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Item No: 7.2

Application: 182480

Applicant: Mr J. Fulcher, ESNEFT (Colchester Hospital)

Agent: Mr Robert Keeble, KLH Architects Ltd

Proposal: Single storey extension to the Emergency Department and two storey extension to the front of the Hospital to provide healthcare use, ground floor commercial use, a staff and visitor cafe, all to be used in associations with the wider Hospital use.

Location: ESNEFT, Colchester General Hospital, Turner Road, Colchester, CO4 5JL

Ward: Mile End

Officer: Lucy Mondon

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because it constitutes a major application where an objection has been received and the recommendation is for approval.

2.0 Synopsis

- 2.1 The key issues for consideration are:
- Principle of Development
 - Contamination
 - Archaeology and Heritage Matters
 - Flood Risk and Drainage
 - Highway Matters
 - Impact on Landscape and Trees
 - Ecology and Biodiversity
 - Layout and Design
 - Amenity
- 2.2 The report sets out the assessment of the proposal, considering planning policy in light of material planning matters. The comments from consultees and local representations are also considered. The application is subsequently recommended for approval subject to conditions.

3.0 Site Description and Context

- 3.1 The site lies within a large established hospital site located within north Colchester. Access to the hospital is from both Via Urbis Romanae (to the west) and Turner Road (to the east), although the main access/egress and public car parks are at the Turner Road entrance. The hospital has been developed and expanded over a number of years so that there is now a complex of buildings on site, although these are not overly visible from public vantage points along the Via Urbis Romanae and Turner Road given changes in levels and landscaping.
- 3.2 The site is located at the front of the main hospital building which faces east towards an open landscaped area, with visitor car parking beyond towards the boundary with Turner Road.
- 3.3 The hospital site is located within the Colchester Northern Growth Area. The site is not allocated for development within the current Colchester Borough Council Local Plan, but is identified as being a 'large job generator' within the growth area.
- 3.4 There are no records of any constraints covering the site, although it should be noted that a Public Right of Way runs through the site from Turner Road west towards Hakewill Way (and beyond).

4.0 Description of the Proposal

4.1 The application seeks planning permission for extensions to the front (eastern side) of the main hospital building. The proposal includes the following:

- A single-storey extension to the Emergency Department to provide additional consulting rooms and relatives waiting area;
- A two-storey extension to the front of the hospital to provide new main entrance and commercial uses at ground floor and new staff canteen and administrative offices at first-floor; and
- Alterations to vehicular routes at the front entrance to the hospital building; including vehicular drop off areas, ambulance bays, and bus route with replacement bus stops, together with a wetland garden (in lieu of part of the existing pond) and pedestrian plaza with widened footpath to replace the existing bridge access.

4.2 The application is supported by the following:

- Drawings (site plan, proposed site plan, existing and proposed floor plans and elevations, details of tree removal, sections, and 3D visuals);
- Arboricultural Survey
- Design and Access Statement
- Desk Study and Phase 1 Geoenvironmental Risk Assessment
- Lake Sediment Survey
- Ecological Appraisal
- Ecological Mitigation and Enhancement Report
- Screening Exercise for Health Impact Assessment
- SUDs Report (plus further clarification note)
- Transport Statement

5.0 Land Use Allocation

5.1 The application site is part of an established hospital site.

6.0 Relevant Planning History

6.1 Given the growth and evolution of the hospital site, there is a great deal of planning history. As a result, the hospital has expanded in a piecemeal fashion and there have been subsequent planning permissions to reconfigure certain elements of the hospital. Relevant planning permission within the last ten years include the following:

- 182361 - Erection of a new cancer care day unit (first-floor extension over an existing single-storey building and two-storey infill).
- 171633 - Erection of a single-storey extension to create a new emergency department pedestrian entrance, primary care streaming suite and a minor injury suite, together with the removal of the existing portacabin facility.

- 162147 - Erection of Multi-Modality Diagnostic Imaging Centre (MMDIC), landscaping, parking, and ancillary works.
- 150013 - Extension of recycling and waste facilities.
- 145926 - Extension to main car park off Turner Road. Including a new filter land within the hospital site and improvements to the ambulance and disabled parking in front of A&E.
- 145296 - Reconfiguration of Colchester General Hospital's Outpatient Department to include the infilling of an existing courtyard with single-storey accommodation to provide for a new Outpatient Reception and Waiting Area.
- 131060 - Reconfiguration of the Emergency Department including the infilling of an existing internal courtyard with single-storey accommodation to increase Major Injuries cubicle capacity; the alteration of ambulance arrivals to improve emergency patient admissions.
- 091530 - Two-storey building with links to adjoining buildings, containing ward, outpatient and other clinical accommodation.

