



The Starlings Site, 105 - 119 High Street, Dovercourt



Planning, Heritage, Design and Access Statement



Boyer

Report Control

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1. INTRODUCTION

- 1.1 This Planning, Heritage, Design and Access Statement has been prepared by Boyer on behalf of Tendring District Council in support of a full planning application for the proposed development of a surface-level public car park, landscaped public open space, public toilet facilities, and associated works on land at 105 – 119 High Street, Dovercourt, known as ‘the Starlings Site’.
- 1.2 This statement forms part of a suite of documents submitted in support of this planning application. The purpose of the Planning, Heritage, Design and Access Statement is to provide a description of the proposed development. It also seeks to outline the relevant background information used; provide details of the evolution of the proposals; and to demonstrate that the development accords with national policy and relevant parts of the Development Plan. It also demonstrates that the proposals are acceptable in terms of all other material considerations relevant to the determination of the planning application.
- 1.3 In addition to this Statement, the full planning application is also supported by the following documents:
 - Full Planning Application Form and relevant Ownership Certificates;
 - Application Site Boundary Plan;
 - Illustrative Masterplan;
 - Plans and elevations of the public toilet building;
 - Proposed streetscenes;
 - Indicative event space visualisation;
 - Surface water drainage plan;
 - Street lighting plan; and
 - Contaminated land investigation reports including:
 - Phase One Desk Study Report, ref. 60275 (November 2019);
 - Ground Investigation Report, ref. 60275 (January 2020);
 - Gas Monitoring Letter Report, ref. KB/60275 (30 April 2020);
 - Asbestos Investigation Letter Report, ref. KO/60275/Asb GI (10 March 2021); and
 - Remediation Method Statement (30 March 2021).
- 1.4 This Planning, Heritage, Design and Access Statement is structured as follows:
 - Section Two provides a description of the site and its surrounding context,
 - Section Three provides an account of the heritage context of the site;
 - Section Four details the proposed development, including the rationale to the design and access arrangements;
 - Section Five reviews the relevant planning policy context for the application;
 - Section Six explains the planning, heritage, design and access considerations; and
 - Section Seven draws conclusions.

2. SITE AND SURROUNDING CONTEXT

Dovercourt

- 2.1 Dovercourt is a small coastal town in north Essex, located on the peninsular between the confluence of the River Stour, River Orwell and the North Sea. Located to the northeast of Dovercourt is the historic port town of Harwich, which is positioned at the tip of the peninsula.
- 2.2 The town centre of Dovercourt is at the narrowest part of this isthmus, which is divided by the B1352, which was formerly the main road to the port. High Street, Dovercourt is situated on the B1352, at the centre of the town. The length of the B1352 leading to and from High Street is named Main Road.
- 2.3 The town centre is framed by Dovercourt Railway Station to the north, and the beaches of Dovercourt Seafront to the south. The topography of the area slowly rises to the west of Dovercourt centre to the ridge occupied by Upper Dovercourt, a small historic settlement now surrounded by modern suburbs.
- 2.4 Dovercourt serves as the main local centre for the surrounding settlements of Harwich, Upper Dovercourt and Parkeston, as well as surrounding rural villages. Colchester is the nearest large settlement to Dovercourt, located approximately 15 miles to the west.

The Site

- 2.5 The application relates to an 'L-shaped' parcel land to the south of High Street, Dovercourt. The site is known locally as 'The Starlings Site' is bound by Orwell Road to the northeast, Milton Road to the southeast, and Bay Road along part of the south-western side. The remaining section of the western boundary is adjoined by the single-storey retail/business unit and associated structures of No. 121-123 High Street.
- 2.6 The site is vacant and comprises derelict land extending to approximately 0.22 hectares.
- 2.7 The gradient of the site gently slopes in a south-east to north-west direction.
- 2.8 The site was previous occupied by The Queen's Hotel at Nos. 119-121 High Street (built c. 1856), commercial properties of Stour Place (Nos. 105 – 117 High Street) and Starlings Garage to the east, between the hotel and Orwell Road. The last known uses of Nos. 105 and 107 High Street were as a shop and a barber's shop respectively.
- 2.9 The Queen's Head Hotel was demolished following a fire in 2011 that rendered the building unsafe. Conservation Area Consent was granted for the demolition of the adjoining properties, Nos. 105 – 117 High Street, in 2012 (Ref. 12.00478/CON), which were reported to be vacant, boarded up and in a parlous state.
- 2.10 The 'Starlings Garage' (13-15 Orwell Road) was located to the rear of Nos. 105-117 High Street and occupied the southern extent of the current application site. The Garage had vehicular access from Orwell Road, Milton Road, and High Street. Prior Approval for the demolition of the garage buildings was granted in 2012 (Ref. 12/00615/DEMCON).

2.11 The site is currently secured by site hoarding to all sides which has been in place since the buildings were demolished and the site was cleared.

Planning History

2.12 The following table provides a summary of relevant planning history for the site from publically available records on Tendring District Council's website.

Application Number	Development Description	Decision
12/00615/DEMCON	Demolition of garage buildings at 13 - 15 Orwell Road Dovercourt Harwich Essex	Prior approval granted 26 June 2012
12/00478/CON	Demolition of buildings leaving site clear for possible development at 105 - 117 High Street Harwich Essex	Approval - Conservation Area Consent 5 July 2012
11/00121/FUL	Erection of building containing ten flats (following demolition of existing outbuildings) at Site to the rear of 119 High Street Harwich Essex	Application Withdrawn 3 May 2011
11/00118/FUL	Conversion from short stay holiday lets into four flats on first and second floors and alterations to existing ground floor restaurant/bar at 119 High Street Harwich Essex	Application Withdrawn on 8 April 2011
04/01119/DETAIL	Demolition of existing buildings and construction of mixed use development (submission of reserved matters for 03/02331/OUT) at 109 - 117 High Street (and Land to the Rear) Dovercourt Harwich Essex	Approval - Reserved Matters on 31 August 2004
03/02331/OUT	Demolition of 109-117 High Street and redevelopment with 2 and 3 storey buildings for 17 flats and 3 A1 retail units at 109 - 117 High Street (and Land to the Rear) Dovercourt Harwich Essex	Approved on 23 February 2004

- 2.1 A planning application (planning reference: s) has recently been submitted to Tendring District Council in relation to the adjoining site, Nos. 121-123 High Street, for the following proposed development: *Proposed retention of existing frontage, demolition of rear outbuildings formation of 1 no. two-bedroom disabled unit, cycle storage and associated refuse stores to rear, and in addition 6 no. one-bedroom self-contained units over first and second floors and 1 no. studio self-contained unit at second floor level.*

3. HERITAGE CONTEXT

Surrounding Heritage Context

- 3.1 The north western side of the application site, fronting High Street, falls within the Dovercourt Conservation Area (a designated heritage asset in terms of the National Planning Policy Framework, NPPF) as identified in the Local Plan Proposals Map and in the Tendring District Council Conservation Area Review: Dovercourt Conservation Area, dated March 2006.
- 3.2 Immediately to the north-east and east of the site are 101-103 Main Road Dovercourt and 1-13 Orwell Road Dovercourt which are all Grade II Listed Buildings (designated heritage assets in terms of the National Planning Policy Framework, NPPF).

Dovercourt Conservation Area

- 3.3 The designated Dovercourt Conservation Area extends to parts of the town centre most closely associated with its early development as a seaside resort. This includes Orwell Terrace and the adjacent Cliff Park Gardens; the section of High Street, from Victoria Street to the junction with Kingsway; Dovercourt Train Station and the station approaches, which include a mix of 19th and early 20th century architecture. The southern boundary envelopes Kingsway Hall, and then runs along Bagshaw Road and cuts across the application site, meeting back at Orwell Terrace.
- 3.4 The High Street is described as forming the core of the Conservation Area, with shoppers and traffic contributing to its character. Cliff Park Gardens lead on to the coastal defence site, Beacon Hill, which is a designated Scheduled Ancient Monument and a wildlife habitat. The conservation area for Dovercourt includes Beacon Hill and the stone breakwater stretching into the estuary towards Landguard Point.
- 3.5 The Conservation Area Appraisal describes how by the mid-19th Century, *“Dovercourt has a Marine Parade, a considerable amount of development either side of its High Street, a Station and Hotel, and a new straight road connecting it with the town centre of Harwich”*. It reports that much of this development was commissioned by Mr John Bagshaw, MP for Harwich, whose plans for Dovercourt New Town were stimulated by the coming of the railway. Bagshaw’s proposals included promenade walks, the development of Orwell Terrace and Gardens and the construction of his personal residence at Cliff House. After his bankruptcy his house was demolished and landscaped as Cliff Park Gardens. These were then opened to the public in 1911.
- 3.6 The frontage of Orwell Terrace, facing Orwell Road, is described as *“immensely impressive, with massive and distinctive cast ironwork complementing the stucco elevations”*. The report later makes reference to the ‘collapsed property at the end of Orwell Terrace’ as a negative feature of the Conservation Area due to *“its prominent position, the loss of an interesting building, and the damaging effect on Dovercourt’s finest set-piece composition”*.



