

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
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| File completed and officer recommendation: | MP | 16/10/19 |
| Planning Development Manager authorisation: | JE | 16/10/19 |
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Application: 19/01122/FUL **Town / Parish:** Mistley Parish Council

Applicant: ILECS

Address: Mistley Clinic New Road Mistley

Development: Proposed change of use from a clinic to a B1 office including extensions and alterations to the building fabric.

1. Town / Parish Council

Mistley Parish Council

At its Meeting on the 15th August 2019, the Parish Council's Planning Committee noted comments and observations received from a local resident. The Committee noted and comments regarding the history of planning applications on this site, the proposed increase to the footprint, the proposed cladding, the response of Historic England relating to the west side of the building, the car parking provision, potential additional employment for the Village and the reorganisation of the building. Following the vote, the Committee agreed to recommend Approval, subject to the LPA's Tree Officer checking and agreeing the felling of a number of trees, including Oak and Lime Trees which are protected by TPO's (Tree Preservation Orders).

2. Consultation Responses

Historic England (Initial comments dated 20 September 2019)

Historic England has been consulted on this planning application on the basis that the proposal has the potential to affect the setting of Mistley Towers - a designated heritage asset that is a grade I Listed Building and also a Scheduled Monument; and because the application site falls within a Conservation Area and has an area that is greater than 1000 square metres. The proposal is for the refurbishment and extension of an existing unlisted building for use as office/light industrial. The application site lies immediately south of the Mistley Towers on the opposite side of the street.

Mistley Towers is listed at Grade I placing it within approximately the top 2 percent of Listed Buildings in the country. The towers were built in 1735 by Robert Adam as part of a remodelling of the earlier C18 parish church of St Mary the Virgin, which was subsequently demolished in the 1860s. The towers are also scheduled, and make a positive contribution to the character and appearance of the Mistley and Manningtree Conservation Area.

The existing former clinic which dates from the mid C20 and is a typical of the architecture of that period. It is built of brick with flat roofs, is modest in scale and has a generally 'low-key' appearance. The application site also falls within the setting of The Mistley Institute

which lies adjacent to the south-west of the application site, and is listed at grade II.

The proposal includes refurbishment of the existing building plus a large single-storey extension on the west side. The extension has a wide, shallow pitched roof with full height glazing to the gable end facing onto the main road, and a cross-wing with similarly wide, shallow pitched gable with full height glazing. The drawings indicate that it is to be finished in metal cladding of some sort.

We have no objection in principle to the proposed remodelling /extension of the former clinic building, and indeed recognise that this may present an opportunity to improve and enhance the setting of the nearby designated heritage assets and the character and appearance of the Conservation Area. We are mindful that the proposed building has been designed as a single-storey structure, as per our pre-application advice referred to in the Design and Access statement, and has been sited such that key views -to which your authority's adopted Conservation Area Appraisal refer, appear to have been retained, however we are not convinced that the chosen design approach and materials palette is the most appropriate or sympathetic, given the particular heritage sensitivities of this location.

Policy Context:

The NPPF defines the setting of a heritage asset as, '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' (Annex 2). Paragraph 194 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting; and makes it clear that any harm (to, or loss of the significance of designated heritage asset) should require clear and convincing justification.

Harm to significance that is deemed to be less than substantial should be weighed against the public benefits of the proposal. (paragraph 196)

Historic England's Position:

We consider that the proposal in its current form would result in a level of harm to the significance of Mistley Towers and the character and appearance of the conservation area as heritage asset.

We consider that an alternative scheme that instead takes its inspiration from the distinctive historic architectural forms nearby, using materials that reflect, or are sympathetic to, the prevailing local character would result in a more pleasing and successful solution, which in turn would have a more benign visual impact upon the setting of the towers and other heritage assets. If however you are minded to grant planning permission for the proposal in its current form, it will fall to your authority to carry out the weighing exercise, and to be satisfied that any harm is substantiated by clear and convincing justification.

Recommendation:

Historic England has concerns regarding the application on heritage

grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess; and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Historic England
(Comments dated 11
October 2019 following
submission of amended
plans)

We note from the revised drawing that the massing of the large, single-span element is broken down and is now shown expressed as a series of gabled elements with over-hanging eaves and pediment detail that are supported upon pilaster buttresses. The materials and junction detailing have also been revised so that the roof and walls read as distinctive architectural elements that are part of a cohesive whole. The amount of glazing has also been reduced, and along with the introduction of more architectural detailing this, in our view, provides the elevations with a greater sense of clarity and expression. We consider that the overall appearance of the proposed building has been enhanced such that the concerns that we initially expressed in our earlier response are now addressed.

