

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	04/02/2022
Planning Development Manager authorisation:	AN	04/02/22
Admin checks / despatch completed	DB	04.02.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	04/02/2022

Application: 21/02047/LBC **Town / Parish:** Harwich Town Council

Applicant: Ms Jane Albins - Hutchison Ports (UK) Ltd

Address: Train Ferry Gantry George Street Harwich

Development: Partial demolition of the long berthing arm attached to the listed Train Ferry Gantry and associated remedial works.

1. Town / Parish Council

Harwich Town Council
13.01.2022

Harwich Town Council has no objection to this application.

2. Consultation Responses

Essex County Council
Heritage
06.01.2022

The application is for the partial demolition of the long berthing arm attached to the listed Train Ferry Gantry.

This is a replacement application of listed building consent granted with application 10/00204/LBC for replacement listed building consent (in respect of listed building consent 03/00602/LBC) subject to a new time limit (to 2021) for the partial demolition of the long berthing arm attached to the listed Train Ferry Gantry and associated remedial works. The proposed works are connected to the consented Bathside Bay Container development, including the creation of a Small Boat Harbour. The partial demolition of the long berthing arm to the Train Ferry Gantry is required to enable access to the Small Boat Harbour.

The Train Ferry Gantry is Grade II listed and is located within the Harwich Conservation Area.

The impact of the proposed development on the designated asset and on the Conservation Area have been already assessed and discussed during the past planning and listed building consent process, with comments from both Essex County Council Historic Building and Conservation and English Heritage. The existing berthing arm is a later re-construction of the original structure and it has been assessed of lower/neutral significance. With regards to the National Planning Policy Framework (2021), the level of harm caused by the partial demolition of the long berthing arm as part of a designated heritage asset is considered to be 'less than substantial', with minimal impact on the character or appearance of Harwich Conservation Area.

There is no objection to the renewal of this listed building consent with the following conditions:

- Prior to commencement a Method Statement, Schedule of works and Specifications for the demolition of the long berthing arm and for repairs to the remaining structure of the designated asset must be submitted by the applicant and approved by the Local Authority;
- Prior to commencement a Maintenance Schedule and Management Plan for the Train Ferry Gantry must be submitted by the applicant and approved by the Local Authority; and
- Prior to commencement, a scheme archaeological building recording should be completed commensurate at least a 'Level 3' Record as outlined in Historic England Guidance Understanding Historic Buildings.

Historic England
11.01.2022

Thank you for your letter of 6 January 2022 regarding the above application Partial demolition of the long berthing arm attached to the listed Train Ferry Gantry and associated remedial works.

On the basis of this additional information, we do not wish to offer any comments. We suggest that you seek the view of your specialist conservation adviser for advice on the scheme.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

3. Planning History

01/01035/FUL	Installation of decorative lighting columns and catenary illuminations	Current	28.06.2001
03/01612/FUL	Redevelopment of existing Trinity House Lighthouse Service Depot site for new buoy shed and relocation of mobile phone mast	Approved	10.12.2003
03/01613/FUL	Redevelopment of existing Trinity House Lighthouse Service Depot site for offices	Approved	10.12.2003
03/01614/CON	Demolition of pillbox, removal of mast and service building adjoining and removal of rail tracks	Approved	10.12.2003
03/01615/CON	Total demolition of existing buoy store and associated buildings to allow construction of new office block	Approved	10.12.2003
04/00635/FUL	Variation of Condition 11 attached to planning permission 03/01613/FUL dated 9.12.03	Approved	20.05.2004
04/00818/FUL	Redevelopment of existing Trinity House Lighthouse Service Depot site for new buoy shed and relocation of mobile phone mast	Approved	08.07.2004

13/01338/FUL	Proposed siting of a chiller unit to store fresh fish.	Approved	14.02.2014
18/00742/FUL	New ground floor porch to existing Trinity House offices.	Approved	03.07.2018
03/00602/LBC	Partial demolition of the long berthing arm attached to the listed Train Ferry Gantry and associated remedial works.	Allowed at Appeal	19.11.2003
10/00204/LBC	Application for replacement listed building consent (in respect of listed building consent 03/00602/LBC) subject to a new time limit (to 2021) for the partial demolition of the long berthing arm attached to the listed Train Ferry Gantry and associated remedial works.	Approved	14.02.2013

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

PPL9 Listed Buildings

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

In relation to housing supply:

The Framework requires Councils boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, to account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible or if housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, Paragraph 11 d) of the Framework requires granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole (what is often termed the 'tilted balance').

