



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT: Mr Tim Buxbaum - Tim
Buxbaum Architect
Brook Cottage
The Avenue
Lower Ufford
Woodbridge
IP13 6DT

APPLICANT: Mr Nick May
26 Kings Head Street
Harwich
Essex
CO12 3EE

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

APPLICATION NO: 19/01241/LBC

DATE REGISTERED: 19th August 2019

Proposed Development and Location of Land:

**Internal alterations and modest external changes, and change of use of existing dwelling to small restaurant with rooms in conjunction with existing adjacent 'Alma' public house.
26 Kings Head Street Harwich Essex CO12 3EE**

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 No development, demolition or conversion can commence until a Level 3 programme of historic building recording has been secured by the submission of a written scheme of investigation which has been approved by the Planning Authority.

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

- 3 Following completion of the historic building recording the applicant will submit to the Local Planning Authority a report (to be submitted within six months of the completion of recording, unless otherwise agreed in advance with the Planning Authority).

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

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans and documents;

-Drawing No. 747/18/1A - Ground Floor Plan Proposed

- Drawing No. 747/18/2B - First Floor Plan Proposed
- Drawing No. 747/18/3B - Second Floor Plan Proposed
- Drawing No. 747/18/4 - Sections and Elevations
- Drawing No. 747/18/SY1A - Proposed Material Removal - Ground Floor - Scanned 19 August 2019
- Drawing No. 747/18/SY2A - Proposed Material Removal - First Floor - Scanned 19 August 2019
- Drawing No. 747/18/SY3A - Proposed Material Removal - Second Floor - Scanned 19 August 2019.
- Conservation Engineers Report scanned 24 September 2019.
- Archaeological Interpretative Survey of 24, 25 (The Alma), 26 Kings Head St, Harwich by David Martin FSA IHBC and Barbara Martin dated 2019
- Supplementary information to support the Design & Access Statement V4 dated 20th January 2020

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

DATED: 7th February 2020

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

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.