

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	12/10/2021
Planning Development Manager authorisation:	AN	14/10/2021
Admin checks / despatch completed	DB	14.10.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	14.10.2021

**Application:** 21/00122/LBC **Town / Parish:** Harwich Town Council

**Applicant:** Sir Crispin Burdett

**Address:** 40 Church Street Harwich Essex

**Development:** Proposed repairs to the cellar.

### **1. Town / Parish Council**

Harwich Town Council      Harwich Town Council grants no objection to this application.  
05.05.2021

### **2. Consultation Responses**

Essex County Council      The application is for proposed repairs to the cellar.  
Heritage  
30.09.2021

I have no objection to this application assuming they are limited the scope of works in the amended drawing.

I recommend a condition requiring details of the proposed air brick and specification of timber to be used.

### **3. Planning History**

21/00122/LBC      Proposed repairs to the cellar.      Current

### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2021  
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)  
QL11 Environmental Impacts and Compatibility of Uses (part superseded)  
EN22 Extensions or Alterations to a Listed Building

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

### **Status of the Local Plan**

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26<sup>th</sup> January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to the emerging Section 2 of the 2013-33 Local Plan, which contains more specific policies and proposals for Tendring, has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29<sup>th</sup> June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents which began on 16<sup>th</sup> July 2021. The consultation closed at 5pm on 31<sup>st</sup> August 2021 and adoption is expected later this year. Section 2 will then join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

## **5. Officer Appraisal**

### Site Description

40 Church Street is a Grade 2 listed building located within the settlement development boundary of Harwich and within flood zones 2 and 3. The dwelling fronts Church Street which is part of the designated Historic Town and also within the conservation area. A number of listed buildings are present in this part of the old town which holds a distinct character of narrow streets built on a grid pattern.

### Description of Proposal

The application proposes various repairs to the cellar which comprise in the main of replacement of floor joists and beams with reclaimed oak, concrete blocks at head of wall to be removed and replaced with reclaimed bricks to match existing, replace existing lintels with oak, steel straps to support distorted brick arch and insertion of two air bricks. The form of the building will be retained and there will be no changes to the layout of the basement.

### Heritage Assessment

The listed description of 40 Church Street describes the architectural features that are evident at the front of the building and also describes the marked interior features. It is important to ensure that the fabric and character of the listed building is preserved when repairs to it are carried out.

Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) states that '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 and fabric' although the Plan recognises that the scope for a listed building to adapt to modern life and requirements will itself depend upon a number of considerations and it will not always be possible to incorporate modern design solutions without also causing harm to its special character fabric, or appearance.

The use of reclaimed oak timbers to replace the floor joists, wall plate, lintels and beams using traditional methods in the restoration and renovation of the cellar will bring the old building back to life and the cellar into use once more. Various ways of reinforcing the brick arch were explored however the steel straps provide a secure method. Reclaimed bricks will be used to replace the existing ones that are considered unsuitable for use in the listed building. Two air bricks suitable for use in the flood zone will be installed to allow an appropriate airflow in the cellar which will aid the longevity of the reclaimed traditional materials.

Heritage advice was sought from Place Services at Essex County Council. Following a site visit and the submission of amended proposals they confirmed that they have no objection to the application which will be limited to the scope of works in the amended drawing number CSS69-001 P2. Place Services recommend a condition requiring details of the proposed air brick and specification of timber to be used as these are not appropriately shown or detailed on the approved drawing.

The repairs proposed would not adversely impact upon the historic fabric of the listed building but rather preserve what is there for future generations ensuring it can continue to be used as part of the family home. It is considered that the proposal will not significantly harm the listed building.

#### Other Considerations

Harwich Town Council have no objection to the application

No other letters of representation have been received.

#### Conclusion

It is considered that the proposal will not result in any adverse impact on the character, appearance and historic fabric of the listed building. The application is therefore recommended for approval.

### **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 plan: DRAWING NO. CSS69-001 P2.

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

- 3 Prior to the replacement of timbers and the insertion of air bricks as shown on DRAWING NO. CSS69-001 P2 the following shall be submitted to and approved in writing by the Local Planning Authority:

- Details of the proposed air brick
- Specification of the timber to be used

The development shall be completed in accordance with the approved details.

Reason - To safeguard the special architectural or historic interest, character, appearance and integrity of the Listed building.

### **8. Informatives**

None

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