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**Item No:** 7.2

**Application:** 192562

**Applicant:** East Suffolk & North Essex Nhs Foundation Trust

**Agent:** Mr Richard Bedford, Daniel Connel Partnership

**Proposal:** Temporary staff car parking with no addition to existing 70 parking spaces, this until 1st January 2020.

**Location:** Land adjacent to, Mill Road Surgery, 47 Mill Road, Colchester, CO4 5LE

**Ward:** Mile End

**Officer:** Nadine Calder

**Recommendation:** Approval

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application is referred to the Planning Committee because it was called in by Councillor Goss on the following grounds:
- Disturbance to local residents;
  - Application made post usage; and
  - Parking strategy at the hospital is unclear and piecemeal.

## **2.0 Synopsis**

- 2.1 The key issues for consideration are whether the temporary change in the user of this site (i.e. a mix of staff and contractors working at Colchester General Hospital instead of contractors only) will have an impact on the character and appearance of the area or neighbouring occupiers in terms of noise and disturbance.
- 2.2 The application is subsequently recommended for approval.

## **3.0 Site Description and Context**

- 3.1 The site is accessed from a driveway off Mill Road which gives access to a doctor's surgery. The site shares a fenced boundary with the surgery. To the east is the Northern Approach Road, to the west are three bungalows accessed off Mill Road and to the south is housing in Cambie Crescent. The west and south boundary have screen fencing and along the south some planting/trees. The west boundary has a low hedge row.

## **4.0 Description of the Proposal**

- 4.1 This application seeks temporary permission for the car park to be used by Hospital staff in addition to contractor vehicles. No amendments to the number of vehicles allowed on site (70no.) or the hours of use (weekdays 07:00-19:00, Saturdays 07:00-14:00 and not at all Sundays and Public Holidays) are proposed.
- 4.2 The proposal simply seeks permission for a different user to be allowed in the car park until 1st January 2020.

## **5.0 Land Use Allocation**

- 5.1 The site is located in a predominantly residential area.

## **6.0 Relevant Planning History**

- 6.1 Planning permission for the site to be used as an ad hoc car park for light goods vehicles (max gross weight 3.5 tonnes) used by contractors working at Colchester General Hospital was granted in 2018 (reference 180859). The use of the car park is limited to 70 vehicles at any one time and to the following

hours: weekdays 07:00-19:00, Saturdays 07:00-14:00 and not at all Sundays and Public Holidays.

## **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:

SD1 - Sustainable Development Locations

- 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 The Neighbourhood Plan for Myland & Braiswick is also relevant. This forms part of the Development Plan in this area of the Borough.

- 7.6 Submission Colchester Borough Local Plan 2017-2033:  
The Council is developing a new Local Plan that has been submitted to the Planning Inspectorate (October 2017). An Inspector has been appointed and the formal examination commenced in January 2018. The examination is ongoing.

Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to:

1. The stage of preparation of the emerging plan;
2. The extent to which there are unresolved objections to relevant policies in the emerging plan; and
3. The degree of consistency of relevant policies to the policies in the Framework.

The Emerging Local Plan is at an advanced stage and is, therefore, considered to carry some weight in the consideration of the application, but as it is yet to undergo a full and final examination, it is not considered to outweigh the material considerations assessed above in accordance with up-to-date planning policies and the NPPF.

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

EPOA Vehicle Parking Standards  
North Colchester Growth Area  
Myland Parish Plan AND Myland Design Statement

## **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.

n/a

## **9.0 Parish Council Response**

- 9.1 The Parish Council object to the proposal due to the impact the proposal would have on neighbouring residents. Their full response can be viewed on our website.
- 9.2 It is worth noting that the Parish Council appear to be under the impression that the car park would be used 24 hours a day, 7 days a week, which is not the case.

## **10.0 Representations from Notified Parties**

- 10.1 The application resulted in a number of notifications to interested third parties including neighbouring 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.
- 10.2 Two letters of objection from nearby residents were received. Their comments can be summarised as follows:
- Permitted hours of use exceeded;
  - Unclear parking strategy, i.e. where will staff park after 01.01.2020;
  - Object to the site being used 24/7.

It is noted that one of the two objectors stated that they “haven’t got a problem with permitted vehicles using the site within the stipulated times, vehicle size and spaces” and only object to the proposal as they appear to believe it is for extended hours.