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
SD2 - Delivering Facilities and Infrastructure
SD3 - Community Facilities
UR1 - Regeneration Areas
UR2 - Built Design and Character
TA1 - Accessibility and Changing Travel Behaviour
TA2 - Walking and Cycling
TA3 - Public Transport
TA4 - Roads and Traffic
TA5 - Parking
ENV1 - Environment
ER1 - Energy, Resources, Waste, Water and Recycling

- 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
DP2 Health Assessments
DP17 Accessibility and Access
DP18 Transport Infrastructure Proposals
DP19 Parking Standards
DP20 Flood Risk and Management of Surface Water Drainage
DP21 Nature Conservation and Protected Lanes

- 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:

SA NGA1 Appropriate Uses within the North Growth Area

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

The Essex Design Guide
External Materials in New Developments
EPOA Vehicle Parking Standards
Community Facilities
Sustainable Construction
Cycling Delivery Strategy
Sustainable Drainage Systems Design Guide

- 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 examination, it is not considered to outweigh the material considerations assessed above in accordance with up-to-date planning policies and the NPPF.

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 Archaeological Adviser

No material harm will be caused to the significance of below-ground archaeological remains by the proposed development. There will be no requirement for any archaeological investigation.

8.3 Arboricultural Officer

The proposal requires the removal of three 'B' category trees. Given the position of these trees and the proposed landscape scheme, the proposal is considered to be acceptable. Recommended condition to secure tree protection for retained trees.

8.4 Building Control

No comments received.

8.5 Contaminated Land Officer

Further details and clarification required as follows:

- Details of the partial infilling of the pond required (nature of the fill to demonstrate that it is suitable for use).
- Clarification required in respect of Design and Access Statement section 13 that states that results of contamination assessment will be shared with the authority post-validation.
- Lake sediment survey submitted as draft; a final version is required.

8.6 Environmental Protection

No objections. Recommended informative regarding the control of pollution during demolition and construction works.

8.7 Essex County Fire and Rescue

No comments received.

8.8 Forestry Commission

No comments received.

8.9 Highway Authority

No objection from a highway and transportation perspective subject to conditions for a Travel Plan and details of cycle parking to be submitted and approved.

The Highway Authority also provide the following comment:

'Clearly there is an overriding public interest and need to provide the new and updated facilities without any further delay, however, the applicants should be requested to consider and plan for the long term requirements for visitors and staff parking within and or off site to mitigate these proposals which can be delivered alongside and together with these scheduled future developments.'

8.10 Landscape Officer

No objections subject to the Arboricultural Officer having no objections regarding the removal and replacement of Category B trees, and that it is confirmed that all proposed trees within hardscape areas will be planted out in individual soft landscape planting bed a minimum 1.5m wide, rather than specialist tree pits. The latter is required in order to maximise favourable conditions for tree establishment and given the ambiguous nature of the submitted plans. Subject to these points being addressed, recommended conditions to secure a landscape management plan and detailed landscape proposals to be agreed.

8.11 Natural England

No objection. The proposed development will not have significant adverse impacts on statutorily protected sites or landscapes.

8.12 SUDs

No objection subject to conditions requiring approval of a detailed surface water drainage scheme for the site, a drainage maintenance and management plan; and that no development to commence until any pipes that would be used to convey surface water are cleared of any blockage and restored to a fully working condition.

8.13 The Woodland Trust

No comments received.

8.14 Transport and Sustainability

Colchester Hospital has put in a significant commitment to improving its Travel Plan over the past couple of years to reduce the high number of staff (81% at the last survey) and visitors driving to the hospital. This includes both interventions and infrastructure improvements to act as a disincentive to driving to the hospital and incentivise and support staff to choose sustainable travel modes. We welcome this planning application which includes benefits for travel and accessibility to the site including pedestrianising the area in front of the hospital and improving the route in and out of the hospital for buses.

In order to ensure that the current positive momentum continues and that change is sustained and commitment confirmed, we recommend the following is required in order to be granted planning permission:

- Update of the Travel Plan to reflect the efforts made to date and the future commitments made to further develop the Travel Plan. This should include:
 - An action plan with timescales
 - Modal split targets and a monitoring schedule.
 - Confirmation of the number of cycle parking spaces, both covered and secure available for staff and visitors
 - Details of cycle route and route and cycle parking signage improvements being introduced as part of this development
- Clear senior executive level commitment to the Travel Plan for the next 5 years
- Commitment to providing a dedicated staff resource who has time and responsibility to continually market and develop the Travel Plan and implement the action plan.

