



# TENDRING DISTRICT COUNCIL

## Planning Services

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

**AGENT:** Mr Stephen Sharp - Atelier Associates  
Barn B, Home Farm  
Common Road  
Snettisham  
Kings Lynn  
PE31 7PD

**APPLICANT:** Ravi Kumar - Build Vantage  
Orion House  
104-106 Cranbrook Road  
Ilford  
IG1 4LZ

### TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO:** 20/00648/FUL      **DATE REGISTERED:** 29th September 2020

Proposed Development and Location of the Land:

**Variation of conditions 2, 4, 5, 6 and 16 of application 12/00109/FUL (approved on appeal APP/P1560/A/13/2197833) to amend approved details of dwellings and landscaping layout in conjunction with design changes to the required highway improvements.**

**Crown Building Former Secret Bunker Shrubland Road Mistley 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 hereby permitted shall be carried out in accordance with the following approved plans: RBC06, G12L, G13L, G23D, G24F, G26D, G27B, RBC06 19D, REDW-2870-110-403, RBC06 16, BU101.01.32A, BU101.01.33, BU101.01.34, BU101.01.35, BU101.01.36, EX18\_033\_02-278 Rev J and EX18\_033\_02-279 Rev K.  
  
Reason - For the avoidance of doubt.
- 2 The materials used in the construction of the development shall be those approved under planning reference 15/00745/DISCON.  
  
Reason - In the interests of visual amenity.
- 3 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details (drawing no. BU01.01.32 A) 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 ensure the effective implementation of the landscaping scheme in the interests of visual amenity.

- 4 The landscape maintenance shall be carried out in full accordance with those details approved under planning reference 15/00745/DISCON.

Reason - To ensure the effective implementation of the approved landscaping scheme in the interests of visual amenity.

- 5 The installed surface water drainage scheme shall be in accordance with those details approved under planning reference 15/00745/DISCON.

Reason - To avoid surface water flooding from the development.

- 6 No dwelling shall not be occupied until space has been laid out for the parking of vehicles within the site in accordance with drawing no. BU01.01.32 A and in accordance with details of drainage and surfacing submitted to and approved in writing by the local planning authority, and those areas shall not thereafter be used for any purpose other than the parking of vehicles.

Reason - To ensure the development is served by sufficient off-street parking provision in the interests of highway safety and visual amenity.

- 7 No dwelling shall be occupied until space has been laid out within the site for the parking of powered two wheelers and bicycles. The spaces provided shall not thereafter be used for any purpose other than the parking of powered two wheelers and bicycles.

Reason - In the interests of sustainability.

- 8 No occupation of the development shall take place until the following has been provided or completed:

- The amended design changes to the highway works on Harwich Road and access into the site as indicated in principal with drawing no. EX18\_033\_02-279 Rev K.

Reason - To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking.

- 9 The development shall be constructed in full accordance with the details outlined within the Construction Method Statement approved under planning reference 15/00745/DISCON.

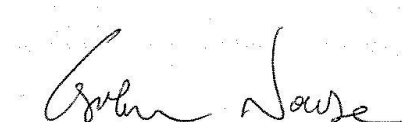
Reason - In the interests of highway safety and amenity.

- 10 All work shall be carried out in full accordance with the recommendations contained within the Reptile Working Method Statement (Reliant Building Contractors - May 2014) approved under planning 15/00745/DISCON.

Reason - To protect reptiles in the interests of biodiversity.

**DATED:** 26th January 2021

**SIGNED:**




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Graham Nourse  
Assistant Director

**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

QL3 Minimising and Managing Flood Risk

QL6 Urban Regeneration Areas

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

QL12 Planning Obligations

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

EN1 Landscape Character

EN2 Local Green Gaps

EN3 Coastal Protection Belt

EN23 Development Within the Proximity of a Listed Building

EN27 Enabling Development

LMM1 Mistley Urban Regeneration Area

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL1 Development and Flood Risk

PPL3 The Rural Landscape

PPL8 Conservation Areas

PPL9 Listed Buildings

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

Local Planning Guidance

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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

### 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.