



AGENT: Nicholas Jacob Architects
The Christies
5 Wherry Quay
Ipswich
Suffolk
IP4 1AS

APPLICANT: Mr and Mrs A Kinsmore-Ward
Hill House
100 Halstead Road
Kirby Cross
Frinton On Sea
Essex
CO13 0LP

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

APPLICATION NO: 22/01412/LBC

DATE REGISTERED: 19th August 2022

Proposed Development and Location of Land:

**Proposed single storey rear extension with internal connection internal alterations and upgrades to floor levels to the bathroom and scullery.
Hill House 100 Halstead Road Kirby Cross Frinton On Sea**

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 **COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT**

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with 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 Section 51 of the Planning and Compulsory Purchase Act 2004

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 **APPROVED PLANS & DOCUMENTS**

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Approved Plans

Site Location Plan - 001 PL2
 Proposed Block Plan - 100 PL1
 Proposed Ground Floor Plan - 104 PL1
 Kitchen Area Proposed Floor Plan - 105 PL1
 Roof Plan - 109 PL2
 Proposed Elevations 210 PL3

Approved Documents

Design and Access - Heritage - Statement, Project No: 21020, August 2022 (revised)
 Flush casement details - Rec'd 21.02.2023
 New garden door details - Rec'd 21.02.2023
 Brio-bi-fold door details - Rec' d 21.02.2023
 Brio-bi-fold door details - Rec'd 21.02.2023

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

3 ROOF JUNCTION

CONDITION: Prior to the commencement of the construction of the extension hereby approved, full details the junction between the proposed flat roof and the existing pitched roof and of the proposed rainwater disposal system shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

REASON: The application relates to a listed building therefore such details are necessary, prior to commencement, in order to protect the historic fabric of the building/walls from damage, in order to preserve and enhance the historic character and integrity of the building from the outset.

4 FOUNDATION OF EXISTING WALL

CONDITION: Prior to the commencement of the construction of the extension hereby approved, an investigation to the foundation of the existing wall shall be carried out and report of investigation submitted for approval in writing by the Local Planning Authority.

REASON: The application relates to a listed building therefore such details are necessary, prior to commencement, in order to protect the historic fabric of the building/walls from damage, in order to preserve and enhance the historic character and integrity of the building from the outset.

5 NEW WALL AND FOUNDATIONS

CONDITION: Prior to the commencement of the construction of the extension hereby approved, construction details of the proposed wall adjacent to the existing wall, including foundation details, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

REASON: The application relates to a listed building therefore such details are necessary, prior to commencement, in order to protect the historic fabric of the building/walls from damage, in order to preserve and enhance the historic character and integrity of the building from the outset.

6 RAINWATER GOODS

CONDITION: All new rainwater goods for the development hereby approved shall be black painted or powder coated metal and shall be permanently maintained as such.

REASON: The application relates to a listed building and complementary materials are sought in order to preserve and enhance the historic character and integrity of the building.

7 HERITAGE SERVICES

CONDITION:: All new fixtures to be installed in the shower room, W.C., pantry and scullery must follow existing routes, unless Listed Building Consent has been obtained for any new works.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

8 DOORS AND JOINERY

CONDITION: Prior to the commencement of installation any proposed new internal doors and/or built-in joinery, if required, full details shall be submitted and approved by the Local Planning Authority. Works shall be installed as approved.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

DATED: 26th May 2023

SIGNED:



John Pateman-Gee
Planning Manager

IMPORTANT INFORMATION :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

National:

National Planning Policy Framework July 2021 (NPPF)

National Planning Practice Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design

PPL9 Listed Buildings

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.

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.