The Local Plan fixes the Council's housing requirement at 550 dwellings per annum. On 19 October 2021 the Council's Strategic Housing Land Availability Assessment (SHLAA) updated the housing land supply position. The SHLAA demonstrates in excess of a six-and-a-half-year supply of deliverable housing land. On 14 January 2022 the Government published the Housing Delivery Test (HDT) 2021 measurement. Against a requirement for 1420 homes for 2018-2021, the total number of homes delivered was 2345. The Council's HDT 2021 measurement was therefore 165%. As a result, the 'tilted balance' at paragraph 11 d) of the Framework does not apply to applications for housing.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site relates to Train Ferry Gantry, George Street, Harwich located within the settlement boundary of Harwich. The proposal is Grade II Listed and located within the Conservation Area.

The listing description is as follows:

Train ferry berth, erected in 1923 by the London and North Eastern Railway, utilising components from the train ferry berths constructed at Richborough and Southampton in 1917, probably by Armstrong Whitworth and Company Ltd of Newcastle-upon Tyne, to designs by the Inland Water Transport and Docks (IWTD) Department of the Royal Engineers. Disused since 1987.

MATERIALS: the structure is constructed from fabricated steel girders with sheet steel cladding and a timber-decked train bridge. The foundations and landside approach bridge are of reinforced concrete with sheet steel piles while the pedestrian walkway and berthing arms are steel-framed with timber decks.

PLAN: although the train ferry berth stands on a north-west to south-east axis cardinal compass points will be used in the following description for simplicity.

On plan the train ferry berth is rectangular and comprises a concrete approach bridge (1923) and an adjustable train bridge (1917) straddled by steel-framed gantry surmounted by a motor house (1917). A pedestrian walkway (1923) runs parallel with the bridge's south side, running from the concrete approach bridge to the southern berthing arm (1923). A shorter berthing arm (1923) lies to the north. All the 1923 components are of lesser interest while the free-standing wooden dolphins and modern navigation lights are excluded from the listing. DESCRIPTION: the train ferry berth comprises a steel-framed gantry which straddles, and supports, an adjustable train bridge (linkspan). The gantry's support legs, which are bolted to reinforced-concrete foundations, are constructed from fabricated steel plates and steel angles riveted together to form a box section. King struts on the east side of each leg provide the gantry with its main lateral stability while the legs themselves are hollow to allow for the vertical travel of the bridge's lifting mechanism counterweights. Spanning the legs is the gantry bridge which is formed of two deep plate girders placed a short distance apart to allow for the cable winch and bridge cable retention system to operate between them. A gantry platform with chequer plate decking, which is accessed by a steel ladder fixed to the southern king strut, is suspended below the girders. From this platform a short steel ladder rises to the motor house which sits on top of the girders. The motor house is constructed from steel angle frames that are arched at roof level and clad with light-steel plate. It accommodates the main bull wheel and the north-side counterweight cable wheel. An access walkway, fabricated from steel angles to form a frame in which timber boards were placed, surrounds the machine house (the timber boards and steel handrail now missing). The south-side counterweight wheel is housed in a plate-steel covering at the gantry's southern end. Suspended below the gantry platform is a timber-decked access platform to the four pulley wheels around which a steel lifting cable raises and lowers the adjustable train bridge (linkspan). The pulley wheels are connected to an upper crane block from which a triangular-shaped steel frame is suspended. The horizontal beam end nodes of this steel-framed structure are connected to the northern and southern trusses of the adjustable train bridge by a vertical lifting linkage and to the gantry bridge above by steel tension cables (which were adjusted according to the state of the tide).