Photo 1: Queen's Hotel, 19 High Street, Dovercourt (date unknown) Source: Harwich & Dovercourt - A time gone by <http://www.harwichanddovercourt.co.uk/public-houses-hotels/>



Photo 2: Queen's Hotel, 19 High Street, Dovercourt (22nd August 2000) Source: <https://pubwiki.co.uk/EssexPubs/Dovercourt/qhead.shtml>

- 3.7 An account of the now demolished buildings that once occupied the application site is provided within the Conservation Area Review (2006), as follows:

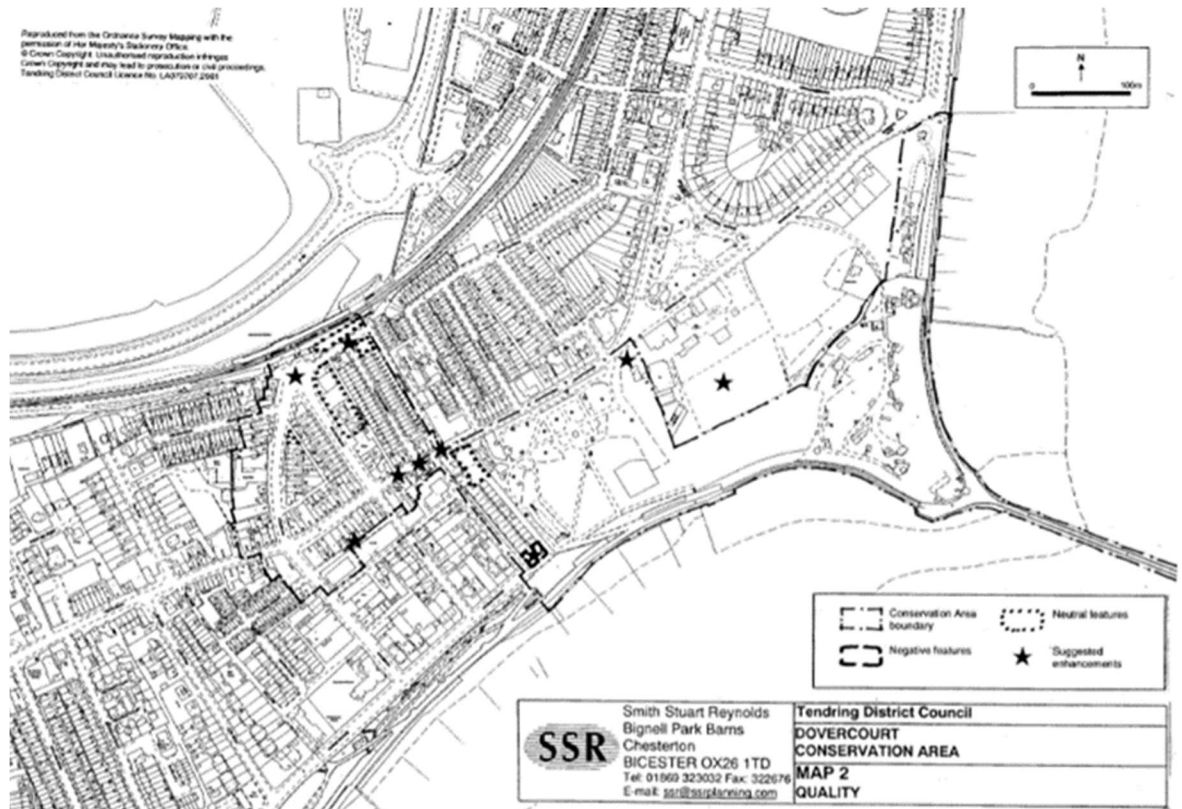
Continuing on the south side of High Street is a row of early to mid 19th century fronts: A two-storey corner block to Orwell Terrace has a typical quadrant corner, and there are remains of heavy rusticated ground floor. No 107 has what looks like its original small shop front, though everything else is rather altered. The wagon entry to rear (Starling's garage) is once again of two storeys and dates from the second quarter of the 19th century, with more remains of a shop front. The backs of these properties are of brick and in a very poor state of repair, with tiny back yards, much crumbled brick work, a lot of mortar repair and general maintenance problems. Next is the Queens Hotel, of three storeys, probably of mid Victorian

date though with what may be an Edwardian front to one half, and semicircular windows in rusticated surrounds and piers to the other half at ground floor. The whole façade is of stucco painted red, with white painted details and a timber dentilled cornice.

- 3.8 The Conservation Area Review (2006) Map 1 identifies the former frontage of the site onto High Street, as well as the façade of properties opposite on the northern side of High Street, the property on the corner of Orwell Road, together with Orwell Terrace as 'key façades, important boundaries'.
- 3.9 The Conservation Area Review identifies areas for enhancement to buildings, curtilages and the environment of the area. The location of these potential areas are identified by 'stars' annotated on Map 2 of the Conservation Area Review (see below), and included the former properties of the application site that fronted High Street, as follows:

High Street

Older properties in the section of High Street between Cliff Park Gardens and Station Road have suffered from a lack of investment relative to commercial properties further west. They are part of the continuous development of Dovercourt and their restoration would be of significant benefit to the appearance of the Area. Many however require new uses to be found to sustain this enhancement.



Listed Buildings

- 3.10 Immediately to the north-east and east of the site are 101-103 Main Road Dovercourt and 1-13 Orwell Road, Dovercourt which are all Grade II Listed Buildings (designated heritage assets in terms of the National Planning Policy Framework, NPPF). The listed description of these properties are below:

101-103 Main Road

“Shops with flats. Mid C19. Brick rendered with Roman cement ashlar on front, painted brick elsewhere and Welsh slate Mansard roof. EXTERIOR: 3 storeys and attics. Front has 2 plain flat-roofed dormers, cornice and moulded frieze, which is continued on all sides. Second floor has 4 recessed double-hung sash windows with small panes, moulded surrounds and floating cornices over. First floor has 4 double-hung sash windows with small panes, moulded surrounds and thin panelled pilasters with consoles carrying pediments, the outer 2 segmental and inner pair triangular. Ground floor has projecting flat-roofed shops with canted corners, modillioned cornice and deep fascia with console ends. Cresting of wrought-iron partially damaged. Eastern unit has window of 2 large panes, mullions as thin columns with capitals and semicircular upper corners to glass. Recessed entrance door with 2 superimposed fanlights. West unit is similar but with corner entrance and return on Orwell Road frontage. West elevation has one dormer with lean-to roof and, on second floor, a squarish double-hung sash on front. First floor has a double-hung sash under a moulded semicircular arch and keystone. Ground floor has entrance door with pilasters linked to projecting string bands. Cast-iron street name-plate on wall. East elevation has a small pane double-hung sash window and segmental arch, on the upper 2 floors over a simple entrance door. Rear elevation has C20 metal fire escape and double-hung sash window with segmental heads. 2 large stacks. INTERIOR not inspected” (Historic England Listing: TM2575331679).