Recommendation

Historic England has no objection to the application on heritage grounds.

We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 193, 194.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and; Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

ECC Highways Dept

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. Prior to the occupation of the proposed building, the vehicular

access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 4 metres for at least the first 6 metres from the back of carriageway.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety in accordance with policy DM1.

2. Prior to occupation of the dwelling a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1.

3. No unbound materials shall be used in the surface treatment of the existing access or car park area.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM 1.

4. The proposed building shall not be occupied until such time as the vehicle parking area indicated on the proposed block plan, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

5. The Cycle / Powered Two-wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle / powered two-wheeler parking is provided in the interest of highway safety and amenity in accordance with Policy DM8

6. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council

Supplementary Guidance in February 2011.

Informative 1: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

Informative 2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

Essex County Council
Heritage

The application is for the change of use from a clinic to a B1 office including extensions and alterations to the building fabric.

The above concerns Mistley Clinic, located within the Manningtree and Mistley Conservation Area.

The application site is located adjacent to a number of designated heritage assets, including:

- Grade I Listed, Mistley Towers (Listed Entry ID: 1261061)
- Scheduled Monument, Mistley Towers (List Entry ID: 1002154)
- Grade II Listed, Mistley Institute (List Entry ID: 1440369)
- Grade II Listed, Mistley House (List Entry ID: 1360960)

Whilst the existing Mistley Clinic building located on site is not considered to facilitate the appropriate experience of its historic context, and its alteration could be beneficial in principle, the current application proposes a more prominent building, distinct in its form and design, which nevertheless fails to reference the materials and forms present throughout the Manningtree and Mistley Conservation Area or within its immediate vicinity. Put simply, although the proposed redevelopment of Mistley Clinic makes efficient use of the existing structure, it is considered to propose a building which appears unsympathetic within this particularly sensitive site, being unresponsive to the local character and distinctiveness of the conservation area and nearby listed buildings. For the above, a more bespoke design approach is encouraged, one better suited to its locality and in-keeping with its historic setting.

At present, the proposal is considered to cause considerable less than substantial harm to the setting and significance of a Grade I listed building and a Scheduled Monument and the Manningtree and Mistley Conservation Area. The adverse impacts would include harm to significant views and the introduction of a visually competing new built form. As such paragraph 196 of the NPPF is relevant. Given the importance of the surrounding listed buildings, I would also recommend the 'great weight' noted in paragraph 193 of the NPPF is taken into account.

Given this proposal will cause harm to the significance of a grade I listed building and a scheduled monument, I would advise further consultation with Historic England.

3. Planning History

04/00518/FUL

Wheelchair ramp to front entrance

Approved

25.04.2004

| | | | |
|--------------|--|----------|------------|
| 15/00316/TCA | T2 - Oak remove deadwood over 5cm diameter. remove small sub laterals making contact with BT service. T3 - Ash, T4 Ash - fell | Approved | 02.04.2015 |
| 15/00656/TCA | T2 - Oak - Remove deadwood over 5 cm in diameter. Remove small sub laterals making contact with BT service. 2 No. Ash -fell, stump treat | Approved | 26.05.2015 |

4. **Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

COM1 Access for All

COM3 Protection of Existing Local Services and Facilities

EN1 Landscape Character

EN5A Area Proposed as an Extension to the Suffolk Coasts and Heaths AONB

EN17 Conservation Areas

EN23 Development Within the Proximity of a Listed Building

ER7 Business, Industrial and Warehouse Proposals

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)

CP1 Sustainable Transport and Accessibility

HP2 Community Facilities

PP6 Employment Sites

PPL3 The Rural Landscape

PPL8 Conservation Areas

PPL9 Listed Buildings

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal

Site Description

The application site is Mistley Clinic, which is located on the junction between New Road and High Street. The surrounding area is relatively urban, with residential and commercial development particularly located to the south-east. The site lies within the Manningtree and Mistley Conservation Area, while to the north is the Grade I Listed and Scheduled Monument Mistley Towers. There are a number of other Grade II Listed Buildings nearby to the south-east.

The site is adjacent to, but outside of, the Settlement Development Boundary for Mistley in the Adopted Local Plan, but within the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft the whole site falls within the Mistley Settlement Development Boundary.

Description of Proposal

This application seeks full planning permission for the change of use of the existing Mistley Clinic (D1 use) to a B1 office use. The proposal will include alterations to the existing building, including a large single storey extension to the rear elevation and a change of materials from the existing facing brickwork to vertical timbers, coloured render and zinc panels, in order to provide a more contemporary design.

