



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT:	Mr Nicholas Jacob - Nicholas Jacob Architects 5 Wherry Quay Ipswich Suffolk IP4 1AS	APPLICANT:	Mr & Mrs Scott Cumberland House 50 South Street Manningtree Essex CO11 1BQ
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PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

APPLICATION NO: 19/00092/LBC **DATE REGISTERED:** 18th January 2019

Proposed Development and Location of Land:

**Internal alterations on ground, first & second floors. Ground floor (south elevation) bay window reinstated. Second floor accommodation reinstated including dormer windows & existing chimneys extended.
Cumberland House 50 South Street Manningtree Essex**

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

- 1 The works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason - To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers 001 revision PL1, 102 Revision PL2, 103 Revision PL3, 104 Revision PL1 received on 25 April 2019, 105 Revision PL2, 201 Revision PL1 received on 25 April 2019, 300 Revision PL2, and the document titled 'Design & Access and Heritage Statement Revision PL2'.

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

- 3 No development shall be commenced until samples of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason - The building is an important listed property, and it is important that the materials used are of a high quality.

- 4 Before any work is commenced drawings to a scale of not less than 1: 20 fully detailing the new windows, rooflights, doors and their surrounds to be used and indicating; materials, cross sections for glazing bars, sills, heads etc at a scale of 1:20, method of opening and method of glazing shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be installed/carried out in complete accordance with the approved details.

Reason - The application relates to a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

- 5 a) Prior to the opening up of the fireplace, investigation works shall be carried out. Details of the results of this investigation and the uncovered fabric shall be submitted to, and agreed in writing by, the Local Planning Authority.
- b) Following approval of a) details of the proposed new gas fire/woodburner shall be submitted to, and agreed in writing by, the Local Planning Authority. Works shall be carried out in accordance with the approved details.

Reason - The application relates to a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

- 6 Detailed drawings of the proposed new staircase including details on the reuse of historic fabric shall be submitted to, and agreed in writing by, the Local Planning Authority. Works shall be carried out in accordance with the approved details.

Reason - The application relates to a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

- 7 All new rainwater goods should be black and constructed of metal unless otherwise agreed in writing by the Local Planning Authority.

Reason - The application relates to a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

DATED: 1st May 2019

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 February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN22 Extensions or Alterations to a Listed Building

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

PPL9 Listed Buildings

The rooflights should be of low profile conservation type.

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.

When seeking to discharge condition number 6 it is expected that the newel post and handrail of the existing staircase shall be reused and the balusters either reused or replaced like for like in terms of form, detail and material.

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

ABOUT LISTED BUILDING AND CONSERVATION AREA APPLICATIONS

1. If you are aggrieved by the decision of the local planning authority to refuse Listed Building consent or Conservation Area consent for the proposed works, or to grant consent subject to conditions, you may appeal to the Secretary of State for Communities and Local Government in accordance with Section 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of receipt of this notice. Appeals must be made on a **Conservation Area / Listed Building Appeal Form (whichever is applicable)** which is obtainable from the Planning Inspector, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. The Secretary of State has power to allow a longer period for the giving of a notice appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. **Please note, only the applicant possesses the right of appeal.**
2. If Listed Building consent or Conservation Area consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Council of the district, a purchase notice requiring that the Council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (listed Building and conservation areas) Act 1990.
3. In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 27 of the Planning (Listed Buildings and Conservation areas) act 1990.
4. Identical rights of appeal exist if an applicant is aggrieved by the decision of the local planning authority in relation to an application made on that behalf:-
 - a) To refuse, to vary or to discharge the conditions attached to a Listed Building consent or Conservation Area Consent
or
 - b) To add new conditions consequential upon any such variation or discharge.