

East Area Planning Committee

6th November 2012

Application Number: 12/02082/VAR

Decision Due by: 14th November 2012

Proposal: Application to remove condition 16 so that the existing Highfield Unit can be retained and used as decant ward whilst existing hospital wards are refurbished and its associated car park retained for use by Trust staff and ambulances and vary condition 7 to allow Trust staff and ambulances to use entrance from Warneford Lane of planning permission 09/02309/FUL. (Amended plans)

Site Address: Warneford Hospital Warneford Lane Headington [Appendix 1]

Ward: Churchill Ward

Agent: Paul Semple

Applicant: Oxford Health NHS Foundation Trust

Application Called in – by Councillors Wilkinson, McCready, Campbell, Fooks, Gotch and Altaf-Khan for reasons relating to the possible re-introduction of car parking spaces that would have otherwise been removed and the potential loss of green permeable space in an environmentally sensitive area.

Recommendation:

APPLICATION BE APPROVED

Reasons for Approval

- 1 The proposal to vary conditions 7 and 16 of planning permission 09/02309/FUL [erection of new Highfield Unit] to allow firstly, the retention of the existing Highfield Unit as a decant ward whilst existing hospital wards are being refurbished and secondly its associated car park to be partly retained to provide parking spaces for 2 ambulances, 5 staff [including one disabled space] and 4 service vehicles with the remaining car parking spaces being removed and landscaped is considered to be acceptable in terms of both visual amenity and highways safety. In this way the proposal complies with adopted policies contained in both the Oxford Local Plan 2001 - 2016 and the Oxford Core Strategy 2026.
- 2 Objections have been received from both the Divinity Road Area Residents

Association and the Jack Straw's Lane Association and the comments made have been carefully noted. However it is considered that the issues raised do not constitute sustainable reasons for refusing the application and that the revised plans submitted that show the removal of a large number of car parking spaces and the landscaping of the site are acceptable on grounds of visual amenity. Oxfordshire County Council as Local Highway Authority has also removed its original objection to the proposal.

- 3 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Conditions

- 1 Landscape carry out by completion [new Highfield Unit]
- 2 Cycle parking and boundary treatments [new Highfield Unit]
- 3 Car parking spaces [new Highfield Unit]
- 4 Close access upon completion [new Highfield Unit]
- 5 Art work and bat boxes [new Highfield Unit]
- 6 Porous materials for new car park [new Highfield Unit]
- 7 Lighting bollards to be provided [new Highfield Unit]
- 8 Develop in accordance with approved plans
- 9 New landscaping for car park
- 10 Restricted parking spaces only
- 11 Retention of old Highfield unit for 10 years only

Principal Planning Policies:

Oxford Local Plan 2001-2016

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- CP11** - Landscape Design
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities
- HE3** - Listed Buildings and Their Setting
- NE15** - Loss of Trees and Hedgerows
- HH2** - Pri HC Fac - Non Res bldngs & New HC Fac
- DS86** - Warneford Hospital - Hos/Ox Brookes Use

Oxford Core Strategy

- CS2_** - Previously developed and greenfield land
- CS9_** - Energy and natural resources
- CS10_** - Waste and recycling
- CS11_** - Flooding
- CS12_** - Biodiversity

CS18_ - Urban design, town character, historic environment

CS21_ - Green spaces, leisure and sport

Other Material Considerations:

National Planning Policy Framework

The development is affecting a Grade II Listed Building.

Relevant Site History:

09/02309/FUL: Demolition of existing Highfield Unit. Erection of single and two storey replacement building and re-provision of 31 car parking spaces. Construction of temporary construction access off Roosavelt Drive. Approved. The new building is now nearing completion.

Public Consultation

Statutory Consultees

Oxfordshire County Council as Local Highway Authority: No objection to revised plans that reduced the number of parking spaces to be retained on the old Highfield site.

Thames Water: No objections

English Heritage: Do not wish to comment

Third Party Comments:

Divinity Road Area Residents Association: Objection. The permission for the new Highfield Unit may not have been granted if it was made clear at that time that the existing Highfield Unit was to be retained. However the temporary retention of the old Unit would seem appropriate to facilitate renovation of other wards.

If additional car parking has been provided for the new unit and the number of staff and patients is not to be increased, then there does not appear to be a case to increase the total number of car parking spaces, given the existing traffic problems in the local area.

Jack Straw's Lane Association: Objection. The application has all the markings of a somewhat devious method of achieving a permission for further development. If permission is granted it should be in respect of the retention of the building only and for a specific period of time [10 years maximum] to allow major refurbishing of other wards to be carried out.

The LHA are raising an objection on highway safety grounds and this should be supported. There is no point attaching conditions to planning permissions if they can easily be removed.

