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Application:	17/00190/FUL	Town / Parish: Harwich Town Council
Applicant:	Mr Nepean	
Address:	Public Conveniences The Quay Harwich	
Development:	Refurbishment and alterations to existing public conveniences.	

1. **Executive Summary**

- 1.1 The application site relates to the modest building containing the public toilets on the Quayside at Harwich.
- 1.2 The application has been referred to Committee as the Council owns the building and is the applicant.
- 1.3 The proposal is to refurbish the toilets - in particular to provide a disabled persons toilet, and to include a disabled platform lift for wheelchair users - as the building currently contains 2 steps as the floor level, is raised above the pavement level.
- 1.4 The Council needs to fulfil its duty to provide suitable disabled persons access to public buildings, and the structure can be readily adapted and the works are modest.
- 1.5 The building is sited between 2 prominent listed buildings, although the works would not harm the setting of those buildings or impact on the character of the area.
- 1.6 It is a sustainable location and the development meets the 3 arms of sustainable development as noted within the N.P.P.F.
- 1.7 The site falls within the flood-risk zone, although the use of the building will not change, nor would there be any increased risk, and the works will incorporate flood resilient construction.
- 1.8 The works are appropriate and will ensure that disabled persons needs are met within the town centre, which will aid tourism by all members of society and it is therefore recommended that permission be granted subject to conditions.

Recommendation: Approve

Conditions:

1. Time limit for commencement – 3 years
2. Development in accordance with submitted plans

2. **Planning Policy**

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

COM1 Access for All

COM2 Community Safety

COM3 Protection of Existing Local Services and Facilities

EN1 Landscape Character

EN17 Conservation Areas

EN23 Development Within the Proximity of a Listed Building

EN30 Historic Towns

Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document (July 2016)

SP1 Presumption in Favour of Sustainable Development

SP5 Place Shaping Principles

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP1 Improving Health and Wellbeing

HP2 Community Facilities

PP8 Tourism

PPL1 Development and Flood Risk

PPL7 Archaeology

PPL8 Conservation Areas

PPL9 Listed Buildings

CP1 Sustainable Transport and Accessibility

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF 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 216 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 14th July 2016, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document. As this plan is currently at an early stage of preparation, some of its policies can only be given limited weight in the determination of planning applications, but the weight to be given to emerging policies will increase as the plan progresses through the later stages of the process. 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 216 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.

3. **Relevant Planning History**

17/00190/FUL	Refurbishment and alterations to existing public conveniences.	Current
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4. **Consultations**

Building Control and Access Officer	No adverse comments at this time.
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Regeneration	The Regeneration Team fully support this application.
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5. **Representations**

There has been no response from Harwich Town Council at the date the report was prepared and no letters of representation have been received.

6. **Assessment**

The main planning considerations are:

- Principle of development
- Flood-risk
- Character and form of the development
- Overall planning balance

The Site

- 6.1 The site comprises a modest sized single-storey building that is sandwiched between two substantial and prominent listed buildings, the Pier Hotel and Quayside Court on the Quayside at Harwich, directly opposite the Ferry terminal, Tourist information centre and road-side car parking.
- 6.2 The building itself, whilst small in scale, never-the-less has rather ornate architecture, with three 'bays' topped with curved-arch detailing containing clam-shells and the outer two bays contain the entrance doors to the ladies and gents toilets, the centre-bay being blank. There is a stone frieze to the top of the parapet wall.

- 6.3 The building has a floor raised above the surrounding pavement with two-steps to the doors.
- 6.4 Only the façade of the building is visible as the adjoining buildings are more than 3 storeys in height.
- 6.5 The lower part of the façade is of white render to match the Pier Hotel to the left, and the upper walls are of grey brick, with recessed detailing, which matches the building to the right, and the building therefore does not jar with its surroundings despite being single-storey.
- 6.6 To the front of the building is a wide forecourt leading to the pavement and carriageway, where drop-kerbs aid the crossing of the street by pedestrians and wheelchair users.