1-13 Orwell Terrace

“Formerly known as: Banksea House Dovercourt. Terrace of marine residences now mostly flats with attached railings. 1851 to late 1850s. Brick with Roman cement render and Welsh slate Mansard roof over main range, flat roofs over end blocks. PLAN: main range (Nos 1-12) of 3 storeys with attics and basements and NW and SE blocks of 4 storeys with basements. EXTERIOR: the main range consists of 12 houses in handed pairs. The centre of each pair breaks forward slightly forming a regular series of recesses and projections. Each projecting part has 2 segmental-roofed dormers now with mixture of windows, the originals being double-hung sashes with margin glazing and single vertical glazing bar, the upper sash curved. Each party wall is taken above the mansard with long party wall stacks. Plain parapet now pierced with mixture of semicircular and rectangular cut-outs to dormers. Prominent cornice on brackets and pulvinated frieze. Second floor has 2 narrow unsubdivided double-hung sash windows with plaster moulded surrounds. First floor has 2 similar deeper windows with semicircular-headed moulded surround and set in slight recess. Ground floor, as elsewhere in complete complex, has Doric pilasters, entablature and

cornice forming base. This treatment is carried round paired, projecting flat-roofed porches each with a semicircular arch-headed window in its flanks. Iron bootscraper beside each front door. Front doors of Nos 1, 2 & 5-9 have 2 vertical panels, Nos 3 & 4 have 6 raised-and-fielded panels. Others are C20. Elevation of recessed part has 2 similar dormers. Second floor has 2 square double-hung sash windows with margin glazing, central vertical glazing bars and moulded plaster frames. First floor has 2 aedicule pedimented windows with eared, upward-tapering architraves. These have margin glazing and central horizontal glazing bar to each sash. These reach to floor level and each has a projecting balcony on brackets with X-pattern iron railings between rectangular corner piers (formerly with ball finials). Ground floor has tripartite arrangement of central and 2 narrow double-hung sash windows with margin glazing set between pilasters. Similar arrangement to basement but with small panes. Wing walls project between each unit within recessions with pier and wrought-iron railings linking with porches and enclosing basement area. These have adorned 'halberds' as main supports with scroll backstays and minor bars have pronounced spearheads. Stone-paved terrace with granite curbing, fronts Nos 1-12 with remnants of iron railings at northern end. Each unit has stone step from road level and iron coal-shute cover to cellar beneath. The 2 larger end units are taken up to 4 storeys with flat-leaded roofs behind parapets. The pilaster base treatment is carried through and each block has banded giant pilaster and quoin treatment to corners. The south-west facade of The Convent has similar cornice carried through below 4th floor and this is broken and arched over a window of 3rd floor where facade breaks forward slightly. Third floor has 2 square double-hung sash windows with 2 vertical glazing bars and one narrow double-hung sash, all with plaster frames. The second floor has one narrow and 2 wide double-hung sashes with pilasters and straight entablature and floor level sills on consoles enclosing apron panels. First floor has one narrow double-hung sash and 2 with semicircular-headed pediments. Single projecting porch on ground floor. The seaward elevation of The Convent employs similar motifs but with more variety and windows of 2nd and 3rd floors are linked. One half of this facade projects with banded pilasters/quoins and with projecting pilastered canted bay with pilasters and balustrade. The SW elevation of No. 13 employs similar motifs with the centre of 3 window range breaking forward slightly and with projecting similar porch and separate terrace/steps. The NE elevation, overlooking Cliff Park is treated as an unbroken range but with The Convent and No. 13 breaking forward and surmounted by pediments. General arrangement of facades is similar to SE but with continuous stone balcony at 1st-floor level, supported on pierced brackets and breaking forward at end pavilions. This has simple iron handrail (By Coopers of Ipswich). First-floor windows have aedicules with pediments as elsewhere. Ground floor treatment has large frame French windows between pilasters. INTERIORS of Nos 7 & 8 (still single houses) remain substantially intact. Narrow but elegant well staircases with winder corners, continuous curved soffits, continuous hardwood handrails and alternating iron balustrade of oval loops with anthemion motif and foliate sticks. Variety of richly applied cornices of neo-classical patterns including guilloche and egg-and-dart, varied from room to room and unit to unit. Plaster ceiling roses, plaster skirtings and contemporary panelled doors and moulded architraves. Cornice to porch of No. 8 has standing leaves. Standard pattern marble fireplaces with shelf on consoles, white on first floor and black to

main ground floor room. The interior of The Convent is similar but on a larger scale with staircase bridging over a lower flight to reach 3rd floor. This house has semicircular arches within entrance lobby and on first-floor landing with free-standing lintel with rounded decorations. Attics have soft water cisterns to collect water from roofs. Rear gardens are Bagshaw MP, the only completed part of Dovercourt New Town. This monumental project was designed by WH Lindsey, a London architect. Bagshaw was declared bankrupt in 1859 and the necessary land was broken up. The project as built was loosely based on that part of Lindsey's scheme, but the name of a Dovercourt architect, Horace Darken, appears on sale documents" (Historic England Listing:TM2580631624).

Heritage Policy Framework

- 3.11 Sections 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 require special regard to be given to the desirability of preserving a listed building and its setting when exercising planning functions. A decision maker must give considerable importance and weight to the desirability of preserving the significance of the listed building, and there is a strong presumption against the grant of permission for development that would harm its heritage significance (Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and others [2014] EWCA Civ 137).
- 3.12 Similarly, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 3.13 For the purposes of this statement, preservation equates to an absence of harm (South Lakeland v SSE [1992] 2 AC 141). Historic England's Conservation Principles (paragraph 84) defines harm as change which erodes the significance of a heritage asset.
- 3.14 The NPPF (2019) defines significance of a heritage asset as being made up of four main constituents: architectural interest, historical interest, archaeological interest and artistic interest. The setting of a heritage asset can contribute to its significance, and is defined in the NPPF as follows:
- "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."*
- 3.15 The NPPF (paragraphs 195 and 196) requires the impact on the significance of the designated heritage asset to be considered in terms of either "substantial harm" or "less than substantial harm". National Planning Practice Guidance (NPPG) makes it clear that substantial harm is a high test, and case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset.
- 3.16 The NPPF (paragraphs 195 and 196) refer to two different balancing exercises in which harm to significance, if any, is to be balanced with public benefit. NPPG (paragraph 18a-020-20190723) makes it clear that it is important to be explicit about the category of harm (that is,

whether paragraph 195 or 196 of the NPPF applies, if at all), and the extent of harm, when dealing with decisions affecting designated heritage assets, as follows:

“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”

- 3.17 NPPF paragraphs 193 and 194 state that great weight should be given to the conservation of a designated heritage asset when considering applications that affect its significance, irrespective of how substantial or otherwise that harm might be.

4. DEVELOPMENT PROPOSAL

- 4.1 Full planning permission is sought for the redevelopment of land at 105 – 119 High Street, Dovercourt, to provide a surface-level car park, public toilet facilities, public open space, landscaping and associated works.
- 4.2 The proposals seek to deliver significant public realm improvements to the High Street enhancing the quality and appearance of the town centre by bringing the vacant, boarded-up site back into use as a positive space for the community. The development will deliver new landscaped pocket spaces where people can meet and enjoy the social life of the town. The provision of a much improved car park with a more user-friendly surface level format will help to generate footfall along the High Street and into Kingsway via Milton Road. This will, in turn, enable the Milton Road car park to be released for redevelopment. The flexible format of the car park provides an opportunity for the space to be multi-purpose and used by the community as a local event space to accommodate a street market, festivals and events.
- 4.3 The proposal will create an attractive area of active open space to the High Street frontage of the site. The public space along High Street would be approximately 50m long and its width varies between 5.4m and 6.8m, measured from kerb to retaining wall. The frontage has been design with hard and soft landscaping, ornamental street tree planting, seating and benches, and will be lit by attractive street lighting.
- 4.4 To the western end of the site frontage, a new public toilet facility will be provided, in proximity to the pedestrian access to the car park from High Street. The freestanding structure will measure approximately 4.5 metres wide and 4 metres in depth. The building will have a monopitched roof design, rising from 2.3 metres to 3.6 metres at its highest point above ground level.
- 4.5 The public toilet facility will be finished with cedar cladding and fascia to the elevations and simulated lead to the roof. The doors to the facility will be faced in aluminium. All rain water goods will be black.

Access and Parking

- 4.6 In total, 51 car parking spaces will be provided within the car park, of which 4 spaces will be allocated for disabled parking (Nos. 40, 41, 42, and 43). In addition, facilities for electric vehicle charging will also be provided at four spaces (Nos. 44, 45, 46, and 47).
- 4.7 Vehicular access and egress to the car park will be via Orwell Road. Orwell Road currently operates a one-way system and all vehicle users will turn right when exiting the site. A barrier will be erected at the entrance to the car park to prevent overnight use.
- 4.8 Pedestrian access to the car park will be provided alongside the vehicular access onto Orwell Road. In addition, steps up to Orwell Road will be created to provide a further pedestrian access point from the eastern corner of the site.

Multipurpose space

- 4.9 The car parking area of the site has been design in a manner that would allow the site to be used as a multi-purpose community space. The level surface and open design of the car park space, together with street lighting, electrical connections and various points of access for pedestrians, allow the site to be used for various public events and activities on designated days throughout the year.
- 4.10 The use of the car park area for public events and activities could take place under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 4, Class B, for not more than 28 days in a year (of which not more than 14 days in total can be for the purpose of holding a market).

