



# TENDRING DISTRICT COUNCIL

## Planning Services

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

<b>AGENT:</b>	LSI Architects The Old Drill Hall 23A Cattle Market Street Norwich NR1 3DY	<b>APPLICANT:</b>	NHS Property Services Victoria House Capital Park Fulbourn Cambridge CB21 5XB
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### TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO:** 20/00608/FUL      **DATE REGISTERED:** 14th May 2020

Proposed Development and Location of the Land:

**Variation of conditions 2, 4, 6 and 7 of approved application 19/00401/FUL to replace drawing number 16291-LSI-A1-ZZ-DR-A-1175/A with drawing number NTBS 2900/KH/06/C to change the parking bay sizes.  
Kennedy House Kennedy Way Clacton On Sea 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: 16291-LSI-A1-ZZ-DR-A-1200, 16291-LSI-A1-ZZ-DR-A-1300, 16291-LSI-A1-ZZ-DR-A-1350, 6291-LSI-A1-ZZ-DR-A-1400, and NTBS 2900/KH/06/C

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

- 2 The building shall be used for a mixed use of B1 office and D1 Doctors Surgery and for no other purpose including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of retaining a use appropriate to the employment area and in the interests of highway safety.

- 3 Prior to first occupation of the hereby approved doctors surgery the access arrangements, vehicle parking, and turning areas as shown on drawing no. NTBS 2900/KH/06/C shall be provided, hard surfaced, sealed and marked out, and retained as approved thereafter.

Reason - To ensure that appropriate access, parking and turning is provided.

- 4 Any gates to be retained at the vehicular accesses shall be inward opening only and shall be set back a maximum of 0.5 metres from the back edge of the footway.

Reason - In the interests of highway safety.

- 5 Prior to first occupation of the hereby approved doctors surgery the following shall be provided:
- o The provision of a set of dropped kerbs and tactile paving on either side of Kennedy Way in the vicinity of the new pedestrian access from the car park as indicated on drawing no. NTBS 2900/KH/06/C.
  - o The installation of double yellow lines in the form of junction protection markings on both sides of the entrance to the car park and small car park into Kennedy House off Kennedy Way; maximum length of 20 metres or less on both sides of each access as indicated on drawing no. NTBS 2900/KH/06/C.
  - o Adjustments to the low boundary wall to Kennedy House to improve pedestrian access into the building on the north-west side of the entrance.

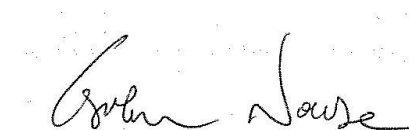
Reason - To facilitate pedestrian access to Kennedy House from the car park in the interests of accessibility and highway safety.

- 6 Prior to first occupation of the hereby approved doctor's surgery cycle parking shall be provided in accordance with drawing numbers 6291-LSI-A1-ZZ-DR-A-1400 and NTBS 2900/KH/06/C and retained as approved thereafter.

Reason - To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

**DATED:** 9th July 2020

**SIGNED:**




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Graham Nourse  
Acting 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

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

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

COM24 Health Care Provision

ER2 Principal Business and Industrial Areas

TR1A Development Affecting Highways

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP1 Improving Health and Wellbeing

PP6 Employment Sites

CP1 Sustainable Transport and Accessibility

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 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.

Highways Informatives:

1: Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

2: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

3: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

4. The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to: SMO1 - Essex Highways Colchester Highways Depot, 653 The Crescent, Colchester CO4 9YQ

5. The Highway Authority cannot accept any liability for costs associated with a developer's 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.

**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.