

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	03/11/22
Planning Development Manager authorisation:	JJ	14/11/2022
Admin checks / despatch completed	CC	14.11.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	14.11.2022

Application: 22/01594/FUL **Town / Parish:** Clacton Non Parished

Applicant: ESNEFT

Address: Clacton and District Hospital Tower Road Clacton On Sea

Development: Proposed new single storey extension to existing hospital to provide additional endoscopy procedure room.

1. Town / Parish Council

Clacton – Non-Parished.

2. Consultation Responses

Tree & Landscape Officer
20.10.2022

No important trees or other significant vegetation will be adversely affected by the proposed development.

ECC Highways Dept
25.10.2022

The information that was submitted in association with the application has been fully considered by the Highway Authority. No site visit was undertaken in conjunction with this planning application. The information submitted with the application has been assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material. It is noted that the proposal will have no impact on the existing pedestrian or vehicular entrances. The main access road that runs through the hospital development will be retained, and the proposal will not impact on the current off-road parking provision, therefore:

Given the existing use of the site, from a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. vehicle routing,
- ii. the parking of vehicles of site operatives and visitors,
- iii. loading and unloading of plant and materials,
- iv. storage of plant and materials used in constructing the development,
- v. wheel and underbody washing facilities.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of

highway safety and Policy DM1.

2. The Cycle / Powered Two-wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle / powered two-wheeler parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

1: 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.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

2: 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.

3: Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

Environmental Protection
19.10.2022

Thank you for your consultation regarding the proposed development above.

If this application is to proceed to a full application, Environmental Protection would recommend the following:

STANDARD CONSTRUCTION - MINIMUM REQUIREMENT

In order to minimise potential nuisance caused by ground works and construction, Environmental Protection recommend that the following below is conditioned;

o 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.

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

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

Noise

Any proposed external plant should be subject to a noise risk assessment and should be made in accordance with BS4142. The noise levels shall be determined at all boundaries near the noise sensitive premises. This shall be carried out by a competent person and confirmation of the findings of the assessment shall be provided in writing to the local planning authority for written approval.

Reason: The use of any unit is not causing loss of amenity to nearby residential properties.

Note - The Design and Access statement refers to an acoustician's noise assessment but I have been unable to find it attached to this application. If this has been submitted as part of a previous application and been dealt with as part of that application then the above noise advice can be retracted.

3. Planning History

93/00900/FUL	(Peter Bruff Ward, Clacton and District Hospital, Freeland Road, Clacton on Sea) Single storey extension to existing psychiatric ward to give two additional single bedrooms	Approved	06.09.1993
94/01022/OUT	(Sea front plot adjoining Clacton Hospital, Marine Parade West, Clacton on Sea) Day centre for stroke victims	Approved	11.10.1994
95/00834/FUL	(Clacton and District Hospital, Tower Road, Clacton on) Construction of new unit for the elderly mentally ill, including inpatient bedrooms, day hospital and rehabilitation facilities	Approved	20.10.1995
95/00835/FUL	(Clacton and District Hospital, Tower Road, Clacton on) Road and parking proposals in connection with new developments for an Outpatients Department (ERH) and	Approved	26.09.1995

	unit for the elderly mentally ill (NEEMHS)		
95/00847/FUL	(Clacton Day Hospital, Tower Road, Clacton on Sea) Proposed demolition of single storey clinic and erection of two storey out patients department. Car parking displaced, to be re-allocated within site	Approved	26.09.1995
95/01459/FUL	(Clacton Hospital, Tower Road, Clacton on Sea) Extension to form a medical gas store	Approved	02.01.1996
96/01492/ADV	(Clacton and District Hospital, Freeland Road, Clacton on Sea) Direction signs, building identification signs, finger posts, site map, traffic signs	Approved	06.01.1997
96/01493/ADV	(Clacton and District Hospital, Freeland Road, Clacton on Sea) Site identification signs	Approved	06.01.1997
98/01318/FUL	Extension to existing day room and office (The Landermere Centre)	Approved	21.10.1998
04/00091/FUL	New packaged plant room and chimney flue	Approved	21.04.2004
05/01341/FUL	Construction of fire escape staircase to existing first floor.	Approved	21.09.2005
21/01766/FUL	Proposed internal alterations and single storey infill extension to Peter Bruff and Martello buildings.	Approved	13.12.2021
21/01946/FUL	Proposed construction of a new single storey high voltage sub-station and associated metering kiosk. To include for installation of new below ground electrical cables from the new sub-station and kiosk to the existing building.	Approved	13.01.2022
21/02150/FUL	Proposed free standing pre-fabricated single storey training facility.	Approved	15.02.2022
22/00645/DISCON	Discharge of condition 3 (Fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition) of application 21/01766/FUL.	Approved	29.06.2022
22/01122/DISCON	Discharge of condition 3 (Landscape) of application 21/02150/FUL.	Current	

4. Relevant Policies / Government Guidance

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

SP3 Spatial Strategy for North Essex

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP1 Improving Health and Wellbeing

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

Status of the Local Plan

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal

Site Description

The application site is Clacton and District Hospital, which is located to the north of Marine Parade West and to the west of Tower Road, within the parish of Clacton-on-Sea.