Hard and Soft Landscaping

- 4.11 Associated works to the site include soft and hard landscaping to the perimeter as well as street furniture, such as benches and litter bins. Six lighting columns will also be proposed around the edge of the site.
- 4.12 To the eastern end of the High Street frontage, a substantial Turkish Hazel will be planted to provide a landscape feature on the corner of the site. Further ornamental tree planting will be provided along the frontage, with four ornamental pear trees (*Pyrus Caleryana Chanticleer*) interspersed by public benches and cycle parking stands.
- 4.13 Due to level differences across the site, a retaining wall with metal fence (polyester powder coated matt black) and a 750mm buffer strip of soft landscape planting will separate the area of open space to the site frontage and the car park. The proposed retaining wall would be no higher than 0.65m accompanied by a 0.9m high railing. Approximately half of its length is set back and a second wall of 0.4m high wall forms a raised planter with low planting and various flower shrubs. Three timber benches are wall mounted to this lower wall. A pedestrian access will cut through to the car park, which will be surfaced using tarmac.
- 4.14 A landscaped pocket garden will be created on the western side of the site, to the south of No. 121-123 High Street, with pedestrian access leading through from the car park to Bay Road. This new green pocket space to the western corner of the site will front Bay Road and Milton Road. Soft landscaping and tree planting will be created along the boundary with the neighbouring property to soften the interchange with the southern elevation of the adjacent property and to edge the pedestrian pathway. Shrub and tree planting, together with public benches will frame a substantial feature Freeman Maple (*Acer Freemanii*) to this pocket green space.
- 4.15 Due to the site level difference, a retaining wall with railings will be provided along Orwell Road and Milton Road, with soft landscape planting, including shrubs and climbing vegetation along retaining walls. A further pocket of green space would be created on the corner of Orwell Road and Milton Road, with a Narrow Columnar Oak (*Quercus robur fastigiata*). An information board and ticket machine would also be sited in this eastern corner of the site.

- 4.16 The pavement of the public spaces would be finished with tarmac on adopted areas and block paving setts along High Street and for the footpaths within the pocket green on the Bay Road corner. As a separation between tarmac and the setts a levelled border is to be used.
- 4.17 The retaining walls would be built in Ibstock Class B red 65mm perforated engineering brick. Railing around site are to be polyester powder coated matt black and fixed adjacent to retaining walls.
- 4.18 Six light columns type Swan Neck bracket, 936 Merrion, VeeLite and three Derby Compact Litter Bin (BX45G 2550-CMP) are proposed across the site.

5. POLICY CONTEXT

5.1 The relevant national and local planning policies applicable to the development proposed through this application are summarised below.

National Planning Policy Framework (NPPF, 2019)

5.2 Within the National Planning Policy Framework (NPPF) there is a presumption in favour of sustainable development which is central to the Government's approach to the planning system and the emphasis on the need to plan positively for appropriate new development

5.3 Through the publication and most recent updates to the NPPF, the Government outlines that it is necessary to promote sustainable development with regard to three overarching objectives which are: economic, social and environmental considerations. These three objectives are interdependent and need to be pursued in mutually supportive ways to deliver sustainable development.

5.4 Paragraph 47 of the NPPF outlines that planning law requires application for planning permission to be determined in accordance with the development plan. These decisions should be made as quickly as possible.

5.5 Paragraph 48 states that local planning authorities may give weight to relevant policies in emerging plans.

5.6 Chapter 7 of the NPPF seeks to ensure that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

5.7 Paragraph 91 of the NPPF seeks to promote healthy and safe communities by ensuring that planning policies encourages: (a) social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other; (b) places that are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; and (c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.

5.8 Paragraph 106 of the NPPF relates to town centre parking. The policy states that in town centres, local planning authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

5.9 The application site is currently vacant. Chapter 11 of the NPPF relates to making effective use of land and states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It goes on to say that policies should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

- 5.10 Chapter 12 of the NPPF focusses on the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.11 Paragraph 180 of the NPPF discusses conserving and enhancing the natural environment. It states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 5.12 In terms of conserving and enhancing the historic environment, chapter 16 of the NPPF notes that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. It goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

Local Planning Policy

- 5.13 The Planning and Compulsory Purchase Act 2004, s38(6) requires all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.14 The statutory Development Plan for Tendring District Council comprises the following documents:
- Tendring District Local Plan 2007 (December 2007);
 - Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1 Plan (Adopted January 2021); and,
 - adopted Supplementary Planning Documents.
- 5.15 The following policies of the Development Plan are deemed to be a material consideration in the determination of this application.

Tendring District Local Plan 2007 (December 2007)

- 5.16 Tendring District Local Plan was adopted in 2007. Aspects of the adopted local plan are considered to be out of date and not in accordance with national planning policy. Until a new Local Plan is formally adopted, elements of the 2007 adopted Local Plan will remain in force. However, as the new Local Plan progresses it will begin to have more 'weight', alongside other 'material considerations', including national planning policy.
- 5.17 The following policies from the adopted Local Plan (2007) below are considered relevant to this application.
- 5.18 Policy QL1 – Spatial Strategy: The spatial strategy for Tendring follows established national and regional principles for sustainable development.

- 5.19 Policy QL3 – Minimising and Managing Flood Risk: The Council will ensure that flood risk is taken into account at all stages in the planning process, to avoid inappropriate development in areas at risk of flooding. Development will only be permitted in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and the benefits of development outweigh the risks of flooding.
- 5.20 Policy QL6 - Urban Regeneration Areas seeks to direct investment towards parts of the district that are in most need of physical regeneration and contain the highest levels of social deprivation. Dovercourt Town Centre is identified as an Urban Regeneration Area. The policy states that permission will be granted for development that reinforces and/or enhances the function, character and appearance of the area and contributes towards regeneration and renewal. In particular, the Urban Regeneration Areas will be the focus for:
- i. Investment in social, economic and transportation infrastructure; and
 - ii. Initiatives to improve vitality, environmental quality, social inclusion, economic prospects, education, health, community safety and accessibility.
- 5.21 Policy QL9 – Design of New Development: All new development should make a positive contribution to the quality of the local environment and protect or enhance local character.
- 5.22 Policy QL10 – Designing New Development to Meet Functional Needs seeks to ensure that all new development meet functional requirements such as, amongst others, safe and practicable access arrangements; measures to minimise opportunities for crime and anti-social behaviour; appropriate utility services and other infrastructure necessary for the development proposed.
- 5.23 Policy QL11 – Environmental Impacts and Compatibility of Uses: All new development should be compatible with surrounding land uses and minimise any adverse environmental impacts. Criteria iv. the development, including any additional road traffic arising, will not have a materially damaging impact on air, land, water (including ground water), amenity, health or safety through noise, smell, dust, light, heat, vibration, fumes or other forms of pollution or nuisance; and Criteria v. the health, safety or amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use.
- 5.24 Policy ER31 - Town Centre Hierarchy and Uses. Dovercourt is identified as a Major Town Centre in the Town Centre Hierarchy and the application site falls within the designated Dovercourt town centre boundary (although not within the primary shopping area). It is the Council's intention that town centres be protected and remain the economic and social focus for the whole community. Policy ER31 seeks to insure that development involving the provision of town centre uses (Retail; Leisure, entertainment facilities and intensive sport and recreation uses; Offices; and Arts, culture and tourism) are properly related in their scale and nature to the hierarchy.
- 5.25 Policy EN17 - Conservation Areas: Development within a Conservation Area must preserve or enhance the character or appearance of the Conservation Area.

