

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	09/09/2023
Planning Manager / Team Leader authorisation:	ML	13/09/2023
Planning Technician final checks and despatch:	JJ	13/09/2023

**Application:** 23/00915/FULHH **Town / Parish:** Harwich Town Council

**Applicant:** Mr Anthony White

**Address:** 2 Old Customs Houses West Street Harwich

**Development:** Proposed demolition of existing side double storey extension. Erection of new double storey side extension. Stepped access to rear.

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

2.

Harwich Town Council

Harwich Town Council objects to this application on the grounds that the rebuild should be a like for like of the original extension (roof finish). Members would also request that amendments are clearly detailed within the applications.

### **3. Consultation Responses**

Essex County Council  
Heritage  
06.09.2023

The application is for proposed demolition of existing side double storey extension. Erection of new double storey side extension. This follows my previous advice issued via email on 20th July 2023. A site visit has also been carried out within the previous pre-application process.

The proposal site is a Grade II Listed building within the Harwich Conservation Area and in close proximity to a large number of designated heritage assets along West Street and Church Street, including but not limited to:

- Grade II Listed 43 West Street (List UID: 1187945);
- Grade II Listed Former Harbour Café (List UID: 1298471).

The building was firstly erected as two Georgian houses and converted in 1798 to Custom House and it remained the centre of customs operation until 1935. The construction of the side extension dates back to the late 19th century, however, while this is of some significance, it is currently in poor conditions as assessed in the supporting structural engineer report.

The revised layout does not overcome the concerns about the size of the proposed extension; however, it is noted that this would be sufficiently set back from the main elevation and the use of a subtle design would make it less prominent as part of the street scene. Moreover, the proposed extension would allow for the creation of a more accessible space. While there would be some degree of less than substantial harm due to the demolition of the historic extension and the construction of a larger extension, this is overall considered acceptable.

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

- Prior to installation, a schedule of drawings that show details of all proposed windows and doors, 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;

- Prior to commencement of repair works to the main house, investigations of the condition of historic fabric which is likely to be affected by the proposal, as recommended by the appointed structural engineer, shall be submitted to and approved in writing by the Local Planning Authority (location of any trial hole to be agreed in advance), as well as schedule of proposed repair works;

- New rainwater goods, where required, shall be black painted or powder-coated metal.

Historic England  
21.07.2023

Thank you for your letter of 11 July 2023 regarding the above application for planning permission.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

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

#### 4. Planning History

95/00022/LBC	(2 Old Custom House, West Street, Harwich) Alterations in respect of front door, internal staircase and rearrangement of bathroom fittings and new window	Approved	31.10.1995
23/00914/LBC	Proposed demolition of existing side double storey extension. Erection of new double storey side extension.	Current	
23/00915/FULHH	Proposed demolition of existing side double storey extension. Erection of new double storey side extension. Stepped access to rear.	Current	

#### 5. Relevant Policies / Government Guidance

NATIONAL:

National Planning Policy Framework July 2021 (NPPF)  
National Planning Practice Guidance (NPPG)

**LOCAL:**

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

- SP1 Presumption in Favour of Sustainable Development
- SP7 Place Shaping Principles

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

- SPL1 Managing Growth
- SPL3 Sustainable Design
- LP3 Housing Density and Standards
- LP4 Housing Layout
- PPL9 Listed Buildings
- PPL8 Conservation Areas
- PPL1 Development and Flood Risk

Supplementary Planning Guidance:  
Essex Design Guide

Local Planning Guidance:  
Essex County Council Car Parking Standards - Design and Good Practice

### **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), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any neighbourhood plans that have been brought into force.

## **6. Officer Appraisal (including Site Description and Proposal)**

### Application Site

The proposal site is a Grade II Listed building within the Harwich Conservation Area and in close proximity to a large number of designated heritage assets along West Street and Church Street, including but not limited to:

- Grade II Listed 43 West Street
- Grade II Listed Former Harbour Café

### Proposal

This application seeks planning permission for the demolition of existing side double storey extension. Erection of new double storey side extension. Stepped access to rear.

### Assessment

#### Visual Appearance

The proposal will be to the side of the existing house and replace an existing extension already in situ.

The proposed enlargement will be set back from the front boundary of the site and will match the design of the house in terms of openings and use of similar materials.

The enlargement will be of a flat roof design with parapet, which will be similar to the host dwelling allowing it to appear subservient to the main house with this and its set back, thereby reducing its prominence within the streetscene.

