

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	06/04/2022
Planning Development Manager authorisation:	AN	07/04/22
Admin checks / despatch completed	DB	07.04.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	07.04.2022

**Application:** 22/00167/FULHH **Town / Parish:** Harwich Town Council  
**Applicant:** Mr Nigel Marshall  
**Address:** 40A Church Street Harwich Essex  
**Development:** Proposed rear dormer windows and changes to rear elevations.

### 1. Town / Parish Council

Harwich Town Council 16.03.2022 Harwich Town Council has no objection to this application.

### 2. Consultation Responses

Essex County Council  
Heritage  
06.04.2022

The application is for proposed rear dormer windows and changes to rear elevations.

The proposed site is located in Harwich Conservation Area and is a former historic warehouse converted to residential use and much altered in the process. The building is set between Grade II listed 40 Church Street (List UID: 1187885) and Grade II listed 41 Church Street (List UID: 1204199) and is a key component to the setting of the two above identified listed buildings.

The site has a planning history of applications for similar projects:

- 20/00626/FUL: Replacement rear dormers approx 300mm wider than the existing, and alterations to door and windows – REFUSED
- 21/30063/PREAPP: Proposed cat slide dormer windows to rear elevation, installation of flue to rear elevation for wood burner and gas boiler. Proposed installation of exhaust for MVHR system and installation of two number sun tunnels, replacement of windows with white plastic windows. Proposed replacement of front door with white composite door install solar panels to roof.

The current proposal only includes the installation of two rear dormers to replace the existing four rooflights to the rear slope of 40A Church Street. The roof of no40A is a highly visible structure from this end of Church Street towards Harwich Church, therefore I would generally not support the construction of new rooflights in this context.

However, the proposed dormers would replace the existing rooflights, a non-traditional form of fenestration, and introduce a more congruous architectural form to this section of the Conservation Area, which in part draws its significance from composition of historic buildings predominantly constructed and finished in traditional materials. As such, the proposed dormers are considered to be an improvement to the current roof layout and will not detract further from the Character and Appearance of the Conservation Area and from the setting of the adjoining listed buildings.

In determining applications, local planning authorities should take

account of the desirability of new development making a positive contribution to local character and distinctiveness (Paragraph 197c of the NPPF) and should look for opportunities for new development within the Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance (paragraph 206). Therefore, the proposed dormers should be designed with great attention to detail and to the use of traditional architectural forms and materials, in keeping with the local character.

I will not support any further proposal for the installation of incongruous features, as proposed in previous applications (solar panels, solar tunnels, exhaust for MVHR system), to the front or rear slope of this roof. As previously advised, the introduction of these elements do not preserve or enhance the character or appearance of the Conservation Area, contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The harm to the significance of the Conservation Area is 'less than substantial' and paragraph 202 of the NPPF is relevant.

There is no objection to the current application, subject to the following conditions:

- Prior to commencement of above ground works/installation, a schedule of all external finish materials to match the existing, shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site for inspection by the Local Planning Authority. Works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such.
- Prior to installation, a schedule of drawings that show details of the proposed dormers and windows, in section and elevation at scales between 1:20 and 1:1 as appropriate, showing details of glazing type, framing, glazing bars, and cills, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such. Preference is for the retention of historic windows.

### 3. Planning History

18/00090/FUL	Proposed elevational changes.	Withdrawn	07.06.2018
20/00626/FUL	Replacement rear dormers approx 300mm wider than the existing, and alterations to door and windows.	Refused	25.11.2020
21/30063/PREAPP	Proposed cat slide dormer windows to rear elevation, installation of flue to rear elevation for wood burner and gas boiler. Proposed installation of exhaust for MVHR system and installation of two number sun tunnels, replacement of windows with white plastic windows. Proposed replacement of front door with white composite door install solar panels to roof.	Refused	25.05.2021
22/00167/FULHH	Proposed rear dormer windows	Current	

and changes to rear elevations.

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

NPPF National Planning Policy Framework July 2021  
National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic  
Section 1 Plan (adopted January 2021)  
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)  
SPL3 Sustainable Design  
PPL1 Development and Flood Risk  
PPL8 Conservation Areas  
PPL9 Listed Buildings

Supplementary Planning Documents  
Essex Design Guide

#### **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.

#### **5. Officer Appraisal**

##### Proposal

This application seeks permission for two cat slide roof dormers on the rear roof slope of a terraced dwelling within the development boundary and Conservation Area of Harwich.

##### Design and Appearance

The proposed dormers are set equidistant from the edges of each side of the roof, are exactly the same size, 2.45 metres in width and 1.8 metres in depth with a cat slide roof. The Essex Design Guide confirms that dormers should be a minor incidence in the roof plane, they should not be located close to verges or hips and should have gabled, cat-slide or flat lead roofs while they should appear on rear elevations only. The dormers will not be publicly visible due to their position on the rear roof slope, located away from the verges and eaves and take on a cat slide form respecting the Design Guide principles. The dormer sides will be finished in cream painted render, while the roofs will be natural slate and the windows will be white painted softwood, which will match the existing dwelling and preserve the character and appearance of the Conservation Area. The materials as stated on the application form will be secured by condition on the grant of planning permission.

The proposed dormers are not considered to cause any adverse impacts to visual amenity and would preserve the character and appearance of the conservation area.

##### Heritage

Place Services have been consulted for their heritage advice and they do not object to the proposal although they note that the application site is located in Harwich Conservation Area and is a former historic warehouse converted to residential use and much altered in the process. The building is set between Grade II listed 40 Church Street and Grade II listed 41 Church Street and is a key component to the setting of the two above identified listed buildings.

They also confirm that the dormers are a more congruous architectural form to this section of the Conservation Area, which in part draws its significance from composition of historic buildings predominantly constructed and finished in traditional materials. As such, the proposed dormers are considered to be an improvement to the current roof layout and will not detract further from the Character and Appearance of the Conservation Area and from the setting of the adjoining listed buildings.

Place Services suggest imposing conditions requesting a schedule of external materials and samples as well as a schedule of drawings showing details of the dormers and windows in section and elevation. It is not considered necessary to impose such conditions as traditional and complementary materials have been specified within the application form and these are acceptable on the dwelling which is not listed, within the conservation area.

#### Impact on residential amenity

The two rear dormers introduce two second floor rear facing windows. The windows each serve a bedroom which are not considered to be rooms that are lived in during daytime hours and will not therefore have a significant impact on the neighbouring residential amenities in terms of privacy or overlooking.

#### Other Considerations

Harwich Town Council do not object to the proposal.

No further representations have been received.

#### Conclusion

In the absence of material harm resulting from the development 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. 2111.2/2A.

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

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated on the application form unless otherwise approved in writing by the Local Planning Authority.

Reason - In the interests of preserving and enhancing the character of the Conservation Area.

## 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.

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