



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT:	Mr Mark Edgerley - Boyer Planning 15 De Grey Square De Grey Road Colchester CO4 5YQ	APPLICANT:	Mr Harry Edwards - Roundwood Restorations Roundwood Farm Stutton Ipswich IP9 2SY
---------------	--	-------------------	---

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 20/01722/FUL **DATE REGISTERED:** 10th December 2020

Proposed Development and Location of the Land:

**Variation of condition 3 of approved application 17/01479/FUL to change the condition wording to allow for one residential unit to be occupied before works are complete
Former Natwest Bank 2 High 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 has already commenced therefore there is no time limit.
Reason - For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: -
 - Drawing Number - 3633-0102-P03-Location Plan;
 - Drawing Number - 3633-0300-P08-Floor Plans as Proposed;
 - Drawing Number - 3633-0301-P02-Floor Plans as Existing;
 - Drawing Number - 3633-0302-P01-Graphic Flood Risk Assessment;
 - Drawing Number - 3633-0400-P02-Existing Elevations;
 - Drawing Number - 3633-0401-P03-Proposed Elevations (Sheet 1);
 - Drawing Number - 3633-0402-P04-Proposed Elevations (Sheet 2);
 - Drawing Number - 3633-0403-P02-Demolition Plans;
 - Drawing Number - 3633-1202-P01-Joinery Sheet 3;
 - Drawing Number - 3633-1203-P01-Joinery Sheet 4;
 - Drawing Number - 3633-1204-P01-Joinery Sheet 5;
 - Drawing Number - 3633-1205-P01-Joinery Sheet 6;
 - Drawing Number - 3633-1206-P01-Joinery Sheet 7, and;
 - Drawing Number - 3633-1207-P01-Joinery Sheet 8.
 Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The development hereby approved shall be carried out in its entirety as shown on the submitted plans. One residential unit may be occupied before works to the front facade

of the building and new shop-front have been installed and the retail unit completed for occupation.

Reason - The development has been permitted due to the significant benefits that would result for the listed building, and it is essential that the works are carried out as a package of improvements in the interest of the character and setting of the listed building.

- 4 The Archaeological Recording shall be undertaken in accordance with the written scheme of investigation, entitled Historic Building Record - TM 10567 31851 by Leigh Alston, dated May 2018 as approved via application 17/02092/DISCON.

Reason - In the interests of protecting/recording features of archaeological importance.

- 5 The Archaeological Monitoring shall be undertaken in accordance with the written scheme of investigation, (Project Number 1225), dated March 2018 as approved via application 18/00911/DISCON.

Reason - In the interests of protecting/recording features of archaeological importance.

- 6 The materials used on the construction of the development hereby approved shall be as agreed within application 18/00120/DISCON:

Brick Work

Sussex Hand Made Brick - 3 colour custom mix -

- Hastings Medium
- Waverley Orange
- Guestling Red

Roofing Tiles

- Sussex Hand Made Brick - William Blyth - Weathered plain clay tile

Metal roofing and wall cladding

- Powder coated metal, Merlin (BS 18B25)

The development shall then be carried out in accordance with the approved details. Unless otherwise agreed in writing by the Local Planning Authority. The proposed materials for any repairs shall match those of the existing building as closely as possible.

Reason - In order to preserve and enhance the character and appearance of the Listed Building/Conservation Area.

- 7 The joinery details used in the construction of the development hereby approved shall be those approved within application 18/00120/DISCON.

Joinery Details on Plan Nos drawing 3633 - 1207 P01, 3633 - 1208 P01 and 3633 - 1209 P01.

The joinery shall then be constructed in accordance with the agreed details and be retained as such thereafter.

Reason - In order to preserve and enhance the character and appearance of the Listed

Building/Conservation Area.

- 8 Prior to occupation of the development the vehicular parking facility, as shown on the submitted plan 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 controlled manner in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 9 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason - To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 10 At no point shall gates be provided at the vehicular access. The access shall remain open and free for use in perpetuity.

Reason - To give vehicles using the access free and unhindered access to and from the highway in the interest of highway safety and in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 11 Notwithstanding the submitted plans, any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

Reason - To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 12 The cycle parking facilities of the development hereby approved shall be those approved within application 18/00120/DISCON.

Drawing No 3633 - 1220 P01

The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason - To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 13 The Residential Transport Information Packs for each unit shall be provided in accordance with the information provided within the submitted RTIP information sheet, as approved via application 18/00911/DISCON.

Reason - In the interests of mitigating the impact of the approved development by seeking to reduce the need to travel by private car through the promotion of sustainable transport choices.

- 14 The Landscape details used in the construction of the development hereby approved

shall be those approved within application 18/00120/DISCON.

Drawing No 3633 - 1220 P01

All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

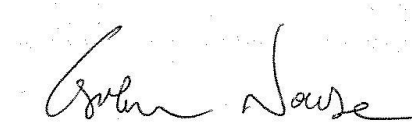
Reason - In the interest of the appearance of the area.

- 15 There shall be no public access to the cellar and it shall not be used for retail sales.

Reason - In the interest of public safety as the site falls within a flood-risk zone and the cellar could be subject to rapid inundation in the even of flooding.

DATED: 4th March 2021

SIGNED:



Graham Nourse
Assistant Director
Planning Service

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

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

QL12 Planning Obligations

ER3 Protection of Employment Land

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG9 Private Amenity Space

COM6 Provision of Recreational Open Space for New Residential Development

EN6 Biodiversity

EN6A Protected Species

EN11A Protection of International Sites European Sites and RAMSAR Sites

EN12 Design and Access Statements

EN17 Conservation Areas

EN22 Extensions or Alterations to a Listed Building

TR7 Vehicle Parking at New Development

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

SP1 Presumption in Favour of Sustainable Development

SP6 Place Shaping Principles

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PP2 Retail Hierarchy

PPL1 Development and Flood Risk

PPL8 Conservation Areas

PPL9 Listed Buildings

CP1 Sustainable Transport and Accessibility

Essex County Council Car Parking Standards - Design and Good Practice

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.

Highway Authority advice

Note: Essex County Council as Highway Authority can assist in the production of appropriate material as packs of information are available for purchase by the developer. Contact the Sustainable Travel Planning team on 01245 436135 or email travelplanteam@essex.gov.uk for more information.

INF01 Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:
Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ.

INF02 Cost of Works - The Highway Authority cannot accept any liability for costs associated with a developers improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

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.

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.