The plans also show a new platform area to the rear with stepped access. This will be screened by the existing house and would therefore not result in a detrimental impact to the appearance/character of the house or locale.

The proposed addition is therefore considered a suitable enlargement to the existing house which would not diminish the character and appearance of the host dwelling or locale.

#### Heritage Impact

The site itself is located within the conservation area for heritage and is a Grade II Listed Building. The site is also close to other listed buildings as detailed above. There will be a slight increase in terms of the footprint of the extension allowing for it to accommodate a kitchen and shower wet/room at ground floor and a lounge and bathroom at first floor.

The Conservation Area Appraisal for Harwich does not make specific reference to the house however does highlight the area as below.

*'Apart from the fish shop with its quietly-detailed shopfront, the rest of Church Street appears to be residential, mostly of two storeys and in very attractive Georgian frontages, with some characterful details such as excellent door-cases, small-pane sash windows, recessed panelling under the windows, and rubbed-brick cornice details. The north end of Church Street emerges between the Trinity House buildings and its character is very different. Little Church Street is a tiny dog-leg round the back of the Trinity House depot building and is really no more than a private courtyard. It serves a fascinating pair of weatherboarded houses and the backs of houses on Church Street. The dog-leg part of the access is in a rather poor state of repair with a pile of old building materials'.*

The ECC Heritage Team have been consulted and have raised some concerns over the proposal, however, they have stated that the proposed will be set back reducing its prominence and resulting in a better layout of space which is more accessible to the occupants. They have confirmed that whilst there will be some impact to the appearance of the heritage assets the replacement of an older extension currently in poor condition would be acceptable. They have also stated that the significant setback of the proposal will reduce its prominence further.

They have therefore provided no objection to the proposal subject to conditions regarding further information on windows, more information on the repair works to the main house and for rainwater goods to be black. These conditions are considered appropriate and will be applied to the permission.

#### Impact to Neighbours

The proposal will replace the existing two storey side extension and be set off shared boundaries, thereby preventing it from resulting in a significant loss of amenity to neighbouring sites.

The proposed rear elevation drawing shows one window which will be inserted within the rear wall at first floor level and will achieve views into neighbouring gardens. This window will replace one which is much larger in design and, as the house already is two storey achieving views into the neighbouring gardens, these neighbours already receive little privacy. It is therefore considered unreasonable to refuse planning permission on any impact this window may have.

The new stepped access will create a platform to the rear therefore resulting in some loss of privacy to neighbours. As discussed above the house and its neighbours are in close proximity to one another with windows at first and second floor already achieving clear views into neighbouring gardens. It is therefore considered that any overlooking achieved from this element would not be so significant to refuse planning permission upon in this instance.

### Flood Risk

The site is located within National Flood Zones 2 and 3 and therefore a flood risk assessment has been provided detailing mitigation measures to be taken to prevent the proposal from resulting in additional harm in this regard.

### Other Considerations

Harwich Town Council objects to this application on the grounds that the rebuild should be a like for like of the original extension (roof finish). Members would also request that amendments are clearly detailed within the applications.

Officer Response - The proposal will be significantly set back from the front boundary and replace the existing extension. As the existing extension is currently in poor condition and due to the set back of the proposal its replacement is a welcome change to the site which will not appear prominently or harmfully within the streetscene or to any heritage assets.

There have been no letters of representation received.

### Conclusion

The proposal is therefore considered compliant with national and local policy and in the absence of material harm resulting from the proposed development is recommended for approval.

## **7. Recommendation**

Approval - Full

## **8. Conditions**

### **1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT**

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

### **2 APPROVED PLANS & DOCUMENTS**

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

22-150-Rev 02 00

22-150 REV 01-01

Planning Statement - 27/06/2023

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

3 FURTHER APPROVAL: HERITAGE

Prior to installation, a schedule of drawings that show details of all proposed windows and doors, 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.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

4 COMPLIANCE: HERITAGE

Rainwater goods shall be black painted or powder-coated metal and shall be permanently maintained as such.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

5 FURTHER APPROVAL: HERITAGE

Prior to commencement of repair works to the main house, investigations of the condition of historic fabric which is likely to be affected by the proposal, as recommended by the appointed structural engineer, shall be submitted to and approved in writing by the Local Planning Authority (location of any trial hole to be agreed in advance), as well as schedule of proposed repair works.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

9. **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.