Assessment

1. Principle of development

Saved Policy COM3 of the Adopted Local Plan 2007 seeks to retain community facilities and protect such sites from re-development, unless appropriate marketing demonstrates that there is no demand for such facilities in the immediate area or that there are adequate similar facilities within easy walking distance of the site.

The agent for the application has submitted details of a marketing campaign that begun in February 2018 with Savills. A 'For Sale' board was commissioned and the site was advertised on Savills website, EG Property Link and LinkedIn. A targeted marketing campaign was sent to a database of known developers looking for development opportunities. In total there were 10 enquiries, with three parties coming forward for viewings. Two of these were for residential conversion purposes, while the third was to use the site for B1 Office use.

It is noted that the information provided is out of date and lacks evidence showing the site being advertised. However that notwithstanding adjacent to the site is Mistley Hall, which provides adequate provision of community facilities within good walking distance. The proposed loss of a community facility is therefore considered to be acceptable on this occasion, and the principle of development is therefore accepted.

2. Heritage Impact

Paragraph 189 of the National Planning Policy Framework (2019) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 193 of the National Planning Policy Framework (2019) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 196 of the National Planning Policy Framework (2019) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 197 of the National Planning Policy Framework (2019) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy EN17 of the Adopted Local Plan states that development within a Conservation Area must preserve or enhance the character or appearance of the Conservation Area. The sentiments of this policy are carried forward within Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Policy EN23 of the Adopted Local Plan states that development that would adversely affect the setting of a listed building, including group value and long distance views, will not be permitted. The sentiments of this policy are carried forward within Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The application site is located within the Manningtree and Mistley Conservation Area, and is also located adjacent to a number of designated heritage assets, including:

- Grade I Listed, Mistley Towers (Listed Entry ID: 1261061)
- Scheduled Monument, Mistley Towers (List Entry ID: 1002154)
- Grade II Listed, Mistley Institute (List Entry ID: 1440369)
- Grade II Listed, Mistley House (List Entry ID: 1360960)

Historic England were initially not convinced that the chosen design approach and materials palette is the most appropriate or sympathetic, given the particular heritage sensitivities of this location.

As such, Historic England considered that the proposal would result in a level of harm to the significance of Mistley Towers and the character and appearance of the Conservation Area as a heritage asset. They considered that an alternative scheme that instead takes its inspiration from the distinctive historic architectural forms nearby, using materials that reflect, or are sympathetic to, the prevailing local character would result in a more pleasing and successful solution, which in turn would have a more benign visual impact upon the setting of the towers and other heritage assets.

Accordingly the agent for the application provided amended drawings to incorporate the comments by Historic England. Following re-consultation Historic England confirmed their acceptance to the massing of the large, single-span element given it has been broken down and is now shown expressed as a series of gabled elements with over-hanging eaves and pediment detail that are supported upon pilaster buttresses. The materials and junction detailing have also been revised so that the roof and walls read as distinctive architectural elements that are part of a cohesive whole. The amount of glazing has also been reduced, and along with the introduction of more architectural detailing, this provides the elevations with a greater sense of clarity and expression. Therefore, the earlier concerns raised have been overcome, and Historic England offers no objections.

3. Landscape Impact and Trees

The application site is situated in the Stour Valley System Landscape Character Area (LCA) close to The Stour Estuary Marshes LCA as defined in the Tendring District Council Landscape Character Assessment. One of the key characteristics of the Stour Valley System is that; 'the southern slopes and scenic tributary valleys of the Stour, form a setting to one of the most important wildlife estuaries in Europe and a setting to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB)'.

It is, therefore, vitally important that planning permission is not granted unless it can be demonstrated that harm will not be caused to either the scenic beauty or wildlife value of the area. However, in this respect it must be noted that the site is already developed and as the proposed changes to the building are considered to enhance its appearance, it is considered that the development will not have a detrimental impact on the appearance of the Conservation Area or the adjacent AONB.

In terms of trees and other vegetation, the application site is situated in the Manningtree and Mistley Conservation Area. Accordingly, any trees situated on the site with a stem diameter greater than 75mm when measured at a point 1.5m from ground level is afforded formal legal protection because of its position within the Conservation Area.

In this regard, the applicant has provided an Arboricultural Impact Assessment as part of a tree survey and report, in order to show the extent to which the trees on the application site are a constraint on the development potential of the land. It shows how retained trees will be physically protected for the construction phase of any development for which planning permission may be granted. The information is in accordance with BS5837: 2012 Trees in relation to design, demolition and construction.