The character of the area is heavily urbanised, with residential and commercial development located to all sides. Further to the south is the Clacton-on-Sea seafront. The site falls within the Settlement Development Boundary for Clacton-on-Sea.

Description of Proposal

This application seeks planning permission for the erection of a single storey extension at Clacton District Hospital to accommodate extended endoscopy facilities, and is to be located to the south-western corner of the site.

The application also includes an external staircase for maintenance to the rear (northern) element of the extension, and will also facilitate a roof top plant and a bin store.

Assessment

1. Principle of development

Adopted Local Plan Policy HP1 (Improving Health and Wellbeing) states the Council will work to improve the health and wellbeing of residents in Tendring by working in partnership with the NHS and Public Health to ensure that residents can access high quality primary and secondary health care services, and that new and improved services are put in place, where appropriate, to serve the growing population. In addition the Council will support the NHS and Public Health to deliver a service which meets the needs of residents in Tendring District.

The application will provide a small improvement to access to high quality health services within the District, and accordingly the principle of development is acceptable subject to the more detailed considerations below.

2. Visual Impacts

Paragraph 130 of the National Planning Policy Framework (NPPF) (2021) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

Adopted Policy SP7 of Section 1 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context.

Adopted Policy SPL3 Part A (b) requires that development relates well to its site and surroundings, particularly in relation to its siting, height, scale, massing, form, design and materials.

The proposed extension is to be located to the south-western corner of the site. This area of the site is publicly visible from Marine Parade West to the south, however given that the extension is to be single storey it will appear in-keeping with the existing development across this section of the Hospital site. Given this, and that the design and material use will also be in-keeping with the adjacent buildings, there are no concerns raised with regards to the visual impacts of the proposed development.

3. Highway Safety/Parking

Paragraph 111 of the Framework states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy SPL3 (Part B) of the Adopted Local Plan seeks to ensure that access to a new development site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and provision is made for adequate vehicle and cycle parking.

Adopted Policy CP1 (Sustainable Transport and Accessibility) states proposals for new development must be sustainable in terms of transport and accessibility and therefore should include and encourage opportunities for access to sustainable modes of transport, including walking, cycling and public transport.

Essex Highways Authority have been consulted and have stated they have no objections subject to conditions relating to a Construction Management Plan and cycle parking provision.

In addition, it is acknowledged that the development would not result in the loss of any existing car parking spaces, and due to its minor nature will not result in additional need for new parking spaces. Accordingly there are no objections raised in this regard.

4. Impact to Residential Amenities

Paragraph 130 of the National Planning Policy Framework (2021) confirms planning policies and decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy SP7 of Section 1 of the 2013-33 Local Plan requires that the amenity of existing and future residents is protected. Section 2 Policy SPL 3 (Part C) seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

While the extension is more closely related to the existing residential property to the west of the site, there will still be a significant separation distance. Given this, and the single storey nature of the proposal, the development will not appear oppressive or result in either a loss of privacy or a loss of daylight/sunlight. In addition, the additional vehicular movements and associated noise disturbance will not be significant enough to cause harm to existing amenities.

5. Impacts to Trees

The Council's Tree and Landscape Officer has been consulted, and has stated no important trees or other significant vegetation will be adversely affected by the proposed development.

Other Considerations

Clacton is non-parished so no comments are required.

There have been no other letters of representation received.

Conclusion

The application meets the requirements of Policy HP1 and is therefore supported in principle. The extension is a relatively minor addition and will not create significant harm, either through its design, or to neighbouring amenities. Essex Highways Authority have raised no objections, and the development will result in a neutral impact to existing car parking provision. Accordingly, the application is policy compliant and is recommended for approval.

6. Recommendation

Approval.

7. 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:

Drawing Numbers 5405-9600 P02, 5405-9602 P02, 5405-9603 P02, 5405-9604 P02, 5405-9605 P02, and the document titled 'Design and Access Statement'.

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

- 3 No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
- i. vehicle routing,
 - ii. the parking of vehicles of site operatives and visitors,
 - iii. loading and unloading of plant and materials,
 - iv. storage of plant and materials used in constructing the development,
 - v. wheel and underbody washing facilities.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

- 4 The Cycle / Powered Two-wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle / powered two-wheeler parking is provided in the interest of highway safety.

- 5 No vehicle connected with the works shall arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours must be 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 - In the interests of protecting the amenities of neighbouring residents.

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

Reason - In the interests of protecting the amenities of neighbouring residents.

- 7 Prior to the occupation of the development, the external plant shall be subject to a noise risk assessment which shall be made in accordance with BS4142. The noise levels shall be determined at all boundaries near the noise sensitive premises. This shall be carried out by a competent person and confirmation of the findings of the assessment shall be provided in writing to the local planning authority for written approval.

Reason: The use of any unit is not causing loss of amenity to nearby residential properties.

8. Informatives

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: 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. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

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