- Commitment to Colchester Travel Plan Club membership for the next 5 Years, so ESNEFT have the local help and support to drive their Travel Plan forward

In addition, although a swept path analysis has been undertaken as part of the Transport Assessment, consultation with bus operators leads to the suggestion that it is necessary to ensure that the loop is adequate to turn a bus in one movement. Clear signage to the bus stops and Real Time Information (RTI) boards should be provided within the hospital foyer/waiting areas and to the front of the hospital building. Bus stops should be upgraded to be in keeping with the design and modern look of the development including shelters, seating and RTI.

8.15 Urban Designer

Supportive of the scheme. Comments on some matters of detail:

- Frontage appearance is good subject to the use of good materials and details (which should be conditioned);
- Concerned by lack of outlook and daylighting for some new rooms and existing rooms. Ideally the gap between the proposed development and existing frontage should be widened and windows added; and
- The Travel Centre, Wellness Centre, and associated plaza links should be omitted from the submitted plans as they do not form part of the proposal.

9.0 **Parish Council Response**

9.1 Myland Community Council have no objections to the proposal.

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 Councillor David King writes to **support** the application on the basis that 'the hospital is in urgent need of change and renewal... This area, like others, is tired, inefficient, and not what it could be'. The proposal is acceptable on its own merits and is helpful to functionality and the patient/visitor experience that will help the hospital manage rising demand more efficiently.

10.3 Two representations of **support** have been received, summarised as follows:

- Much needed and useful addition to the hospital entrance and A&E, as this requires a good upgrade;
- The proposal would enhance the hospital by making it more user friendly, subject to measures being put in place to stop cars from parking in the bus turning area and at the bus stops;
- Pleased that the pond will be retained;
- Would like to see the league of hospital friends shop retained, the provision of a children's crafts and play area, and an enhanced pharmacy, as well as a tree planting schedule to replace the trees being removed.

10.4 One **objection** has been received, summarised as follows:

- Loss of disabled parking spaces near to the main entrance of the hospital. Although the spaces would be relocated in the main car park the distance to the entrance of the hospital will cause some disabled people a 'great deal of misery, distress, vexation and upset', particularly so in inclement weather;
- Suggest drop-off points near the norther entrance be allocated for disabled visitors.

11.0 Parking Provision

11.1 The adopted parking standards for D1 (medical centres) is: a maximum of one car parking space per full time equivalent staff and three spaces per consulting room; a minimum of one cycle space per four staff plus one space per consulting room; a minimum of one PTW space plus one space per twenty car parking spaces (for 1st 100 car spaces) then one space per thirty car parking spaces (over 100 car parking spaces). Under the Vehicle Parking Standards SPD the requirement for disabled parking is dependent upon the development proposed.

11.2 In order to comply with the parking standards, the proposal would need to include the following:

- Cycle Parking: a minimum of one space per four staff plus one space per consulting room; and
- PTW: a minimum of one space.

11.3 The proposal involves reconfiguring the vehicle route that currently passes the main hospital building access. The existing 8 No. drop off/disabled spaces to the front of the building would be replaced by 10 No. vehicle drop off points in close proximity to the main entrance. Additional disabled parking (4 No. spaces) would be provided in the main visitor carpark a short distance to the north of the building entrance. No further parking is proposed.

12.0 Open Space Provisions

12.1 Not applicable for this proposal.

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 As a "Major" application, there was a requirement for this proposal to be considered by the Development Team. It was considered necessary to secure the Hospital's commitment to the Colchester Travel Plan Club (CTPC) for the following reason:

'The hospital has a big impact on the local highway due to high levels of vehicular traffic from staff, patients, visitors, and deliveries (last survey 81% of

staff drove to work). A robust and active Travel Plan is essential to manage the traffic and encourage sustainable travel modes.

14.2 Membership of the CTPC will provide the practical help and support to ensure the Travel Plan continues to be active in the longer term. ‘

14.3 A s106 agreement is required to secure commitment to membership of the Travel Plan Club, as opposed to a planning condition, because it ties the Applicant to pay a monetary fee. Further discussions with the Hospital reveal that, whilst they readily confirm their commitment to the Travel Plan Club, they do not wish to use a s106 agreement to secure this given the necessary legal work that would be likely to delay the project.

14.4 In this instance, it is considered that the fundamental requirement in order to mitigate the impact of the proposed development is to update and implement a robust and active Travel Plan. This can be secured via a condition of planning permission. Membership of the Travel Plan Club would provide the necessary support to ensure that the Travel Plan succeeds and there is confidence in the fact that the Hospital is already a long-standing member (since 2004) and can provide formal written agreement that they commit to membership for at least 5 more years. On this basis, a s106 is not required subject to a condition requiring an up-to-date Travel Plan and written confirmation from the Hospital that they commit to Travel Plan Club membership for at least 5 years.

15.0 Report

15.1 The application site is part of established hospital grounds, located within the settlement boundary of Colchester and an identified growth area. Core Strategy Policy SD1 seeks to focus development in a number of areas within Colchester Town, including the North Growth Area and the expansion of Colchester General Hospital is identified in Core Strategy Policy SD3 as a key community facility with which to support the Sustainable Community Strategy and to develop Colchester as a prestigious regional centre. Given this context, the proposed development is considered to be acceptable in principle subject to material planning considerations as follows:

- Contamination
- Archaeology and Heritage Matters
- Flood Risk and Drainage
- Highway Matters
- Impact on Landscape and Trees
- Ecology and Biodiversity
- Layout and Design
- Amenity

Contamination

15.2 Development Plan Policy DP1 requires all development to undertake appropriate remediation of contaminated land, with the NPPF requiring planning decisions to take account of ground conditions and any risks arising from land instability and contamination.

- 15.3 Following submission of a Desk Study and Phase 1 Geoenvironmental Risk Assessment, comments are being sought from the Council's Contaminated Land Officer. The outcome of this consultation (requests for further information and/or conditions) will need to be actioned so that the proposal complies with policy DP1 and the NPPF.

Archaeology and Heritage Matters

- 15.4 The preservation and enhancement of the Borough's historic character and heritage as a requirement of development is set out in a number of policies within the Local Plan, primarily Core Strategy Policy UR2 and Development Plan Policies DP1 and DP14.
- 15.5 The proposal is not in close proximity to, or within the setting of, any heritage assets and the Council's Archaeological Adviser has confirmed that there would not be any harm to the significance of below-ground archaeological remains as a result of the development. The proposal is not, therefore, considered to have a negative impact on heritage and is in accordance with policies UR2, DP1, and DP14.

Flood Risk and Drainage

- 15.6 The site is located within a flood zone 1 where the risk of flooding from rivers or the sea is low. The proposed development is not, therefore, considered to be at risk of flooding.
- 15.7 Development Plan Policy DP20 requires all development proposals to incorporate measures for the conservation and sustainable use of water, including the use of SUDs for managing surface water runoff within the overall design and layout of the site. The application is supported by a SUDs Report that explains that surface water catchment from roofs and hardstanding will continue to discharge into the ponds to the front of the building as per existing, although the area will be remodelled to achieve a better level of control of the retained water. Following the receipt of some further points of clarification, Essex County Council, as Lead Local Flood Authority, have confirmed that they have no objections to the proposal subject to conditions that require the approval of a detailed surface water drainage scheme for the site, a drainage maintenance and management plan; and that no development to commence until any pipes that would be used to convey surface water are cleared of any blockage and restored to a fully working condition. On this basis, the proposal is considered to comply with policy DP20.

Highway Matters

- 15.8 Core Strategy Policies TA1 and TA2, seek to reduce the reliance on private car journeys by encouraging sustainable modes of transport.

- 15.9 The Hospital is a member of the Travel Plan Club, which promotes active and sustainable travel to and from places of work and businesses. As part of their membership, opportunities to increase sustainable modes of transport will be an ongoing project. Essential to this aim is the development and implementation of an up-to-date travel plan and this can be conditioned as part of this development. On the basis of there being an ongoing commitment to the Travel Plan Club, supported by an updated travel plan, the proposal is considered to conform to the provisions of policies TA1 and TA2.
- 15.10 In terms of impacts, the submitted Transport Statement concludes that the extension to the Emergency Department would result in an additional 3 two-way vehicle trips during the weekday AM and PM peak hours, with the impact from the commercial units being considered to be negligible as they are ancillary to the hospital and trips will be linked. The Highway Authority have considered the proposal and the supporting Transport Statement and have concluded that the proposal is acceptable in terms of highway and transportation impacts, subject to conditions; one of which requiring an up-to-date Travel Plan as discussed above. The Highway Authority have made it a point to comment that the Hospital will need to plan for the long-term requirements for visitors and staff; the current planning application needs to be considered on its own merits so it would be unreasonable to object to the proposal on the basis of the impacts of as yet unknown future development, but the advice can be included in the decision by way of an informative.
- 15.11 In considering parking, any increases in staff numbers and/or consulting rooms is relevant. Details included in the application confirm that the development would result in 30 FTE employees, with the extension to the Emergency Department resulting in 4 additional consulting rooms. In terms of the policy requirements for parking, the increase in staff numbers and consulting rooms would generate the need for 12 cycle spaces and one PTW space. There is no requirement for car parking as the adopted policy standard is a maximum requirement, with requirements for disabled parking being determined on a case-by-case basis.
- 15.12 The proposal involves reconfiguring the vehicle route that currently passes the front of the main hospital building. Cycle parking is not currently shown as part of the proposals, but the requirements for cycle parking can be conditioned as per the Highway Authority recommendation. Subject to the provision of cycle parking, the proposal would be deficient in one PTW space, but this is not considered to be a significant deficiency so as to justify refusal. The proposal is considered to be satisfactory in terms of parking provision in accordance with Development Policy DP19 and the Vehicle Parking Standards SPD.

- 15.13 In terms of car parking, the existing 8 No. drop off/disabled spaces to the front of the building would be removed and replaced by 10 No. vehicle drop off points in close proximity to the main entrance. Additional disabled parking (4 No. spaces) would be provided in the main visitor carpark, a short distance to the north of the building entrance (a route of approximately 85 metres). Although some concerns have been received in local representations regarding the loss of parking at the front of the site it is considered that the proposed reconfiguring of this part of the site would present a marked improvement to the patient and visitor experience in terms of safety and convenience. Currently, the proximity of ambulance parking, drop-off points, disabled parking, bus stops, and pedestrian crossings at the front of the building causes significant congestion to the front of the site. During a number of visits to the hospital, the Case Officer has witnessed several occasions where cars were parked in drop off areas, blocking the routes of ambulances, and causing ambulances to reverse into the path of pedestrians using the crossing to the main entrance; the proposals would pedestrianise the front of the hospital and create dedicated drop off and ambulance areas, thereby removing these conflicts.
- 15.14 Concerns regarding the relocation of disabled parking to the main car park are noted and understood. In considering this point, it is noted that, in addition to the disabled spaces in the car park, the proposal includes a vehicle drop-off area for 10 cars (more than the 3/4 spaces currently offered) and this would provide an alternative option for patients and visitors so that they can be dropped off close to the entrance if needed. In addition to this, as part of the reconfiguration the existing bridge that provides access from the main car park to the hospital building would be replaced with a wider footway that would provide more convenient access from this part of the site. A larger wheelchair store is also proposed as part of the scheme so wheelchairs would be available for those visitors who would require additional assistance.
- 15.15 The proposal is considered to be acceptable in terms of sustainability, highway and transport impacts, and car parking. Concerns regarding the relocation of disabled parking are appreciated, although it is considered that this is sufficiently addressed in the proposal.

Impact on Landscape and Trees

- 15.16 Core Strategy Policy UR2 and Development Plan Policy DP1 seek to promote and secure high quality and inclusive design in all developments. This includes landscape setting.
- 15.17 The proposal would involve significant changes to the hard and soft landscaping to the front of the main hospital building. The existing pond would be partially turned over to a 'wetland' garden, and a pedestrianised plaza would be created including the replacement of the existing bridge with a widened footpath; the introduction of a drop-off point to the north of the entrance would necessitate the loss of some existing trees, as would the relocation of two bus stops to the south of the entrance.

- 15.18 The proposals would result in the loss of three 'B' category trees, although in consideration of the overall proposal and replacement planting, the Council's Arboricultural Officer has no objections.
- 15.19 Similarly, the Council's Landscape Officer has not objections to the proposal, subject to trees within hard landscaped areas being planted in planting beds rather than tree pits; a requirement that can be conditioned along with necessary conditions for detailed landscape proposals.
- 15.20 The proposal is therefore considered to be satisfactory in terms of the requirements of policies UR2 and DP1.

Ecology and Biodiversity

- 15.21 Core Strategy Policy ENV1 sets out the Council's commitment to conserving and enhancing Colchester's natural and historic environment, countryside, and coastline. Development plan Policy DP21 states that development proposals will only be supported where acceptable ecological surveys are carried out and any necessary means of mitigation, restoration, or enhancement are incorporated into the proposals.
- 15.22 The proposal would involve the loss of some existing trees on site, as well as the partial infill of an existing pond and creation of a wetland garden. The application is supported by a Preliminary Ecological Appraisal, as well as an Ecological Mitigation and Enhancement Report.
- 15.23 The Ecological Appraisal concludes that the proposal would not adversely affect any statutory or non-statutory protected sites; a point that is confirmed in the Natural England consultation response.
- 15.24 There are suitable habitat features (trees, scrub, shrubs and the pond) within the application site that may provide habitat for protected species such as roosting bats, birds, and frogs and toads. The pond is not considered to be a suitable habitat for great crested newts given its use as a duck pond. The features identified would be affected as part of the proposed development. As a result, the Ecological Appraisal makes the following recommendations:
- Any trees to be retained should be protected during the works in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction';
 - Replacement planting should be a similar native species;
 - The wetland garden should be designed to enhance the biodiversity of the pond and increase suitability for amphibians with the enhancement mitigating the reduction in the size of the pond;
 - Should any of the trees identified as having bat roost potential be removed (they are currently shown as being retained), an arboriculturalist should check for evidence of bats and undertake any precautionary measures during felling or pruning as necessary;
 - Any lighting should be directed away from the trees with roost potential and the pond to ensure that light does not spill onto these habitats;
 - Any clearance of vegetation or demolition works should be undertaken outside the bird nesting season (March to August inclusive). If this is not

possible, a suitably qualified ecologist should be employed to determine if nesting birds are using the site prior to works commencing to avoid negative impact on protected species. Any active nests that are found would need to be provided with a 10 metre buffer which would have to be left until the young had fledged, (typically four weeks from eggs being laid for the garden and woodland species likely to be present). Clearance works within the area can recommence only once the nest is no longer in use.

- The works to the northern section of the pond should be undertaken when amphibians are less likely to be breeding (between July and February). Measures should be employed to protect amphibians during site clearance of the pond and surrounding habitats. For example, these areas could be searched/netted, moving any amphibians found to a place of safety away from the works prior to infill/draw down. A mesh should be fixed over a low powered pump when removing water from the pond.

15.25 A number of biodiversity enhancement opportunities are identified in the Ecological Assessment and Ecological and Mitigation Report as follows:

- Any plants considered within the final development should be native and considered beneficial to wildlife;
- Bird boxes could be installed on trees to provide enhanced nesting opportunity;
- Log piles created for invertebrates; and
- An area of rough grassland could be included within the wetland garden to provide habitat for amphibians.

15.26 Provided the works, mitigation measures, and enhancement works are carried out as per the details submitted in the Ecological Appraisal and Ecological Mitigation and Enhancement Report, the proposal is considered to be acceptable in terms of ecology and biodiversity. These measures will improve the overall biodiversity of the site, thereby meeting the requirements of policies ENV1 and DP21.

Layout and Design

15.27 Core Strategy Policy UR2 seeks to promote and secure high quality and inclusive design in all developments to create places that are locally distinctive, people-friendly, provide natural surveillance to design out crime, and which enhance the built character and public realm of the area. Developments that are discordant with their context and fail to enhance the character, quality and function of an area will not be supported. Development Policy DP1 states that development proposals should respect and enhance the character of the site, its context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, proportions, materials, townscape and/or landscape setting, and detailed design features.

- 15.28 The proposal would significantly alter the front of the hospital building and its immediate surroundings. The development would not be visible from outside the Hospital site so would only be experienced by patients, visitors and staff to the Hospital itself. The proposal is not, therefore, considered to have an impact on the surrounding area.
- 15.29 In terms of layout, the pedestrianisation of the frontage is considered to significantly improve the visitor experience, especially given the congestion that takes place currently. Whilst some existing soft landscaping would be lost with the infilling of the pond and relocated bus stops, there would be compensatory planting that would provide an attractive space. The layout is considered to be people friendly and an enhancement of the public realm in accordance with policy UR2.
- 15.30 The built design is distinctly modern in its appearance, given its modular form and construction, that reflects the predominant form and scale of the existing main Hospital building which is generally two-storey in height with flat roofs. The proposal is considered to respect and enhance the character of the site in accordance with policy DP1.
- 15.31 The Urban Designer has expressed concerns regarding the lack of outlook and daylight for some rooms, but examination of the floor plans show that these rooms would be, for the most part, uses that require privacy (such as consulting rooms or recovery rooms) so the windows serving these rooms would generally have restricted opening and be covered with privacy film so outlook and daylight would already be limited. The staff room would have windows that face the proposed extension, but loss of daylight and outlook from this room is not considered to be of significant detriment given that the room would be used for short periods of time and there are alternative spaces for staff to use such as the proposed staff café/canteen in the new extensions, as well as the landscaped grounds. There would be six administrative offices on the first-floor of the existing building that would have limited outlook, but these are identified for future use for high dependency clinical accommodation and this would require a much more secure environment rather than open windows.
- 15.32 Subject to conditions to secure high quality materials and detailing, the proposal is considered to be acceptable in design terms.

Amenity

- 15.33 Development Plan Policy DP1 requires all development to protect existing public and residential amenity.
- 15.34 The application site is not in close proximity to any residential properties and therefore the proposal is considered to be acceptable in terms of public amenity.

Other Matters

- 15.35 Development Plan Policy DP2 states that all development should be designed to help promote healthy lifestyles and avoid causing adverse impacts on public health. Health Impact Assessments (HIA) are required for all non-residential development in excess of 1,000 square metres in order to identify the potential health consequences of the proposal and to maximise the positive health benefits. This assessment is necessary in policy terms, although may seem somewhat perverse given that the proposal is for a public Hospital. The Applicant has submitted an HIA Screening note that is considered to be acceptable in this case. The screening points out that the proposed development is important in terms of the functioning of a large hospital and that the proposal delivers landscape and public space contributions. The screening goes on to conclude that there would be no negative impacts in terms of air quality, energy consumption, and use of natural resources subject to the preparation of a construction method statement to ensure the control of dust, noise, and vehicle movements during construction, and the preparation of an energy use report. These matters can be conditioned.

16.0 Conclusion

- 16.1 The proposal is considered to have a positive impact on the functionality and public experience of this busy Hospital. The proposed development would satisfactorily meet planning policy objectives and is considered to be acceptable in terms of material planning considerations, subject to necessary planning conditions. Matters of contamination are currently outstanding, awaiting comments from the Council's Contaminated Land Officer; it is considered that this matter can be dealt with via negotiation and conditions if necessary.

17.0 Recommendation to the Committee

- 17.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to:

- Any amendments, further information, and/or conditions required by the Council's Contaminated Land Officer;
- Agreement with the Agent/Applicant to the pre-commencement conditions under the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 and delegated authority to make changes to the wording of these conditions as necessary;
- The Permission being subject to the following conditions:

1. ZAA - Time Limit for Full Permissions

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. ZAM - Development to Accord With Approved Plans

With the exception of any provisions within the following conditions, the development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers

3811-0106 Rev P02	Site Location Plan
3811-0105 Revision P04	Proposed Block Plan
3811-0114	Proposed Floor Plans Ground & First Floor with Existing Content
A(300)01	Proposed Elevations
3811-0115 Rev P01	Proposed Tree Removals

For the avoidance of doubt, this permission does not extend to the Travel Centre and Wellness Centre shown on the submitted drawings.

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

3. Non Standard Condition - Ecological Mitigation

The development hereby approved shall be carried out entirely in accordance with Section 6.2 (Recommendations) of the Geosphere Environmental Ltd Preliminary Ecological Appraisal (ref: 3359, EC, AR/PEA/ZK, KL/17-09-18/V1), which shall also be used to inform the landscaping scheme (including planting and lighting) required under condition 6 of this permission.

Reason: In order to safeguard habitats that may be suitable for protected species and in the interests of mitigating the impact of the development on ecology.

4. Non Standard Condition - Construction Method Statement

No works shall take place, including any demolition, until a Construction Method Statement has been submitted to and approved, in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide details for:

- The parking of vehicles of site operatives and visitors;
- Hours of deliveries and hours of work;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to control the emission of dust and dirt during construction; and
- A scheme for recycling/disposing of waste resulting from construction works.

Reason: In order to ensure that the construction takes place in a suitable manner in the interests of public health and amenity.

5. Non Standard Condition - Tree and Natural Feature Protection: Protected Areas

No works shall take place until all trees, shrubs and other natural features not scheduled for removal on the approved plans have been safeguarded behind protective fencing to a standard that will have previously been submitted to and agreed, in writing, by the Local Planning Authority (see BS 5837). All agreed protective fencing shall thereafter be maintained during the course of all works on site

and no access, works or placement of materials or soil shall take place within the protected area(s) without prior written consent from the Local Planning Authority.
Reason: To safeguard existing trees, shrubs and other natural features within and adjoining the site in the interest of amenity.

6. Non Standard Condition - Detailed Landscape Works

No works shall take place until full details of all landscape works have been submitted to and agreed, in writing, by the Local Planning Authority and the works shall be carried out prior to the occupation of any part of the development unless an alternative implementation programme is subsequently agreed, in writing, by the Local Planning Authority. The submitted landscape details shall include:

- Proposed finished levels or contours.
- Means of enclosure.
- Car parking layouts.
- Other vehicle and pedestrian access and circulation areas;
- Hard surfacing materials.
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.).
- Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. Indicating lines, manholes, supports etc.).
- Earthworks (including the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform)
- Planting plans.
- Written specifications (including cultivation and other operations associated with plant and grass establishment).
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
- Implementation timetables and monitoring programs.

All proposed trees that are within hardscape areas shall need to be planted out in individual soft landscape planting beds a minimum of 1.5m wide rather than specialist tree pits.

Reason: To ensure that there is a suitable landscape proposal to be implemented at the site for the enjoyment of future users and also to satisfactorily integrate the development within its surrounding context in the interest of visual amenity.

7. Non Standard Condition - Detailed Surface Water Drainage Scheme

No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and certified as technically acceptable in writing by the SUDs approval body or other suitably qualified person(s) . The certificate shall thereafter be submitted by the developer to the Local Planning Authority as part of the developer's application to discharge the condition. No development shall commence until the detailed scheme has been approved in writing by the Local Planning Authority. The approved scheme shall subsequently be implemented prior to occupation and should include but not be limited to:

- Limiting discharge rates to 20l/s/ha for all storm events up to an including the 1 in 100 year rate plus 40% allowance for climate change.