- 5.26 Policy EN23 – Development within the Proximity of a Listed Building: Proposals for development that would adversely affect the setting of a Listed Building, including group value and long distance views will not be permitted.
- 5.27 Policy HAR12 – Dovercourt Town Centre Regeneration Area seeks to encourage appropriate mixed-use development (including residential use) within the defined regeneration area, in order to bring about the repair and restoration of historic buildings.
- 5.28 Policy HAR13 – Environmental Improvements within Dovercourt Town Centre provides support for proposals to carry out environmental improvement works within the town centre, will be supported subject to the approval of highway and environmental safeguards including protection of the amenities of local residents.
- 5.29 Policy COM1 – Access for All: Development involving buildings or spaces to which the public will have access as visitors, customers or employees will not be permitted if the design and layout does not provide safe and convenient access for people of all abilities.
- 5.30 Policy COM2 – Community Safety: All new development shall contribute to a safe and secure environment, which reduces the incidence and fear of crime and disorder by reducing criminal opportunity and fostering positive social interactions between legitimate users. Criteria a) maximise overlooking of areas which may be vulnerable to crime such as public spaces, car parking areas and footpaths; and Criteria c) provide a good standard of lighting to public spaces and routes are considered relevant to the development proposal.
- 5.31 Policy COM4 – New Community Facilities (including Built Sports and Recreation Facilities) - Permission will be granted for the change of use or redevelopment of land or buildings for appropriate community subject to certain criteria which includes, amongst other things, the development would not be detrimental to the character and amenities of the area; and will not lead to unacceptable parking or traffic problems.
- 5.32 Policy COM8 – Provision and Improvement of Outdoor Recreational Facilities: Proposals for the provision of new and extended outdoor recreational facilities will be permitted subject to certain criteria. Criteria iv: the recreational facilities do not detrimentally impact on: a) the amenity of surrounding residents and occupiers; b) highway and pedestrian safety; c) vehicular and pedestrian access into the site; d) townscape; and e) landscape and biodiversity.
- 5.33 Policy COM19 – Contaminated Land: Planning permission will not be granted for development, which is either proposed to be located on, or is affected by ground that is known to be contaminated and identified on the Contaminated Land Register and/or land that is known to have accommodated potentially polluting uses. Full investigations will have to be carried out, the contamination assessed and appropriate remedial measures specified.
- 5.34 Policy TR1A – Development Affecting Highways: Proposals for development affecting highways will be considered in relation to the road hierarchy to reducing and preventing hazards and inconvenience to traffic and to the effects on the transport system including the physical and environmental capacity to accommodate the traffic generated.

- 5.35 Policy TR7 – Vehicle Parking at New Development: For residential development within town centres and for all non-residential development, the adopted car parking standards will be applied.
- 5.36 Policy TR8 – Public Car Parking: The existing public off-street car parks will be safeguarded from development that would reduce the number of available public car parking spaces on the site unless it is demonstrated that replacement facilities will be provided in close proximity to the existing site in a readily accessible location

Emerging Local Plan - Tendring District Local Plan 2013-2033 and Beyond

- 5.37 The Publication Draft Local Plan (2017) was submitted to the Planning Inspectorate on 9 October 2017 along with minor modifications made post consultation. The document is set out in two parts:

Section 1: Strategic Plan for North Essex - This document is shared with Colchester Borough Council and Braintree District Council.

Section 2: Policies, maps and sites for development, housing, employment, regeneration etc within Tendring District Council

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

- 5.38 Tendring District Council formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications. This supersedes, in part, some of the more strategic policies in the 2007 adopted plan.
- 5.39 The following policies of the adopted Section 1 Plan are considered of relevance to this application:
- 5.40 *Policy SP1 – Presumption in Favour of Sustainable Development:* When considering development proposals the Local Planning Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. They will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 5.41 *Policy SP 7 - Place Shaping Principles:* All new development must meet the highest standards of urban and architectural design. The policy sets out relevant place shaping principles all new development should follow, where applicable. These principles include:
- Respond positively to local character and context to preserve and enhance the quality of existing places and their environs;
 - Provide buildings that exhibit individual architectural quality within well-considered public and private realms;
 - Protect and enhance assets of historical or natural value;

- Incorporate biodiversity creation and enhancement measures;
- Create well-connected places that prioritise the needs of pedestrians, cyclists and public transport services above use of the private car;
- Provide a mix of land uses, services and densities with well-defined public and private spaces to create sustainable well-designed neighbourhoods;
- Enhance the public realm through additional landscaping, street furniture and other distinctive features that help to create a sense of place;
- Provide streets and spaces that are overlooked and active and promote inclusive access;
- Include parking facilities that are well integrated as part of the overall design and are adaptable if levels of private car ownership fall;
- Provide an integrated and connected network of biodiverse public open space and green and blue infrastructure, thereby helping to alleviate recreational pressure on designated sites;
- Include measures to promote environmental sustainability including addressing energy and water efficiency, and provision of appropriate water and wastewater and flood mitigation measures including the use of open space to provide flora and fauna rich sustainable drainage solutions; and
- Protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking

Tendring District Local Plan 2013-2033 and Beyond: Section 2

- 5.42 The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) commenced in February 2021, and the examiners' report is currently awaited. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.
- 5.43 The following emerging Section 2 policies, currently under examination, are of relevance to the application.
- 5.44 *Policy SPL3 – Sustainable Design*: The policy is split in to three parts:
- Part A: Design* requires all new development (including changes of use) to make a positive contribution to the quality of the local environment and protect or enhance local character, by meeting specified criteria;
- Part B: Practical Requirements* sets out practical requirements criteria that all new development (including changes of use) must meet; and
- Part C: Impacts and Compatibility* sets out the criteria new development (including changes of use) must meet in order to be compatible with surrounding uses and minimise any adverse environmental impacts.
- 5.45 *Policy HP 2 - Community Facilities* seeks to ensure that new development new development supports and enhances community facilities.

- 5.46 *Policy PP 8 – Tourism* states that, to attract visitors to the Tendring District and support economic growth in tourism, the Council will generally support proposals that would help to improve the tourism appeal of the District to visitors, subject to other relevant policies in the Local Plan.
- 5.47 *Policy PP 14 - Priority Areas for Regeneration* is of particular relevance to the application. The policy refers to the areas identified on the Policies Maps and Local Maps as 'Priority Areas for Regeneration', which includes 'Dovercourt Town Centre and adjoining areas'. These areas are identified to be a focus for investment in social, economic and physical infrastructure and initiatives to improve vitality, environmental quality, social inclusion, economic prospects, education, health, community safety, accessibility and green infrastructure. In addition, the policy states that the Council will seek to preserve or enhance the historic assets of these areas, including the at risk conservation areas, which includes Dovercourt. It is stated that the Council will support proposals for new development which are consistent with achieving its regeneration aims
- 5.48 *Policy PPL 8 – Conservation Areas*: New development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area, especially in terms of:
- (a) scale and design, particularly in relation to neighbouring buildings and spaces;
 - (b) materials and finishes, including boundary treatments appropriate to the context;
 - (c) hard and soft landscaping;
 - (d) the importance of spaces to character and appearance; and
 - (e) any important views into, out of, or within the Conservation Area.
- 5.49 *Policy PPL 9 – Listed Buildings* provides 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, fabric and:
- (a) are explained and justified through an informed assessment and understanding of the significance of the heritage asset and its setting; and
 - (b) are of a scale, design and use materials and finishes that respect the listed building and its setting.

Supplementary Planning Guidance

- 5.50 Of relevance to this development proposal are the following adopted documents which provide guidance that amplifies policies or proposals contained in the current adopted Local Plan
- Essex Design Guide (2005)
 - Essex County Council Car Parking Standards - Design and Good Practice Guide (2009)

- Urban Place Supplement (2007)

Dovercourt Masterplan Revisited (April 2019)

- 5.51 Whilst it is not an adopted Development Plan document, the Dovercourt Masterplan is an instrumental guidance document relevant to the proposed redevelopment of the application site.
- 5.52 The 'Dovercourt Masterplan Revisited' study was commissioned by Tendring Council in January 2018 in order to update the previous masterplan (Dovercourt Rediscovered) from 2011 in response to the changing commercial and planning environment.
- 5.53 The Dovercourt Masterplan provides a strategy for the revitalisation of Dovercourt town centre. The Masterplan sets out a positive vision, guides development and identifies a range of projects that will attract residents and visitors and improve the image and quality of the centre. The feasibility of the redevelopment of Milton Road Car Park and the boarded-up land to the south of High Street (referred to as the Starlings Block within the Masterplan) were of particular focus for the study. The sites were identified as eyesores "*that detract from the coherence and continuity of the town centre character*", and are deemed to present opportunities for catalyst developments that change the perception and image of the town and accelerates regeneration.
- 5.54 The application site (the 'Starlings Block') was identified within the Dovercourt Masterplan (2019) as a 'Public Realm Improvement' area (project code P02). It is listed as a 'High Priority Project' that is deemed critical for the regeneration of Dovercourt and should "be pursued with urgency" as it will have a "*transformative impact, act as catalyst and bring major improvements to residents and visitors*".
- 5.55 Work undertaken through the preparation of the Masterplan included the development and testing of a number of development scenarios for the Milton Road Car Park site and the 'Starlings Block'. The preferred option for these sites are included in the illustrative masterplan. For the land to the south of High Street (the 'Starlings Block'), the masterplan proposed for it to be redeveloped as a new animated public open space with landscaping, seating and play, together with a new town centre surface level car park (with the capacity to accommodate 59 car parking spaces, six of which would be designated for disabled use) and provision of new public toilets facilities. The Masterplan proposals see the delivery of the new car park at the Starlings site as key to unlocking the Milton Road car park for redevelopment with a residential scheme.

