



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT:	Anthony Watts - The Livemore Partnership 74-76 Broadway House Leigh-on-Sea United Kingdom SS9 1AE	APPLICANT:	Mr Thorpe - Great Oakley Community Hub C/O The Maybush Public House Farm Road Great Oakley CO12 5AL
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TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 21/00080/FUL **DATE REGISTERED:** 1st February 2021

Proposed Development and Location of the Land:

Proposed conversion of dwelling into two flats (Red House), infill extension between dwelling and The Maybush Public House to form further flat with multi-use community facilities extension to Public House at ground level. Proposed Change of Use of garden area behind public house from residential to use associated with Public House / Community Use and proposed external landscaping works.

Red House (The Maybush Inn) High Street Great Oakley Harwich

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 and documents -

- Drawing No. 16860-22(B)
- Limecrete Flooring System Details - scanned 04 August 2021
- Drawing No. 16860-13(A)
- Drawing No. 16860-14(-)
- Drawing No. 16860-15(A)
- Drawing No. 16860-16(A)
- Drawing No. 16860-17(-)
- Drawing No. 16860-18(-)
- Drawing No. 16860-19(A)
- Drawing No. 16860-20(A)
- Drawing No. 16860-21(-)

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

- 3 No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00

(except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.

Reason: To protect the amenity of nearby residential premises and to protect the health of nearby residents and site workers

- 4 No materials produced as a result of the site development or clearance shall be burned on site.

Reason: To protect the amenity of nearby residential premises and to protect the health of nearby residents and site workers

- 5 No demolition, conversion or alterations can commence until a programme of historic building recording has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority

Reason - The Tendring Historic Environment Characterisation project and Essex HER show that the proposed development is located within an area with a surviving historic building and potential for below ground archaeological deposits. The development would result in harm to non-designated heritage assets.

- 6 A historic buildings report will need to be submitted and approved in writing by the local planning authority and the deposition of a digital archive with the Archaeological Data Service (ADS).

Reason - The Tendring Historic Environment Characterisation project and Essex HER show that the proposed development is located within an area with a surviving historic building and potential for below ground archaeological deposits. The development would result in harm to non-designated heritage assets.

- 7 No development or preliminary ground-works can commence until a programme of archaeological monitoring has been secured and undertaken in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the local planning authority.

Reason - The Tendring Historic Environment Characterisation project and Essex HER show that the proposed development is located within an area with a surviving historic building and potential for below ground archaeological deposits. The development would result in harm to non-designated heritage assets.

- 8 Within six months of the completion of the fieldwork, a report including the preparation of a full site archive and be ready for deposition at the local museum will be submitted to and approved in writing by the local planning authority.

Reason - The Tendring Historic Environment Characterisation project and Essex HER show that the proposed development is located within an area with a surviving historic building and potential for below ground archaeological deposits. The development would result in harm to non-designated heritage assets.

- 9 All new rainwater goods should be powder coated metal and shall be permanently maintained as such.

Reason - The application relates to a building located within the Conservation Area and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

- 10 No development shall be commenced until a schedule of external finish materials including hard surface treatments, roof tiles, brick and brick masonry bond 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 and permanently maintained as such.

Reason - To ensure materials are of a very high quality to respect the Conservation Area

- 11 All windows shall be constructed from timber only.

Reason: In order to preserve and enhance the Conservation Area

- 12 Following further investigations, a schedule of repair shall be submitted to and agreed in writing by the local planning authority.

Reason - The application site is located within the Conservation area

DATED: 6th October 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 July 2021

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

QL12 Planning Obligations

HG3 Residential Development Within Defined Settlements

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

EN6 Biodiversity

EN11A Protection of International Sites European Sites and RAMSAR Sites

EN17 Conservation Areas

COM4 New Community Facilities (Including Built Sports and Recreation Facilities)

COM6 Provision of Recreational Open Space for New Residential Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

SP1 Presumption in Favour of Sustainable Development

SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SP3 Spatial Strategy for North Essex

SP4 Meeting Housing Needs

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL4 Biodiversity and Geodiversity

PPL8 Conservation Areas

SPL2 Settlement Development Boundaries

HP5 Open Space, Sports & Recreation Facilities

HP2 Community Facilities

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.

Waste Management

Bin store to be of adequate size to accommodate 180L wheeled bin per flat along with a total of two 240L wheeled bins for dry recycling materials. Access to bin store to be on level solid ground with no steps or obstructions.

Legal Agreement Informative - Recreational Impact Mitigation

This application is the subject of a legal agreement and this decision should only be read in conjunction with this agreement. The agreement addresses the following issues: mitigation against any recreational impact from residential developments in accordance with Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

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.