



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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PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

APPLICATION NO: 19/00040/LBC

DATE REGISTERED: 29th April 2019

Proposed Development and Location of Land:

**Proposed demolition of existing outbuilding. Erection of 1.5 storey addition to the existing pub building 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 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: 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.

DATED: 9th September 2019

SIGNED:

Catherine Bicknell

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

EN23 Development Within the Proximity of a Listed Building

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

PPL9 Listed Buildings

Full Permission Required

The proposed works require full planning permission and this approval does not allow the works to be carried out in full, only giving listed building consent.

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 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 **Listed Building Appeal Form** 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 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
 - b) To add new conditions consequential upon any such variation or discharge.