6. PLANNING CONSIDERATIONS

Principle of Development

- 6.1 The application relates to the regeneration of a large vacant site between High Street and Milton Road, Dovercourt. The site is located within the defined Town Centre and the 'Dovercourt Town Centre Regeneration Area' as designated by the adopted Local Plan (2007).
- 6.2 Within the defined Urban Regeneration Areas, the Local Plan (2007) supports development that reinforces and/or enhances the function, character and appearance of the area and contributes towards regeneration and renewal. The adopted Local Plan (2007) states that *"Urban regeneration is a top priority for the Council to improve quality of life, stimulate investment and local economic development and tackle the underlying causes of poverty"* (paragraph 2.38).
- 6.3 This aspiration and policy provision has been continued through the emerging Section 2 Local Plan, which also looks to identify Dovercourt Town Centre as a 'priority area for regeneration' (Policy PP 14). Such areas are identified to be the focus of investment in social, economic and physical infrastructure and initiatives to improve vitality, environmental quality, social inclusion, economic prospects, education, health, community safety, accessibility and green infrastructure.
- 6.4 Both the adopted and emerging policies seek to ensure that regeneration will come forward in a manner that preserves or enhances the historic assets of the area.
- 6.5 The Council's vision and regeneration objectives presented through the Local Plan are supported by the Dovercourt Masterplan Revisited (2019), which was commissioned by the Council to develop a strategy for the revitalisation of Dovercourt town centre. The Masterplan sets out a positive vision and framework to guide development, and identifies a range of projects that will serve as catalysts for further investment and regeneration, to improve the image and quality of the centre and attract residents and visitors. The application site, referred to as 'the Starling Block' within the Masterplan, was a particular focus for the study and forms one of the high priority projects for the Council as the transformation of this area will significantly enhance the quality and appearance of the town centre along the High Street frontage.
- 6.6 National Planning Policy makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development (NPPF, paragraph 7). To ensure that sustainable development is pursued in a positive way, a presumption in favour of sustainable development is placed at the heart of the Framework (NPPF, paragraph 11).
- 6.7 Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways - an economic objective, a social objective, and an environmental objective (NPPF, paragraph 8). Local planning authorities are encouraged to approach decisions on proposed

development in a positive and creative way, and to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.

- 6.8 The NPPF emphasises the role new development can play in ensuring the vitality of town centres. New development should support the role that town centres play at the heart of local communities, and to this end, planning decisions should take a positive approach to their growth, management and adaptation (NPPF, paragraph 85).
- 6.9 The NPPF also encourages planning decisions to promote effective use of land (paragraph 117) and states that appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land should be supported (paragraph 118c).
- 6.10 The proposals seek to utilise the previously developed site to provide economic, social and environmental improvements to the heart of the town centre. The development will significantly contribute to the regeneration and renewal of the area through enhancements to its function, character and appearance. As such, the development proposed through this application responds directly to the objectives of national and local planning policy for delivering sustainable development, utilising land effectively, and supporting development that will contribute to regeneration and the vitality of town centres. The proposed development will transform a vacant town centre site that has been derelict for a number of years. The redevelopment of this vacant site to provide public facilities and open space together with a car park that also provides multi-functional community space, would provide an appropriate and sustainable form of development and use of land within the town centre. The proposed development would therefore be acceptable in principle, subject to other planning considerations detailed below.

Layout and Design

- 6.11 The proposals for the application site have been directly informed by the Dovercourt Masterplan (2019), and present a development that will transform the neglected site to provide a high quality new public space in the heart of Dovercourt.
- 6.12 In addition to the proposed car park, the development proposals will provide a linear public space along High Street with hard and soft landscaping, public seating and feature tree planting. A public toilet facility will be located at the western end, in proximity to the pedestrian access to the car park from High Street.
- 6.13 The design of the public toilet building would take a contemporary design and form. The footprint of the building follows a curved line that opens the views towards the public space when entering the site from the west. The freestanding structure would have a monopitched roof design, finished in simulated lead, and the external walls would be finished in cedar cladding and fascia. The high quality design and finish of the building would exhibit architectural quality that will contribute direct enhancements to the character of the area.

- 6.14 The landscaped linear public space, together with the additional pocket green spaces and multi-functional space will significantly enhance the public realm through distinctive hard and soft landscaping features that help to create a sense of place.
- 6.15 The concept for the public space fronting High Street follows the same curve line in the pavement pattern and for the soft standing green spaces. Thus, the whole length along High Street is divided into five sequential areas accommodating three benches, six cycle stands, the public toilet block and the pedestrian access to the parking. Each of these subdivisions is marked by four Ornamental Pear trees (*Pyrus Caleryana Chanticleer*) with a feature tree (Turkish Hazel) on the corner of High Street with Orwell Road.
- 6.16 Two additional pocket green spaces are proposed along Milton Road, and a green funnel strip between them along the Milton Road frontage will enrich the street scenery by bringing planting to the street side. The corner with Orwell Road would be marked by two Narrow Columnar Oaks (*Quercus Robur Fastigiata*) planted on a section of amenity grass.
- 6.17 The corner with Bay Road offers another pedestrian access along with a larger pocket green providing a sitting area around a feature tree (Freeman Maple – *Acer Freemanii*). The resting area is furnished with three benches and a refuse bin. Soft standing is covered with low planting and low shrubs. A railing running along Orwell Road and Milton Road turns the corner on Bay Road and encloses the green areas.
- 6.18 Through these green pocket spaces, the layout seeks to create opportunities for formal and informal recreation within the heart of the town centre, and which integrated with the wider network of accessible public open space, encourage biodiversity, improves connectivity and encourages active engagement with the urban space.
- 6.19 The hard and soft landscaping is an integral part of the proposals, reflecting the function and character of the development and its surroundings. The palette of materials, species of trees and shrub planting, and the design and form of street furniture proposed are all considerate of the functionality of this public, town centre site, and have also taken influence from vernacular of the Conservation Area in order to make a positive contribution to the quality of the local environment.
- 6.20 Consideration has also been given to the boundary with the adjoining property (or future development) abutting the site to the east, which would be treated with hedgerows and climbing vegetation to the retaining walls.
- 6.21 A simple palette of quality materials have been specifically chosen to help create a development that compliments the existing built form of the surrounding area whilst creating a distinct character for the scheme.
- 6.22 The development proposal conforms to the layout and design concepts contained within the Masterplan (2019), and seeks to fulfil the Council's aspirations for the regeneration of this vacant site by providing public realm improvements and functional development that will enhance connectivity and generate footfall along High Street. The development will provide a higher quality pedestrian and cycling environment and offer attractive, useable active space

and amenities along the High Street. The nature of the spaces that will be created seeks to encourage people to visit and enjoy the High Street, improve their experience and perception of the town centre, and provide enhanced connectivity with Dovercourt Beach and Cliff Park as part of the town centre offer.

- 6.23 The proposed design of the development will relate well to its surroundings and make a positive contribution to the quality of the streetscape along High Street. The development would successfully follow the place shaping principles of Policy SP 7 of the adopted Section 1 Plan (2021) by responding positively to local character and context to enhance the quality of Dovercourt High Street, and provide high standards of urban and architectural design. The development would therefore accord with national and local planning policies in design terms, including Local Plan Policies QL9 (Design of New Development), QL10 (Designing New Development to Meet Functional Needs) and Place Shaping Principles set out within Policy SP 7 of the adopted Section 1 Plan (2021).

