along the front is considered to be neutral. The removal of the chimney and new porch will be publicly visible, however they are minor alterations in the context of the group value of the buildings along this section of Main Road and are also considered to have a neutral impact on the heritage assets.

The proposal will carefully modernise the house with the new elements using slate and white render, with brickwork that matches the existing dwelling. Grey aluminium framed windows will further modernise the look of the house. The replacement of windows and doors in the existing dwelling would have been possible without the need for planning permission and therefore the colour choice is extraneous.

Impact upon Residential Amenity

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 also seeks to safeguard the amenities and aspect of adjoining residents. The two storey rear extension and single storey western side extension will not have a significant impact in terms of loss of light to Old Timbers.

Due to the close proximity of the single storey eastern side extension the proposal has the potential to result in loss of light to the property of 511 Main Road, and therefore the calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would intercept the rear facing ground floor window of 511 Main Road, however in elevation it would intercept less than half of this window. The existing outbuilding at 515 Main Road already obscures an element of light to this window and the minimal loss of light to 511 Main Road due to the single storey side extension is not so significant to justify refusing planning permission on these grounds.

There is no significant additional risk of overlooking or loss of privacy from the two storey extension, at first floor there are additional bedroom and landing windows with the existing rear facing bedroom window altered to serve a new bathroom, however there are no side facing first floor windows.

More than 250 square metres of private amenity space will remain at 515 Main Road following the construction of the proposal which is considered more than adequate. The proposed garage does not meet the minimum length requirements where a single garage should measure 7 metres x 3 metres when measured internally and cannot therefore be considered for use as off road car parking. There is sufficient off road car parking however in front of the house on the block paved driveway for at least two cars which meet current car parking standards where one space measures 5.5 metres x 2.9 metres.

Other Considerations

The Councils Tree and Landscape Officer was consulted on the previous planning application, 20/00550/FUL and has considered the Sycamore tree that lies in the front garden of Old Timbers to the west near to the shared side boundary. The Officer confirmed that the construction of the proposed extension would not cause harm to the health, condition or long term viability of the tree and that there appears to be little scope or need for any new soft landscaping to be associated with the development proposal.

Harwich Town Council has no objection to this planning application.

No further letters of representation have been received.

Conclusion

The comments and objections from ECC Place Services (Heritage) is noted however for the reasons outlined above it is considered that the development proposal as a whole, and having regard to site specific material considerations and the planning history, again as outlined above, would have a neutral impact on the designated heritage assets, as such there is no requirement (as per the act and local policies) to identify any public benefits and the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning 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 plan: Drawing No. 515/MRD/4B.

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 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.

<p>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</p>	<p>YES</p>	<p>NO</p>
<p>Are there any third parties to be informed of the decision? If so, please specify:</p>	<p>YES</p>	<p>NO</p>

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