The Proposal

- 6.7 The proposal is to provide a disabled persons w.c by installing a matching door within the central (currently blanked-off) bay, the extra space created by reorganising the internal space within the gents w.c, with some minor changes to the internal walls, although there is no reduction in the facilities available.
- 6.8 Externally, a 2m square platform that matches the profile and height of the existing steps is to be created to allow a level wheelchair access to the new w.c entrance door, and in front of that, a Gartec step lift is provided to raise a wheelchair user up to the raised floor level of the toilet building – around a 325mm difference in levels.
- 6.9 The sides of the lift unit and the platform are to be enclosed with stainless steel balustrades and the lift is in stainless steel.
- 6.10 The position of the lift and platform provide ready access across the pavement to the dropped kerbs.

Consideration

Principle of development

- 6.11 The public toilets are an essential community facility within the central area of Harwich, although they are at present not D.D.A compliant, and the works are essential to avoid discrimination.
- 6.12 Local Plan Policy COM1 seeks to resist new development that does not provide appropriate access for the disabled to new buildings to which the public will have access, and whilst the proposed development is to 'retro-fit' a disabled toilet within this public building, the general aim of the policy is met.
- 6.13 The building is of considerable age, and it needs to be brought up to modern standards for access in order for the Council to meet its statutory duty to cater for all members of society, and as tourists are encouraged to the area, it is important that all the needs of visitors are met.
- 6.14 The provision of the new facilities is therefore acceptable in principle.

Flood-risk

- 6.15 Whilst the site falls within the flood-risk zone, no change of use or increased vulnerability classification is proposed, the development merely changing access arrangements in to the building, and therefore there are no implications for flood-risk.
- 6.16 The existing building is tiled through-out and the new works will be of similar flood-resilient construction.
- 6.17 The lift and raised platform would remove flood-water capacity but to such a minor amount its impact would be negligible and would not result in the flooding of other land and the development raises no issues in relation to flood-risk.

Character and form of the development

- 6.18 The site falls within the historic town centre, the conservation area, and within the setting of several listed buildings, and therefore the appearance is particularly important.
- 6.19 Most of the works are internal within the building, and any excavation will be modest and in an area already disturbed by the relatively new paving/pavements and so the proposal would not harm any sensitive architecture.
- 6.20 The development proposed is a sensitive alteration to the building, providing a new door within a central 'bay' which reflects the architecture and fenestration of the outer 2 bays and the works to the building are appropriate.
- 6.21 It is the external works comprising the lift, raised platform and railings that have the potential to impact both on the character of the conservation area and the setting of the adjoining listed buildings.
- 6.22 The raised platform is well designed, and runs the line of the existing steps to the building in to the platform, thereby maintaining the form of the building
- 6.23 The lift and platform project forward of the building – by around 4m – projecting in to the forecourt to the front, although still a significant distance from the actual pavement of the public highway where the majority of pedestrians would be walking.
- 6.24 The adjacent listed building to the right-hand side has a feature stone staircase leading to a canted entrance that projects to a greater degree, and the listed building to the left has a projecting cast-iron canopy at first floor, and utilises the area below it as a covered forecourt for external seating, with planters and tables.
- 6.25 The principle of projecting features at the entrance to buildings is not therefore uncommon in the area, and whilst traditionally, these are generally more ornate and are a part of the architecture style of the building, the more functional role of the toilet building justifies a more functional entrance as proposed.
- 6.26 The new entrance is a very modern style although as the Quayside has an array of modern street furniture – including metal period-style street-lights, a red post-box, public seating, cast-iron litter bins and walls and cast bollards to define the parking bays adjacent to the road - the new structure will not appear out-of-place adjacent to the other structures within the street scene.
- 6.27 The proposal will not therefore harm (and therefore preserves) both the setting of the adjacent listed buildings and also the character of the Conservation Area.

Overall planning balance

- 6.28 The works to the building are architecturally sensitive, and the modern addition to the new entrance to the toilets is set back from the road and viewed against a 'busy' street scene with other street furniture and it will appear visually acceptable in the historic environment
- 6.29 The development will not cause any flooding of additional land, nor introduce any increase vulnerability or change of use, and it is sited conveniently close to an existing verge crossing and therefore will not impact on highway safety.
- 6.30 On balance, the development would not cause any demonstrable harm, and is considered to be a sustainable one, and the benefits of the scheme – including improved access to a public building - are not out-weighted by any harmful impacts.
- 6.31 The development is therefore an appropriate one and recommended for approval.

Background Papers

None