Heritage

- 6.24 In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard must be had to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest which it possesses. Further, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be given to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 6.25 To the north east of the application site are two Grade II listed buildings, 101-103 Main Road Dovercourt. The Grade II listed buildings of 1-13 Orwell Terrace (also known as The Convent) are located to the east, and extend away from the site to the south-east.
- 6.26 The development proposal and associated works have been carefully considered to ensure that it would preserve or enhance the special character and appearance of this historic part of the centre. The proposals have been sensitively designed to respond appropriately to the townscape. Sympathetic external materials and street furniture will be used in the construction of the public toilet facility, and the composition of the hard landscaping of the public spaces. The proposal would therefore accord with Policy EN23 of the adopted Local Plan (2007) and emerging Policy PPL9 in this respect.
- 6.27 In terms of the Dovercourt Conservation Area, the Conservation Area Review (2006) makes reference to buildings located on the south side of the High Street, particularly the Starlings Garage and the Queens Hotel, which are no longer on site. Both mentioned buildings were in very poor state of repair with crumbled brickwork, and general maintenance problems. The Queens Hotel was left in a parlous state following a fire in 2011. The remnants of the hotel, adjoining commercial buildings and adjacent garage buildings were demolished following the approval of demolition applications in 2012 (reference: 12/00615/DEMCON and 12/00478/CON).

6.28 The Conservation Area Review (2006) identified the former frontage of the site onto High Street, as well as the façade of properties opposite on the northern side of High Street, the property on the corner of Orwell Road, together with Orwell Terrace as '*key façades, important boundaries*'. It also identified areas for enhancement to buildings, curtilages and the environment of the area, which included the former properties of the application site that fronted High Street. The Conservation Area Review (2006) suggested that their restoration would be of significant benefit to the appearance of the Area, however, this preceded the demolition of the buildings. It is considered that through the regeneration of the site, the proposals can continue to address issues identified albeit in the current context of the site, insofar as:

- there would be notable improvement to the principle town centre street frontage along High Street;
- there would be notable enhancement to the pedestrian routes and views along High Street, Milton Road and Orwell Road;
- the scheme would bring about a notable improvement to the site itself through high quality, landscaped development that removes the derelict element and elevates the overall quality of High Street through the introduction of attractive new public space;
- the development would enhance the sense of place and local identity through use of appropriate built forms and an informed material palette, street furniture and planting.

6.29 There will be a change insofar as the site is currently, and since 2012 has been, left undeveloped. However, the site is neglected and comprises an unattractive area of wasteland, surrounded by hoardings. There are a number of notable heritage benefits brought about by the scheme, not least of all the considerable improvement to the current "eyesore" that the site creates on High Street, and the notably enhanced experience of the town centre public realm.

6.30 The proposed new development, and particularly the design and character of the landscaped linear public open space and pocket green spaces, and the multi-functional community space of the car park, creates a welcoming, active and inviting public realm within the heart of Dovercourt town centre and the conservation area.

6.31 The proposed development would therefore preserve the character and appearance of the conservation area overall for the purposes of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.32 With regards to the impact of the proposed development on the nearby Listed Buildings and their setting, it is considered that there will be no harm to the significance of 101-103 Main Road, Dovercourt and 1-13 Orwell Terrace.

6.33 The site is within the setting of these Grade II listed buildings but does not contribute anything notable to an appreciation of their significance. The development of the site will be a positive change within their setting through a notably improved outlook along Orwell Road, High Street and Milton Road, and an overall perception of enhanced quality and character to

the area. Due to the nature and scale of the proposals, the new development will remain subservient to these prominent buildings.

- 6.34 At present views out from the side and rear elevations of 101 Main Street and from the front elevation of 11 – 13 Orwell Terrace will include direct views of the application site. Glimpsed views may also be gained from 1-10 Orwell Terrace. Such views are currently undesirable and the proposals address this by creating a pleasing development that enhances that view and does not affect significance.
- 6.35 A change on the site of the nature proposed does not cause harm to the Listed Buildings but rather notably improves the quality of its baseline surroundings, removing and drawing attention away from the negative elements.
- 6.36 In summary, the proposals are considered informed and appropriate for the site in heritage terms. The scheme will bring about tangible enhancements to High Street and the site's surroundings. The elements that contribute most to the character and appearance of the conservation area will remain unaffected. Furthermore, the proposals are subservient in character and respect the context of the site's location. It will preserve the character and appearance of the conservation area and would not result in harm to significance of nearby listed buildings. There will be no harm in this instance and NPPF paragraph 196 will not be engaged, and there will be no conflict with relevant local heritage policies, including Local Plan Policy EN17 and emerging policy PPL9.

Access and Parking

- 6.37 Vehicular access and egress for visitors to the car park will be via Orwell Road. Orwell Road currently operates a one-way system and all vehicles will turn right into and upon exiting the site. One way circulation will be signposted within the site.
- 6.38 The car park layout has been designed to ensure ease of circulation for vehicles. The site will provide a level surface, with no fixed structures to the centre to ensure that any larger vehicles accessing the site for events or maintenance can manoeuvre adequately.
- 6.39 The proposed 51 parking bays have been laid out in a manner to ensure safe accessibility, and will be of an appropriate size to comply with the Essex Parking Standards. The proposals include four disabled parking bays, which would be located close to the pedestrian access to High Street, and four electric vehicle charging points are also proposed.
- 6.40 The proposals have sought to enhance the connectivity, directness and safety of pedestrian routes and provide a higher quality pedestrian and cycling environment. Numerous pedestrian access points from High Street, Bay Road and Orwell Road are proposed to provide ease of movement through the site and to encourage connectivity between the High Street, Cliff Park and Dovercourt Beach. The design and layout of the development has sought to provide an inclusive environment, with safe and convenient access for people of all abilities, including those with mobility and sensory impairments.

- 6.41 Cycle parking stands would be provided within the linear public open space fronting High Street.
- 6.42 The design and layout of the car park and public spaces have sought to contribute to a safe and secure environment, which reduces the incidence and fear of crime and disorder by reducing criminal opportunity and fostering positive social interactions between legitimate users. The site is overlooked situated in an active area, with surveillance from surrounding properties on all sides. The proposals include appropriate street lighting to public spaces and routes and include the infrastructure to provide surveillance CCTV.
- 6.43 The proposed development is therefore considered to meet the requirements of Policy QL10 (Designing New Development to Meet Functional Needs), Policy COM1 (Access for All), Policy COM2 (Community Safety), Policy TR3a (Provision for Walking), and Policy TR5 (Provision for Cycling).

Residential Amenity

- 6.44 Careful consideration has been given to the impact of the proposed development on occupiers of surrounding residential properties, including any potential future development that may occupy the adjoining site at 121-123 High Street.
- 6.45 Due to the scale and nature of the proposals, the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties. Furthermore, the proposed development will not have a materially damaging impact on air, land, water (including ground water), amenity, health or safety through noise, smell, dust, light, heat, vibration, fumes or other forms of pollution or nuisance.
- 6.46 It is not considered that the proposed areas of public open space and car park, or the multi-functional potential of the car park area, would have any significant impact on nearby occupiers or members of the public, beyond that normally associated with activities in a town centre location. There would be no overnight use of the car park, and operating hours could be controlled through suitable conditions to any permission.
- 6.47 The use of the car park for public events and activities could take place under permitted development (Town and Country Planning General Permitted Development Order 2015 Schedule 2 Part 4 Class B) for not more than 28 days in a year (of which not more than 14 days in total can be for the purpose of holding a market). Whilst it is considered that the likely nature and frequency of such events would not result in any harmful noise or disturbance, this, together with health and safety, and any environmental impacts associated with such events, would be covered by separate regulations.
- 6.48 The proposals would therefore be compatible with surrounding land uses and would accord with Policy QL11 (Environmental Impacts and Compatibility of Uses) of the adopted Local Plan (2007).

