



TENDRING DISTRICT COUNCIL

Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

AGENT: Steve Norman
37 Gildersdale Close
Colchester
Essex
CO4 0NL

APPLICANT: Mr S Kemp
The Coach House
Oxford Road
Mistley
Manningtree
Essex
CO11 2FD

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 18/01290/FUL

DATE REGISTERED: 6th August 2018

Proposed Development and Location of the Land:

Variation of conditions 1, 10 and 22 of approved application 16/01730/FUL to permit the conversion of a covered parking space into additional living accommodation.

The Coach House Oxford Road Mistley Manningtree

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted, subject to the following conditions;

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers BBB 714 Rev 'B', BBB 814 Rev 'B', BBB 214 Rev 'A', BBB 314 Rev 'A', BBB 414 Rev 'A', BBB 514 Rev 'A' and BBB 914 of planning permission 16/01730/FUL, and drawing numbers 1832/1, 1832/2 and 1832/3 of planning permission 18/01290/FUL

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

- 2 The materials to be used shall be in accordance with the document titled 'Material Schedule', as permitted under Planning Decision 16/00755/DISCON.

Reason - In order to ensure that the appearance of those materials, including colour and finish, are appropriate to the special character and appearance of the designated conservation area and the setting of nearby listed buildings.

- 3 Details of railings to the entire New Road frontage to be used shall be in accordance with drawing number 1624/14, as permitted under Planning Decision 16/00755/DISCON.

Reason - In order to ensure a suitable boundary treatment to the site frontage to New Road and that the appearance of the railings, including their detailed design, materials and colour are appropriate to the special character and appearance of the designated conservation area and setting of nearby listed buildings.

- 4 Details of the boundary treatment shall be in accordance with drawing numbers 1625/9, 1625/10 and 1625/11A, as permitted under Planning Decision 16/00755/DISCON.

Reason - In order to ensure a suitable boundary treatment to the site frontage to Oxford Road and that the appearance, including detailed design, materials and colour are appropriate to the special character and appearance of the designated conservation area.

- 5 Details of all hard and soft landscaping shall be in accordance with drawing number 1625/11A, as permitted under Planning Decision 16/00755/DISCON.

Reason - In order to ensure a suitable boundary treatment to the northern boundary of the site so that its appearance is appropriate to the special character and appearance of the designated conservation area.

- 6 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - In order to ensure that the landscape treatment to the site is carried out appropriately and safeguards the appearance of the designated conservation area.

- 7 Details of existing and proposed site ground levels shall be in accordance with drawing numbers LS 3475/1 and 1625/15, as permitted under Planning Decision 16/00755/DISCON.

Reason - To ensure that the appearance of the new buildings in relation to ground levels is acceptable in the street scene.

- 8 The rooflights hereby permitted shall be of a 'conservation-type', of traditional appearance each with a vertical glazing bar and shall be retained as such.

Reason - In order to ensure a traditional appearance in the designated conservation area.

- 9 The existing chimneys to the building which is to be retained shall be retained in situ and the chimney to the dwelling permitted fronting New Road shall be in accordance with drawing number 1625/13, as permitted under Planning Decision 16/00755/DISCON.

Reason - Chimneys are a feature of traditional dwellings in this part of the designated conservation area and they contribute to its character and appearance. It is therefore important to ensure that existing chimneys are retained and that the detailing of the new chimney is of a suitably high quality to complement the new building.

- 10 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A, B, C, D, E, F or G of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to any dwelling hereby permitted shall be carried out and there shall be no provision of buildings, enclosures, swimming or other pool except in accordance with drawings showing the siting and design of such enlargement, improvement or other alteration, buildings, enclosures, swimming or other pool which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - The site lies within a designated conservation area and close to two listed buildings. Great care has been taken to ensure that the permitted scheme is appropriate in terms of its effect upon the character and appearance of the conservation area and setting of listed buildings. It is therefore essential that such changes are able to be controlled, to ensure that the spacious character and traditional appearance of the development is suitably preserved.

- 11 All pipework, save for terminations, shall be internal and all new rainwater goods shall be of cast iron or cast aluminium, painted black and shall be retained as such at all times.

Reason - In order to ensure a satisfactory appearance and the use of high quality materials appropriate to the designated conservation area.