The information provided shows that the most important trees will be retained. The trees identified for removal are two Ash trees and a Sycamore on the bank on the southern boundary; a group of Ash on the north eastern boundary adjacent to the highway, a small Sycamore beneath the canopy of the Oak adjacent to New Road and an early mature Lime tree in the grassed area adjacent to the car park.

None of the trees identified for removal make such a contribution to the character and appearance on the Conservation Area that they merit protection by means of a tree preservation order. The trees to the south are growing on a narrow bank and will become potentially unstable as they increase in size; the Ash adjacent to the highway are in poor condition and no longer viable; the Sycamore is an insignificant specimen; and the amenity value of the Lime could be relatively easily replicated by new planting.

It is apparent that the Lime would need to be removed to facilitate the construction of the extended car park. In itself the removal of the tree would not necessarily be a significant obstruction to the proposed development as its amenity value could be relatively easily replicated by replacement planting.

The site layout plan shows indicative tree planting and other soft landscaping. Full details of soft landscaping will be attached as a condition to this decision, but new planting should soften, screen and enhance the appearance of the development and aim to mitigate any potential visual harm.

4. Impact to Neighbours

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

While the proposed development includes a large extension, it is to be single storey and retains sufficient distance to existing residential properties to the south-east. Given this, it is not considered the extension will result in any loss of outlook or light to local residents. Further, the proposed B1 use is not considered a use that would attract additional noise or disturbance than that likely to be generated from its existing D1 use.

5. Highway Impacts

Essex Highways Authority have stated they have no objections to the scheme subject to conditions relating to: the vehicular access; a vehicular turning facility; the use of no unbound materials; and the parking bays. A further condition was requested for cycle storage provision, but given the site has sufficiently in excess of the parking requirements, it is not considered this would be necessary to impose on this occasion.

Adopted Parking Standards state that for a B1 use there should be one parking space per 30 square metres of floor space. The total floor space equates to approximately 325 square metres, and therefore a minimum of 11 spaces are required. The submitted plans show 17 spaces and provision for two additional disabled parking spaces, and therefore comfortably meet the above standards.

Other Considerations

Mistley Parish Council are in support of the application subject to the comments of the Council's Tree and Landscapes Officer in regard to the impacts to trees on site.

There has been one letter of observation received, where the local resident supports the application but has requested consideration be given to include a private parking space for 1 The Green due to limited parking provision in the area.

In answer to this, the plans show adequate parking provision and it would not be reasonable to condition this. It would therefore be a separate matter for the applicant and neighbouring resident to determine.

Two additional letters of support has been received.

Conclusion

While the application will result in the loss of an existing community facility, some evidence has been provided that demonstrates there is no interest in the site despite being for sale for a long period of time. Given this, and that there are similar facilities in reasonable walking distance, the principle of development is acceptable. While there are significant changes to the existing building in the vicinity of Grade I and II Listed Buildings, Historic England consider it to be acceptable. There are no significant concerns with the impact to existing trees on site, while there is sufficient parking proposed and no harm to neighbouring amenities. As such the proposed development is in accordance with local and national policies and is recommended for approval.

6. Recommendation

Approval.

7. 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, drawing numbers LP 01, SU_01, PA_05 Rev A, PA_06 Rev A, PA_02 Rev A, PA_04 Rev A, PA_03 Rev A, documents titled 'Tree Survey, AIA & Protection Plan', 'Design and Access Statement' and the marketing information supplied by email dated 14 August 2019.

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

- 3 Prior to the occupation of the proposed building, the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 4 metres for at least the first 6 metres from the back of carriageway.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety.

- 4 Prior to occupation a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

- 5 No unbound materials shall be used in the surface treatment of the existing access or car park area.

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

- 6 The proposed building shall not be occupied until such time as the vehicle parking area indicated on the proposed block plan, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety.

- 7 The proposed building shall not be occupied until such time as the vehicle parking area indicated on the proposed block plan, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety.

- 8 Prior to the commencement of any above ground works, a scheme of hard and soft landscaping works for the site shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction.

Reason - To enhance the visual impact of the proposed works.

- 9 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 -To enhance the visual impact of the proposed works.

- 10 Prior to the commencement of any above ground works, details of the external facing and roofing materials to be used in construction 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 - The building is located in close proximity to a number of important listed buildings, and it is important that the materials used are of a high quality.

8. Informatives

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.

Highways Informatives:

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.