



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT:	Chris Morris Design Ltd Bentley House Forge Lane Great Bentley Colchester Essex CO7 8GD	APPLICANT:	Mr T West - South Street Pubs Ltd Red Lion Public House 42 South Street Manningtree Essex CO11 1BG
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TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 19/00039/FUL

DATE REGISTERED: 20th May 2019

Proposed Development and Location of the Land:

Proposed demolition of existing outbuilding. Erection of 1.5 storey addition to be used as an ancillary pizzeria restaurant on ground floor and first floor dressing room ancillary to the existing function room. (Variation to the use of previously approved 17/01056/FUL and 17/01057/LBC including the addition of an extraction flue).

Red Lion Public House 42 South Street Manningtree Essex

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 begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: DRG. NO. RLM/19/1, DRG. NO. RLM/17/2B and additional flue information received on 17th July 2019.

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

- 3 Prior to any demolition works, a Level 2 scheme of archaeological building recording shall be undertaken as outlined in Historic England Guidance Understanding Historic Buildings and submitted to and approved in writing by the Local Planning Authority.

Reason - To preserve the record of a listed building due to the demolition works involved in the development.

- 4 Prior to the installation of the flue hereby approved, full sectional drawings showing how the flue will be internally installed between existing joists and rafters shall be provided. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure the historic fabric and integrity of the building is preserved.

- 5 Prior to the installation of the flue hereby approved, full details of the design, materials, height and colour finish shall be provided. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure the historic fabric and integrity of the building is preserved.

- 6 Prior to any above ground works, drawings to a scale of not less than 1: 20 fully detailing the new windows, roof lights, doors and their surrounds shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include materials, cross sections for glazing bars, sills, heads (as applicable), method of opening and method of glazing. The approved works shall be installed/carried out in complete accordance with the approved details 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.

- 7 Prior to any above ground works, precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in the construction of the building and bin storage area (other than those reclaimed from the existing building) shall be 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 - To ensure the materials used are sympathetic to the heritage asset.

- 8 No construction works or deliveries in connection with the development shall take place outside the hours of 0700 hours and 1900 hours Monday to Friday and 0800 hours and 1300 hours Saturdays, with the exception of any piling or other percussive works which shall not take place outside the hours of 0800 hours and 1700 hours Monday to Friday.

Reason - To protect the local amenity and reduce the likelihood of complaints of statutory nuisance.

- 9 The restaurant use hereby permitted shall be used wholly ancillary to the existing public house use.

Reason - To ensure the use is appropriate within the locality in the interests of residential amenities.

- 10 The restaurant use hereby permitted shall operate within the existing permitted opening hours of the public house unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure the use is appropriate within the locality in the interests of residential amenities.

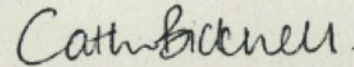
- 11 Notwithstanding the provisions of the Town and County Planning (Use Classes) Order 1987 (as amended), the restaurant use hereby permitted shall not offer a separate Class A5 Hot Food Takeaway service.

Reason - To ensure the use is appropriate within the locality in the interests of residential

amenities.

DATED: 9th September 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

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN17 Conservation Areas

EN22 Extensions or Alterations to a Listed Building

EN23 Development Within the Proximity of a Listed Building

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

PPL8 Conservation Areas

PPL9 Listed Buildings

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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.