- 12 Details of all external doors and windows shall be in accordance with the details shown on the submitted Jeld-Wen documents, as permitted under Planning Decision 16/00755/DISCON.

Reason - In order to ensure a satisfactory appearance to the development a traditional appearance is needed within the designated conservation area.

- 13 Prior to first occupation of any of the dwellings hereby permitted, each vehicular access hereby approved shall be constructed in accordance with the details shown on Drawing Number 1832/1, at right angles to the highway boundary, and shall be provided with a dropped kerb vehicular crossing of the footway/highway verge.

Reason - To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety.

- 14 Prior to the permitted accesses being brought into use, 1.5m x 1.5m pedestrian visibility splays, relative to the highway boundary, shall be provided on both sides of each access and shall be maintained in perpetuity free from obstruction exceeding a height of 600mm. These splays shall not form part of the vehicular surface of the accesses.

Reason - To ensure adequate intervisibility between drivers of vehicles using the vehicle accesses and pedestrians in the adjoining highway, in the interests of highway safety.

- 15 No unbound materials shall be used in the surface treatment of the proposed vehicular accesses within 6m of the highway boundary.

Reason - To ensure that loose materials are not brought out onto the highway, in the interests of highway safety.

- 16 Prior to the vehicle access to Plot 1 being brought into use, vehicular visibility splays of site maximum by 2.4 by site maximum, as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be maintained in perpetuity free from obstruction exceeding a height of 600mm.

Reason - To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety.

- 17 Details of the communal vehicular turning facility for motor cars serving Plots 2 and 3 shall be in accordance with drawing numbers 1625/8, as permitted under Planning Decision 16/00755/DISCON.

Reason - To ensure that vehicles using the site access may enter and leave the highway

in a forward gear, in the interests of highway safety.

- 18 Details of the Construction Method Statement shall be in accordance with the submitted Construction Method Statement, as permitted under Planning Decision 16/00755/DISCON.

Reason - To ensure that on-street parking of these vehicles and activities does not occur in the adjoining streets, in the interests of highway safety.

- 19 The covered car parking spaces (described on Drawing Number 914 of planning permission 16/01730/FUL) shall be retained as open-fronted bays and no doors shall be installed to those spaces.

Reason - In order to ensure that the traditional character and appearance of the permitted development is retained.

- 20 Details of all surfacing to the vehicle access and open parking and turning areas shall be in accordance with drawing number 1625/11A, as permitted under Planning Decision 16/00755/DISCON.

Reason - In order to ensure a satisfactory appearance to the development in a designated conservation area and to help to minimise water run-off.

- 21 There shall be no gates erected to the vehicular entrances to the site.

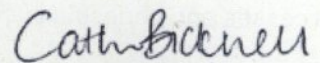
Reason - To ensure convenient access to the site, in the interests of highway safety and the convenience of other road users.

- 22 All car parking spaces shown upon Drawing Number 1832/1 shall be retained for the purpose of vehicle parking at all times.

Reason - To ensure adequate car parking provision within the site, in the interests of highway safety and the convenience of other road users.

DATED: 28th September 2018

SIGNED:



Catherine Bicknell
Head of Planning

IMPORTANT INFORMATION :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

COM3 Protection of Existing Local Services and Facilities

- EN17 Conservation Areas
- EN23 Development Within the Proximity of a Listed Building
- EN30 Historic Towns
- QL1 Spatial Strategy
- QL9 Design of New Development
- QL10 Designing New Development to Meet Functional Needs
- QL11 Environmental Impacts and Compatibility of Uses
- TR1A Development Affecting Highways
- TR7 Vehicle Parking at New Development
- Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
- LP3 Housing Density and Standards
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- PPL8 Conservation Areas
- PPL9 Listed Buildings
- Local Planning Guidance
- Essex County Council Car Parking Standards - Design and Good Practice

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Standard Informative 1: The Provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this Development and will be determined at Building Regulation Stage.

Standard Informative 2: You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control section at Tendring District Council.

Standard Informative 3: If the development includes the construction of a new building on or at the boundary of 2 properties, work to an existing party wall or party structure or involve excavation near to and below the foundation level of neighbouring buildings, you are advised that the provisions of the Party Wall Act 1996 may apply to this development. An explanatory

booklet concerning the implications of this Act is available online or from the District Council.

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
 - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by the Secretary of State.

ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.