The adjustable train bridge (linkspan) is formed of fabricated steel trusses on its north and south sides with steel beams connecting the top and bottom chords, and diagonal bracing in between. Its deck structure is comprised of primary steel beams aligned north-south across the width of the bridge with secondary beams spanning east-west between them. The secondary beams support a series of timber railway sleepers and timber joists above. The deck itself is comprised of timber boards (probably later-C20 replacements) spanning east-west between the timber joists, with rails running between them. The primary beams are connected to the northern and southern girders via a four inch diameter steel pin that allowed the bridge to articulate with the movement of the ferry-boat and tidal conditions. A pedestrian walkway runs parallel with the south side of the train ferry berth for a distance of some 40m. Accessed from the landside access bridge, it is steel framed with a timber deck, with the steel posts probably driven directly into the London Clay of the intertidal zone. Stairs just over midway along its length give access to the southern berthing arm.

The two berthing arms at the west end of the train ferry berth were not accessible at the time of survey. However, it is known that both contain mooring bollards, with the southern berthing arm, which is the longer of the two at 130m in length, also having a navigation light (not of special interest) at its west end. The northern berthing is considerably shorter, measuring 17m in length.

The landside access bridge at the east end of the ferry berth is constructed from reinforced concrete and carries two railway lines across its deck. Its abutment on the seaward side contains a steel hinged pivot bearing that allowed the west end of the adjustable train bridge to articulate vertically up or down.

Proposal

This application seeks listed building consent for the partial demolition of the long berthing arm attached to the listed Train Ferry Gantry and associated remedial works.

Assessment

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act imposes a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

Paragraph 202 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.

Paragraph 194 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is reflected by Policy PPL9 of the Tendring District Council Local Plan 2013-2033. The policy also confirms that the development should be of a scale, design and use that respects the listed building and its setting.

Historic England were consulted on this application and have stated that the team do not wish to offer any comments and suggest that the local planning authority seek the view of the specialist conservation adviser for advice on the scheme.

Place Services Historic Environment Team have been consulted on this application and have stated that the application is for the partial demolition of the long berthing arm attached to the listed Train Ferry Gantry.

This is a replacement application of listed building consent granted with application 10/00204/LBC for replacement listed building consent (in respect of listed building consent 03/00602/LBC) subject to a new time limit (to 2021) for the partial demolition of the long berthing arm attached to the listed Train Ferry Gantry and associated remedial works. The proposed works are connected to the consented Bathside Bay Container development, including the creation of a Small Boat Harbour. The partial demolition of the long berthing arm to the Train Ferry Gantry is required to enable access to the Small Boat Harbour.

The Train Ferry Gantry is Grade II listed and is located within the Harwich Conservation Area. The impact of the proposed development on the designated asset and on the Conservation Area have been already assessed and discussed during the past planning and listed building consent process, with comments from both Essex County Council Historic Building and Conservation and English Heritage. The existing berthing arm is a later re-construction of the original structure and it has been assessed of lower/neutral significance. With regards to the National Planning Policy Framework (2021), the level of harm caused by the partial demolition of the long berthing arm as part of a designated heritage asset is considered to be 'less than substantial', with minimal impact on the character or appearance of Harwich Conservation Area.

There is no objection to the renewal of this listed building consent subject to conditions relating to the submission of a method statement, schedule of works and specifications of demolition, a maintenance schedule and management plan and a scheme of archaeological building recording.

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 have no objections 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 and documents:

- Drawing No. H10002/06 - Extent of Proposed Demolition
- Drawing No. H1002/3 - Location Plan
- Drawing No.H1002/24 - Block Plan
- Design and Access Statement - Scanned 03 Dec 2021
- Heritage Statement - Scanned 03 Dec 2021
- Planning Statement - Scanned 03 Dec 2021

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

- 3 Prior to commencement of development a Method Statement, Schedule of works and Specifications for the demolition of the long berthing arm and for repairs to the remaining structure of the designated asset must be submitted to and approved in writing by the Local Authority. Development shall be carried out in accordance with the approved details.

Reason - The application relates to a Grade II Listed Building.

- 4 Prior to commencement of development a Maintenance Schedule and Management Plan for the Train Ferry Gantry must be submitted to and approved in writing by the Local Authority. Development shall be carried out in accordance with the approved details.

Reason - The application relates to a Grade II Listed Building.

- 5 Prior to commencement of development, a scheme archaeological building recording shall be completed commensurate with at least a 'Level 3' Record as outlined in Historic England Guidance Understanding Historic Buildings. Following completion of the historic building record, a report shall be submitted to the local planning authority.

Reason - To secure a historic building record of the heritage asset, in the interests of the historic environment.

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