10.3 Councillor Goss, in addition to his call-in request, also submitted an objection stating that parking at the hospital is an issue for which a better and more sustainable longer-term solution needs to be found. He also considers that the proposal will impact on neighbouring occupiers.

10.4 Councillor King generally supports the application but criticises the retrospective nature of this planning application. He states that, if approval is given, it is essential that the hospital are made to commit to and comply with the limits of the approval.

### **11.0 Parking Provision**

11.1 The site currently provides a maximum of 70 spaces for contractors working at Colchester General Hospital. This number would remain unchanged.

### **12.0 Accessibility**

12.1 n/a

### **13.0 Open Space Provisions**

13.1 n/a

### **14.0 Air Quality**

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

### **15.0 Planning Obligations**

15.1 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.

### **16.0 Report**

16.1 The application site is currently used as a car park for contractors working at Colchester General Hospital. Planning permission for this was granted in 2018 (180859) subject to a condition that limits the use of the site as a car park to the following hours:

- Weekdays: 07:00-19:00
- Saturdays: 07:00-14:00
- Sundays and Public Holidays: not at all.
- There shall be no overnight use of the site by the contractors or any other person.

16.2 The use of the site is also limited to 70 vehicles as this was the number of spaces for which planning permission was sought in 2018.

- 16.3 This current application does not seek to increase the number of vehicles allowed on the site, which would remain at a maximum of 70 at any one time, or the hours of use, which would stay the same as set out in paragraph 16.1.
- 16.4 The purpose of this application is to allow hospital staff to park their cars on the site for a limited period of time (until 1<sup>st</sup> January 2020). The use of the site is currently restricted to contractors working at Colchester General Hospital. This application is for a limited period only, following which the car park would only be allowed to be used by contractors working at the hospital again, as per the details approved under 180859.
- 16.5 The comments from local residents, the Parish Council and local Councillors in response to this application are noted, however, Members of the Planning Committee should note that neither the number of vehicles allowed on site nor the hours of use is proposed to be increased. It is simply a mix of hospital staff and contractors working at the hospital that would use the site until 1<sup>st</sup> January 2020 rather than contractors only. As such, the proposal would not cause any additional noise or disturbance to neighbouring occupiers. In any event, it could be argued that staff members may cause less noise/disturbance due to them not carrying any tools, goods or materials and their vehicles generally being of a quieter nature than contractor vehicles that make loud noises when they reverse, for example.
- 16.6 Additional information in relation to staff parking after 1<sup>st</sup> January 2020 was sought and the Hospital explained that “a new needs based staff permit system that was introduced as part of the parking management changes in Autumn 2018” requires “all staff permits [...] to be renewed yearly now. This gives the Trust the ability to vary the level of permits issued in proportion to the number of staff parking spaces available. (...) The permit system is now due to be re-run before 1<sup>st</sup> January and the number of permits is likely to be reduced. This means we will be able to cease using Mill Road for temporary staff parking from that date and revert back to contractor parking only.”

## **17.0 Conclusion**

- 17.1 To summarise, temporary permission is sought for the existing car park to be used by hospital staff as well as contractors. No changes to the maximum number of vehicles on site or the hours of use are proposed. Staff parking on site would cease after 1st January 2020. The activity on site is therefore not considered to cause any increased noise or disturbance to neighbouring occupiers and is acceptable.

## **18.0 Recommendation to the Committee**

18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

### **1. Z00 – Restriction of End User**

The site shall only be used for the ad hoc parking of cars and light goods vehicles (Max gross weight 3.5 tonnes) used by contractors working at Colchester General Hospital and members of staff of Colchester General Hospital.

Reason: For the avoidance of doubt as to the scope of the permission as this is the basis on which the application has been considered and any other use would need to be given further consideration at such a time as it were to be proposed and in the interests of residential amenity.

### **2.ZAG - \*Temporary Permission\***

The period of this permission shall expire on 2 January 2020 at which date the use of the site will revert back to its originally permitted use as per the details of planning permission 180859.

Reason: For the avoidance of doubt as to the scope of this permission.

### **3.ZGA - \*Restriction of Hours of Operation\***

The use hereby permitted shall not be in use outside of the following times:

Weekdays: 07:00 – 19:00

Saturdays: 07:00 – 14:00

Sundays and Public Holidays: Not at all

There shall be no overnight use of the site by the contractors or any other person.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise.