

**TOWN AND COUNTRY PLANNING ACT 1990**

**Agent:**

Sisco Architecture  
18 The Broadway  
St Ives  
PE27 5BN

**Applicant:**

Broomfield Hospital  
Court Road  
Chelmsford  
Essex  
CM1 7ET

**PLANNING PERMISSION**

**LOCATION:** Broomfield Hospital Hospital Approach Broomfield Chelmsford CM1 7ET  
**PROPOSAL:** Construction of a two storey plant room.  
**APPLICATION NO:** 16/01738/FUL  
**DATE RECEIVED:** 26 September 2016  
**DRAWING NO(s):** (0-) 3000/3; TREE PROTECTION PLAN; ARBORICULTURAL IMPACT  
ASS./August 2016; DESIGN & ACCESS STATEMENT; PHASE 1 HABITAT  
SURVEY/August 2016; BUILDING MATERIALS; (0-) 103/5

The Council has given consideration to the application and plans as specified above, and hereby gives notice of its decision to **GRANT PLANNING PERMISSION** subject to the following: -

**Condition 1**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:**

In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Condition 2**

The development hereby permitted shall not be carried out other than in complete accordance with the approved plans listed on the decision notice.

**Reason:**

In order to achieve satisfactory development of the site

**Condition 3**

With respect to any condition that requires the prior written approval of the local planning authority, the works thereby approved shall be carried out in accordance with that approval unless subsequently otherwise agreed in writing by the local planning authority.

**Reason:**

In order to achieve satisfactory development of the site

**Condition 4**

The development shall be carried out in complete accordance with the recommendations contained within

the Arboricultural Report submitted in support of the planning application, unless otherwise agreed in writing by the Local Planning Authority

**Reason:**

To safeguard the existing trees in accordance with Policy DC14 of the Adopted Core Strategy and Development Control Policies Development Plan Document.

**Condition 5**

The development shall be carried out in complete accordance with the recommendations contained within the Ecology report submitted in support of the planning application, unless otherwise agreed in writing by the Local Planning Authority

**Reason:**

In order to safeguard the habitat of a protected wildlife species.

**Condition 6**

No external fume extraction equipment, vents, air conditioning, plant, pipework, antennae or aerials shall be erected on the external face or roofs of the development hereby approved unless details have been submitted to and approved by the local planning authority.

**Reason:**

In the interests of the visual amenities of the area in accordance with Policy DC45 of the Adopted Core Strategy and Development Control Policies Development Plan Document.

**Condition 7**

Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials shall be identified clear of the highway.

**Reason:**

This information is required before any development commences on site because it is necessary to ensure that appropriate loading / unloading facilities are available on site to ensure that the highway is not obstructed during the construction period in the interests of highway safety.

**Notes to Applicant**

- 1 In order to cause minimum nuisance to neighbours, the applicant is strongly advised to follow guidelines for acceptable working hours set out by the Council's Public Health and Protection team.

**Noisy work**

- Can be carried out between 0800 and 1800 Monday to Friday
- Limited to 0800-1300 on Saturdays
- At all other times including Sundays and Bank Holidays, no work should be carried out that is audible beyond the boundary of the site

**Light work**

- Acceptable outside the hours shown above
- Can be carried out between 0700 and 0800; and 1800-1900 Monday to Friday

In some circumstance further restrictions may be necessary.

For more information, please contact Chelmsford City Council Public Health and Protection Services, or view the Council's website at [www.chelmsford.gov.uk/construction-site-noise](http://www.chelmsford.gov.uk/construction-site-noise)

- 2 The Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are:  
Development Management Team,  
Essex Highways,  
Springfield Highways Depot,

Colchester Road,

Chelmsford

CM2 5PU.

Telephone: 0845 603 7631. Email: [development.management@essexhighways.org](mailto:development.management@essexhighways.org).

**Positive and Proactive Statement**

The Local Planning Authority provided advice to the applicant before the application was submitted and also suggested amendments to the proposal during the life of the application. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

---

Date: 17 November 2016

Signed:

*David Green*

DAVID GREEN

Director of Sustainable Communities

**IMPORTANT - YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED**

**Important Note: This Planning permission does not override the need to obtain any necessary approvals under the Building Regulations, Party Wall Act or any other relevant legislation. Separate approval may also be required in other areas, for example, restrictive covenants, shared agreements, easements, rights of way etc.**

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.

### **NOTICE TO APPLICANT WHERE PERMISSION IS SUBJECT TO CONDITIONS**

#### **Appeals to the Department for Communities and Local Government**

- If you are aggrieved by the decision of your Local Planning Authority to impose conditions on your permission for the proposed development then you can appeal to the Secretary of State for the Department for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.
- For householder and minor commercial applications you must appeal within **12 weeks** of the Council's decision. For other application types you must appeal within six months of the Council's decision.
- **However if the development as described in your application is the same or substantially the same as development that is currently the subject of an enforcement notice then you must appeal within 28 days of the date of the service of this enforcement notice.**
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planningportal.gov.uk>.
- 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 planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

#### **Notification of Appeals to the Council**

- You must send a copy of your appeal to the local authority. In accordance with appeal procedures, when forwarding copies of appeal forms and additional information, plans or drawings direct to the local authority, please send electronic copies to [planning.appeals@chelmsford.gov.uk](mailto:planning.appeals@chelmsford.gov.uk) or address to the Director of Sustainable Communities, Chelmsford City Council, P.O. Box 7544, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1XP.

#### **Purchase Notices**

- If either the local planning authority or the Secretary of State for the Department for Communities and Local Government grant permission to develop land subject to conditions, the owner can claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter I of the Town and Country Planning Act 1990.

#### **Compensation**

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Secretary of State on appeal or on reference of the application to them.
- These circumstances are set out in Section 114 and related to provisions of the Town and Country Planning Act 1990.