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Item No: 7.5

Application: 171518

Applicant: David Kay

Agent: KLH Architects Ltd

Proposal: Retention of existing maintenance compound.

Location: Cambian Fairview, Boxted Road, Colchester, CO4 5HF

Ward: Mile End

Officer: Eleanor Moss

Recommendation: Conditional Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because Councillor Goss called it in for the following reason:

This application is the third submission as the previous two applications have been withdrawn. The application has been submitted to resolve a previous deficit in parking where an illegally placed building has used the spaces.

2.0 Synopsis

- 2.1 The key issues for consideration are the impact of the maintenance compound on the character and appearance of the area and impact upon parking and highways safety.
- 2.2 The maintenance compound is not considered to have a harmful impact on the character and appearance of the area.
- 2.3 The proposal does result in the loss of up to eight car parking spaces however the Highway Authority does not raise an objection to the scheme and therefore it is not considered there will be a harmful impact upon highway safety.
- 2.4 The application is subsequently recommended for approval as the retrospective application is considered to be acceptable.

3.0 Site Description and Context

- 3.1 Cambian Fairview (formally known as St Pauls) Hospital lies at the northern edge of the built up area of Colchester immediately to the south of the A12 Trunk Road. Access is by way of a cul-de-sac off the west side of Boxted Road which also serves a ribbon of residential properties on its western side. The area between the cul-de-sac and Boxted Road proper is well treed and this, coupled with the existence of arable land to the west, gives the area a semi-rural character.
- 3.2 The hospital itself occupies a site of 0.8 ha. It provides care to people with learning disabilities and is organised in a series of accommodation blocks and lodges up to two storeys in height, plus secure courts. The predominant building materials are red brick, black boarding, clay pantiles and slates. The existing car parking areas are in the northern and north-eastern parts of the site.

4.0 Description of the Proposal

- 4.1 This application seeks planning permission for a maintenance compound, comprising an office, a shed and two storage containers. This results in the loss of up to eight car parking spaces. The application has been supported by a planning statement which provides the following justification:

- 4.2 The compound is required on site, to provide a maintenance/ storage facility to support the on- site maintenance team. Due to the mental ability of the residents, it is unfortunate that this places a great stress on the fabric and internal fixtures and fittings of the buildings, and it is common to undertake repairs to doors, windows, walls and furniture, where they have been damaged.
- 4.3 Repairs cannot be delayed whilst materials are ordered and delivered, so it is essential that the maintenance team have immediate access to stored materials, tools, temporary hoardings etc., to be able to maintain a safe environment for all residents and staff.

5.0 Land Use Allocation

- 5.1 Residential Institution

6.0 Relevant Planning History

- 6.1 F/COL/00/1696 - Addition of bedroom and shower room to Eleni House, demolish garages at Recit-Et-Eve and extend to provide 3 extra bedrooms, lounge and staff rooms, Construct new 8 bedroom self contained lodge - Approved 15 March 2001
- 6.2 F/COL/02/0396 - 2 No. 8 bedroom residential care homes at 2 storeys - Approved 24 June 2002
- 6.3 F/COL/02/0487 - Reconstruction of existing care home - Approved 25 July 2003
- 6.4 F/COL/03/0898 - Proposed spa room extension - Approved 25 July 2003
- 6.5 F/COL/04/1205 - New boundary treatments - Approved 16 August 2004
- 6.6 F/COL/05/0069 - New enclosure for water main booster set - Approved 9 March 2005
- 6.7 090631 - Erection of three metre high fence around perimeter of the hospital site - Approved 30 June 2009
- 6.8 091084 - Erection of 3.9 metre high fence around perimeter of the hospital site - Approved 3 November 2009
- 6.9 101766 - Erection of new activity centre, extensions, replacement gatehouse, acoustic fencing and replacement septic tank with pumping chamber. Approved 8 November 2010
- 6.10 110658 - Minor material amendment to 101766 to include additional flat roof extension and alteration to entrance lobby to Eleni House. Approved 12 May 2011

7.0 Principal Policies

7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester's Development Plan is in accordance with these national policies and is made up of several documents as follows below.

7.2 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

H3 – Housing Diversity
SD1 - Sustainable Development Locations
SD2 - Delivering Facilities and Infrastructure
SD3 - Community Facilities
UR2 - Built Design and Character

7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

DP1 Design and Amenity
DP19 Parking Standards

7.4 Some “allocated sites” also have specific policies applicable to them. The adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:
N/A

7.5 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

The Essex Design Guide
EPOA Vehicle Parking Standards

8.0 Consultations

8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.

8.2 Highways Agency has not raised an objection to the proposal

8.3 Highway Authority has not raised any concerns to the proposal and have recommended a number of conditions. These recommended conditions will be imposed on any planning consent.

9.0 Parish Council Response

9.1 Myland Community Council has stated the following:

MCC note that two similar applications have already been submitted and then withdrawn by the applicant. We would like to see this matter brought to a conclusion, as the compound has now been in place for five years.

We note the applicant has a parking plan in place and we would wish to make sure this goes ahead and is monitored to prove it is effective.

We note the concerns of residents living in the vicinity of the application site.