- Demonstrate that features have suitable half drain times. If unable then they need to be able to accommodate a 1 in 10 year storm events within 24 hours of a 1 in 100 year event plus climate change.
- Final modelling and calculations for all areas of the drainage system.
- Detailed engineering drawings of each component of the drainage scheme. This includes cross sections of the pond and wetland and all pollution mitigation devices.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The approved scheme shall be subsequently be implemented prior to occupation.

Reason: The National Planning Policy Framework paragraph 155 states that local planning authorities should ensure flood risk is not increased elsewhere by development. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore, the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

8. Non Standard Condition - SUDs Maintenance and Management Plan

No works shall take place until a Maintenance and Management Plan, detailing the maintenance arrangements to include who is responsible for different elements of the surface water drainage system, the maintenance activity/frequency, has been submitted to and agreed, in writing, by the Local Planning Authority. This includes the pollution mitigation devices such as the downstream defenders and the oil separators.
Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risks.

9. Non Standard Condition - Surface Water Drainage

No works shall commence until the pipes within the extent of the site that will be used to convey surface water are cleared of any blockage and are restored to a fully working condition.

Reason: To ensure that the drainage system implemented at the site will adequately function and dispose of surface water from the site.

10. Non Standard Condition - Materials To Be Agreed

No external facing materials, windows, or doors shall be used in the construction of the development hereby permitted until precise details (and samples as considered necessary) of the manufacturer, types and colours of these have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be approved shall be those used in the development.

Reason: In order to ensure that suitable materials are used on the development as there are insufficient details within the submitted planning application.

11. Non Standard Condition - Landscape Management Plan

Prior to the first occupation of the development, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas other than small, privately owned, domestic gardens shall be submitted to and agreed, in writing, by the Local Planning Authority. The landscape management plan shall thereafter be carried out as approved at all times.

Reason: To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

12. Non Standard Condition - Cycle Parking TBA

Prior to the development hereby permitted coming in to use, details of the number, location and design of cycle parking facilities (to provide 12 cycle parking spaces) shall be submitted to and approved, in writing, by the Local Planning Authority. The approved facility shall be secure, convenient and covered and shall be provided prior to occupation and retained for that purpose at all times thereafter.

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

13. Non Standard Condition - Travel Plan

Prior to the development hereby permitted coming in to use, the Developer shall be responsible for the provision and implementation of a new, revised and updated Travel Plan that includes the initial commitments made to date as well as, but not limited to, the following:

- An action plan with timescales;
- Modal split targets and a monitoring schedule;
- Confirmation of the number of cycle parking spaces, both covered and secure available for staff and visitors;
- Details of cycle route and cycle parking signage improvements;
- Commitment to providing a dedicated staff resource (Travel Plan Co-Ordinator) to continually market and development the Travel Plan and the implementation of the action plan. .and amended and supplemented under the provisions of a yearly report.

The proposed travel plan shall be submitted to and agreed in writing by the local planning authority prior to the development hereby permitted coming into use and thereafter implemented in accordance with the approved details.

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

14. Non Standard Condition - Bus Stops

Prior to the development hereby permitted coming in to use, details of the new bus stops to be provided (to include details of directional signage, the installation of Real Time Information (RTI) boards, shelters, and seating) shall be submitted to and approved in writing by the Local Planning Authority. The bus stops shall then be constructed and installed as approved and made available for use prior to the first use of the development.

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

15. Non Standard Condition - Ecological Enhancement

Within 3 months of the development hereby permitted being first used, the ecological enhancement measures set out in the Geosphere Environmental Ltd Ecological Mitigation and Enhancement Letter Report (ref: 3359, EC, AR/LTR 001/ZK, KL/08-10-18/V1) shall be implemented in full and the maintenance measures carried out thereafter.

Reason: In the interests of mitigating the impacts of the development on ecology.

18.0 Informatives

18.1 The following informatives are also recommended:

1. Advisory Note on Construction & Demolition

The developer is referred to the attached advisory note *Advisory Notes for the Control of Pollution during Construction & Demolition Works* for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.

2. Informative on Conditions Stating Prior to Commencement/Occupation

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either **before you commence the development or before you occupy the development**. This is of critical importance. If you do not comply with the condition precedent you may invalidate this permission and be investigated by our enforcement team. Please pay particular attention to these requirements. To discharge the conditions and lawfully comply with your conditions you should make an application online via www.colchester.gov.uk/planning or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.

3. Informative on Any Application With a Site Notice

PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.

4. Highway Authority 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 or by post to:

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

5. Highway Authority Informative 2

The Applicant is advised to consider and plan for the long-term requirements for visitor and staff parking within and/or off site in order to mitigate future development.