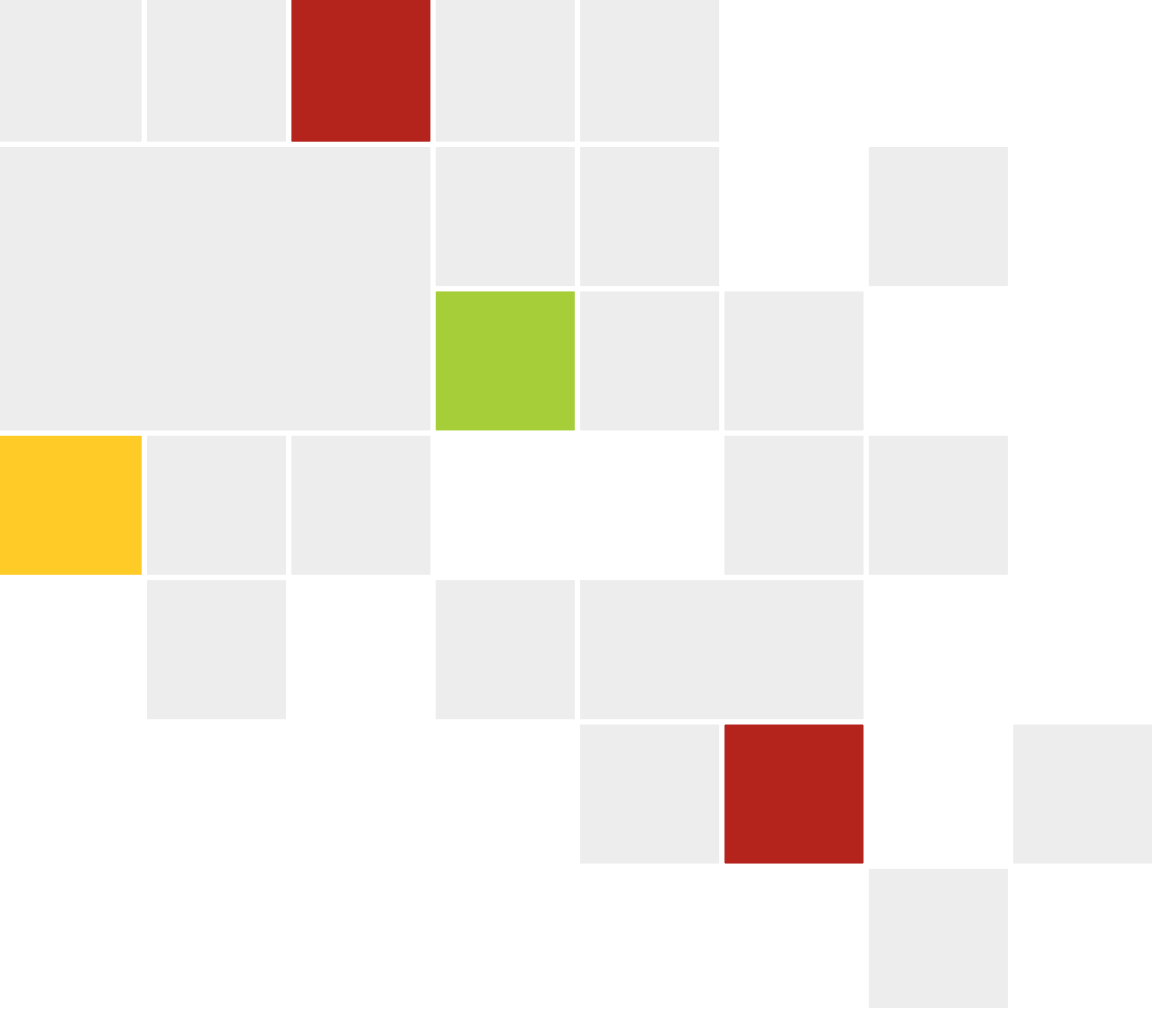
7. CONCLUSIONS

- 7.1 This Planning, Heritage, Design and Access Statement has been prepared by Boyer on behalf of Tendring District Council in relation to the development proposals for the land to the south of High Street, Dovercourt,
- 7.2 The application site comprises approximately 0.22ha of vacant, derelict land. The site is located within the defined Town Centre and the 'Dovercourt Town Centre Regeneration Area' as designated by the adopted Local Plan (2007).
- 7.3 Full planning permission is sought for the development of a surfaced car park, public toilet facilities, public open space, landscaping and associated works. The planning application is supported by a variety of documents to detail the development proposals, demonstrate deliverability and suitability of the scheme.
- 7.4 The development proposed through this application responds directly to the objectives of national and local planning policy for delivering sustainable development, utilising land effectively, and supporting development that will contribute to regeneration and the vitality of town centres.
- 7.5 The proposed development will transform a vacant town centre site that has remained derelict for a number of years, and will significantly enhance the quality and appearance of the area, particularly along the High Street frontage. The new surfaced car park landscaped pocket spaces will create a positive space in the town centre. In addition, the flexible format of the new car park provides an opportunity for the space to be multi-purpose and used by the community as a local event space to accommodate a street market, festivals and other events.
- 7.6 The development proposals will provide new green pocket spaces in the heart of Dovercourt, with high quality landscaping and attractive seating areas where people can meet and enjoy the social life of the town. The development will improve the perception and experience of the town centre, providing a higher quality pedestrian environment and offer attractive, useable active space and amenities that will encourage people to visit and enjoy the High Street.
- 7.7 The proposals seek to utilise the vacant, previously developed site to deliver improvements in the quality of the environment and peoples' quality of life, and contributes to each of the three dimensions of sustainable development - economic, social and environmental.
- 7.8 The development will significantly contribute to the regeneration and renewal of the area through enhancements to its function, character and appearance, and will act as a catalyst for future investment in the town. The proposals will help to generate footfall along the High Street and better connectivity with wider areas of the town, encouraging people to visit and spend time in the town centre, increasing the level of local spending. The proposal will therefore facilitate economic growth, providing direct and indirect benefits to the local economy.

- 7.9 In terms of the social objective of sustainable development, the delivery of quality new public space in the heart of Dovercourt will make a positive contribution to the community and public life, creating opportunities for formal and informal social interaction and enjoyment of the public realm that will support a healthy and active community.
- 7.10 With regard to the environmental overarching objective, the proposal has clear environmental benefits through the effective and efficient use of an available and sustainably located previously developed site, the incorporation of suitable site drainage and through the delivery of well-designed green spaces with tree and shrub planting. The development will preserve and enhance heritage assets and contribute to Dovercourt's character, townscape and distinctiveness, especially within but not limited to the Dovercourt Conservation Area.
- 7.11 The redevelopment of this vacant site as proposed would therefore provide an appropriate form of development and use of land within the town centre, and accord with the principles of sustainable development as outlined in the NPPF. The proposed development is therefore considered to be acceptable in principle.
- 7.12 The site is identified in the Dovercourt Masterplan Revisited (April 2019) as a 'high priority' regeneration project for the Council and the proposals have been directly informed by the Masterplan (2019) in order to accord with the Council's vision and aspirations.
- 7.13 The proposed design of the development will relate well to its surroundings and make a significant contribution to the quality of the public realm of the town centre, responding positively to local character and context to enhance the quality of Dovercourt High Street, and provide high standards of urban and architectural design. The development would therefore accord with national and local planning policies in design terms, including Local Plan Policies QL9 (Design of New Development), QL10 (Designing New Development to Meet Functional Needs) and Place Shaping Principles set out within Policy SP 7 of the adopted Section 1 Plan (2021).
- 7.14 The proposals respect the site's heritage context and are informed and appropriate for the site in heritage terms. The development will preserve the character and appearance of the conservation area and would not result in harm to significance of nearby listed buildings. NPPF paragraph 196 will not be engaged, and there will be no conflict with relevant local heritage policies, including Local Plan Policy EN17 and emerging policy PPL9.
- 7.15 Access and egress to and through the car park and open spaces has been designed to ensure safe manoeuvrability for pedestrians, cyclists and vehicles. The proposals would provide a high quality pedestrian environment and ease of movement through the site, together with enhanced connectivity between the High Street, Cliff Park and Dovercourt Beach. The development will provide an inclusive environment, with safe and convenient access for people of all abilities, including those with mobility and sensory impairments. The design and layout of the car park and public spaces will therefore contribute to a safe and secure environment, and the proposed development is considered to meet the requirements of Policy QL10 (Designing New Development to Meet Functional Needs), Policy COM1

(Access for All), Policy COM2 (Community Safety), Policy TR3a (Provision for Walking), and Policy TR5 (Provision for Cycling).

- 7.16 The use of the site as proposed would not have any significant impacts on the amenities of nearby occupiers or members of the public, beyond that normally associated with activities in a town centre location. Due to the scale and nature of the proposals, the development would not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties. The proposals would be compatible with surrounding land uses and would accord with Policy QL11 (Environmental Impacts and Compatibility of Uses) of the adopted Local Plan (2007).
- 7.17 In summary, the development proposals are considerate of the surrounding built, natural and historic environment, presenting a layout and form of development that respects the assets, character and integrity of the site itself, the surrounding context, and the residential amenities of nearby dwellings. As demonstrated through this statement and other documents submitted with the application, in the overall planning balance, the proposed development comprises a sustainable form of development which accords with policies of the existing and emerging Local Plans, supplementary planning documents and national policy and guidance. On this basis it is respectfully requested that the application be approved.



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