10.0 Representations from Notified Parties

10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. Five letters of objection were received from nearby properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below:

- Concerns regarding parking on the highway
- Concerns regarding overdevelopment of the site

10.2 Councillor Goss submitted the following objection:

This will be the third application as the previous two have been withdrawn. The application has come about as previously agreed car parking was being used for a building which meant the car parking allocation was under the agreed planning application.

The lack of car parking and enforcement has impacted local residents as the staff park on the streets blocking driveways of residents and cause issues. This application should be rejected.

11.0 Parking Provision

11.1 The proposal complies with car parking standards as there are no minimum standards for care institutions.

12.0 Open Space Provisions

12.1 N/A

13.0 Air Quality

13.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

14.0 Planning Obligations

- 14.1 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (s.106) of the Town and Country Planning Act 1990.

15.0 Report

Background:

- 15.1 Core Strategy Policy H3 supports developments such as these that provide support and care for vulnerable people in society and increase the range of healthcare facilities in the Borough. However, Committee has previously expressed concerns at the incremental expansion of this site with the potential to lead to its overdevelopment. Furthermore, it is noted that neighbouring dwellings have complained for a number of years in relation to nuisance parking from Cambian Fairview staff and visitors.
- 15.2 For the most part, however, the maintenance compound is relatively minor and has little impact on views from outside the site. The Highway Authority has been consulted and has recommended that conditions be imposed upon any planning permission. The facilities to be provided are beneficial to the smooth running of the hospital, do not increase staff or visitor numbers and are therefore not intensifying activity in and around the site.

Impact on the Surrounding Area

- 15.3 The visual impact of the compound is mitigated by the boundary fence and it is located firmly within the application site, therefore there are very limited views from outside of the site. Given the very limited views from the public realm, it is not considered the proposal has created a harmful impact upon the character and appearance of the area.

Impact on Neighbouring Properties

- 15.4 The proposal is for a maintenance compound, the site will retain existing numbers of patients and staff, therefore it is unlikely that activity levels on site will increase. As such, it is not considered the proposal is likely to increase noise and disruption.

Highways Safety and Parking Provisions

- 15.5 The site is located at the end of an access road, which terminates at Cambian Fairview. The road serves a number of dwellings as well as Cambian Fairview and it adjoins Boxted Road via a T-junction. It is acknowledged that parking is not restricted on the surrounding road network, therefore parking on the highway is legal. Furthermore, parking on the highway is not a planning matter.

15.6 It is noted that members of staff and visitors of Cambian Fairview have parked along the highway, causing a nuisance to neighbouring properties. However, as this is unrestricted and it is legal to do so, causing an inconvenience to neighbouring properties would not be a robust reason for refusal.

15.7 The application has been amended as the concerns from neighbouring properties have been noted. The changes include hiring car parking spaces at the neighbouring stadium for members of staff. The hope is that these changes will reduce the amount of staff parking on the highway. Site visits have been undertaken by your Officer and it is noted that the changes have resulted in fewer cars being parked on the highway.

15.8 Within the current car parking standards, there is no requirement to provide minimum car parking. However, the applicant has noted the concerns raised in relation to unneighbourly parking and secured 25 car parking spaces at the stadium, changed day staff contracts to ensure parking is at the stadium and erected signs advising staff to not park on the highway. Cambian Fairview will monitor the situation themselves and have confirmed that the park and ride service will be available to members of staff, free of charge, when there is a match at the stadium. It is important to note that the planning authority does not have jurisdiction over the highway and therefore would not be able to impose parking restrictions.

16.0 Conclusion

16.1 It is not considered that this scheme is objectionable in terms of land use or impact upon the area and neighbouring amenity. It offers solutions to problems experienced by encouraging day staff to park at the stadium and is, on balance, recommended for approval.

17.0 Recommendation to the Committee

17.1 The Officer recommendation to the Committee is for APPROVAL of planning permission subject to the following conditions:

1. ZAM - *Development to Accord With Approved Plans*

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers 3363-KLH-0100 Revision P01 and 3363-KLH-00-00-00-A-0103 Revision P02.

Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.

2. Z00 – Highways

Within 28 days of the date of this decision, the applicant shall provide details of the number, location and design of cycle parking facilities sufficient for all employees and visitors who wish to access the site by bicycle. These details shall be submitted to and approved, in writing, by the Local Planning Authority. The approved facility shall be secure, convenient and covered, shall be provided within 28 days of the LPA agreeing the details and shall be retained for the purpose of cycle parking at all times thereafter.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety.

3. Z00 – Highways

Within 28 days of the date of this decision, the Developer shall submit a Business Travel Plan in writing to the satisfaction of the Local Planning Authority and shall provide and implement this scheme within 28 days of the LPA agreeing the details and shall retain the approved scheme at all times thereafter.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

4. Z00 – Highways

Within 28 days of the date of this decision, the Developer shall provide a schedule / timetable of the proposed minibuss shuttle runs between the off-site parking facilities and the development site to the satisfaction of the Local Planning Authority and the shuttle bus shall be provided as agreed at all times thereafter. This timetable shall be made available to all employees and visitors and shall be maintained all times thereafter.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport

18.0 Informatives

18.1 The following informatives are also recommended:

- (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.
- (2) The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 – Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester.
CO4 9YQ.

The applicant should be advised to contact the Essex County Council travel plan team on travelplanteam@essex.gov.uk to make the necessary arrangements for the provision of the Travel Plan.