Officers Assessment:

Site Description

1. The application site comprises the old Highfield Unit which is located in the north west corner of the Warneford Hospital site together with its car parking area which has access off Warneford Lane. The new Highfield Unit, which was granted planning permission in 2010, is now nearing completion on a site in the south east corner of the hospital site.
2. The current unit houses young people between the ages of 11 – 18 years of age who require treatment or assessment for in-patient psychiatric care. It was found to be not fit for purpose due to its internal layout and quality of accommodation and it also failed to comply with modern service standards in terms of privacy, separation of male/female patients, observation and provision of rehabilitation/education accommodation. Also due to an increased level of demand for in-patient care, some older adolescents were being accommodated in adult wards on the main hospital.
3. The new Highfield Unit, erected on part of the hospital's former cricket pitch, has been designed to accommodate additional adolescent patients to modern standards to ensure high levels of care and to avoid any possible decanting of patients onto adult wards.

The Proposal

4. The application seeks to remove conditions 7 and 16 of the planning permission 09/02309/FUL. Condition 7 states that: *'Prior to the first occupation of the new building, the existing access from Warneford Lane which serves the existing Highfield Unit shall be bollarded off in accordance with details to be submitted to and approved in writing by the Local Planning Authority and thereafter shall be used only by service vehicles and Trust contractors'*.
5. Condition 16 states that: *'Within 6 months of the first occupation of the new building, the existing Highfield Unit shall be demolished and the resultant materials shall be permanently removed from the site. In addition the existing car park serving the Highfield Unit shall be decommissioned and the site of the existing building and the car park shall be levelled, landscaped and thereafter so retained and maintained'*.
6. These conditions were both imposed as the Planning Statement accompanying the application for the new unit confirmed that it was intended to demolish the existing Highfield Unit once the new unit was open and occupied.
7. In support of the application the agent has submitted plans showing a new layout for a significantly smaller car park adjacent to the old Highfield Unit. Spaces are proposed for 2 ambulances, 5 staff and 4 service vehicles

only with the remaining spaces being removed and the site landscaped. The staff spaces are required for those staff working in the old unit, proposed to be retained as a decant ward and are important for night time staff who cannot access the hospital site by way of public transport. The 2 ambulance spaces are required for transferring patients to and from existing wards and for any medical emergencies and the 4 service vehicle spaces are for maintenance staff and outside contractors working on the hospital buildings.

8. Officers consider the principle determining issues in this case to be:
- Retention of the existing Highfield Unit and associated car parking
 - Highway safety
 - Visual amenity

Retention of existing Highfield Unit and associated car parking

9. The Planning Statement submitted with the application states that the building of the new Highfield Unit and the required current NHS standards for the care and treatment of patients has shown that the current wards at the Warneford Hospital do not meet adequate standards. A rolling programme of improvements and upgrades to many of the existing wards has therefore been prepared, the implementation of which will require the decanting of patients. The statement goes on to say that the hospital does not have the spare capacity to transfer patients to other wards while refurbishment takes place and moving patients away from the specialist treatment carried out at the Warneford Hospital is not a practical option.
10. With the existing Highfield Unit soon to become vacant, the ability exists to use the redundant building as a decant ward. The old building would itself need to be refurbished to provide ward accommodation on the ground floor with staff accommodation and general facilities on the first floor.
11. It is anticipated that the works would take place over a 10 year period but this overall timetable is dependent on design, planning and funding issues. The use of the old building as a decant ward will necessitate the provision of on site staff car parking and access for ambulances.
12. Given that the use of the old Highfield unit is essentially a temporary one which will last only whilst the other existing hospital wards are upgraded, officers consider it reasonable to impose a time limit on the retention of this building. Condition 11 therefore recommends that the building is retained for a maximum period of 10 years.
13. The plans now submitted for clarification propose the retention of the site access off Warneford Lane and the retention of a tarmacadam drive. The parking areas would be laid out using clay pavements as would the areas around the Old Mortuary and the Chapel which are both listed buildings. Removable bollards would be placed at either end of the new driveway to

allow emergency vehicles to access the various hospital buildings in the vicinity and a new footway together with extensive soft landscaping would be provided.

14. The parking area would comprise 2 ambulance spaces, 4 service vehicle spaces and 5 staff spaces. There would be no other provision for car parking and no other areas that cars could park without obstructing access.

Highway safety

15. The Local Highway Authority expressed concerns when originally consulted on this application on the basis that the proposal would result in 31 additional car parking spaces at the hospital being retained with a consequent increase in vehicle trips which would be detrimental to highway safety.
16. Following receipt of the plans showing a much reduced car park [11 spaces in total], the LHA has reconsidered the proposal and has withdrawn its previous objection on grounds that the reduced parking and reduced movements onto Warneford Lane would not adversely impact upon highway safety.

Visual amenity

17. It is considered that the proposals to refurbish both the old Highfield Unit and its associated car parking area would positively benefit the visual amenity of this part of the hospital site. Whilst the existing building is not prominent in the street scene due to the mature tree screening that surrounds the buildings, the car park is visible from the access and is currently an unattractive space.
18. The proposal to formally lay out a small car parking area, using clay pavements interspersed with extensive soft landscaping around the car parking spaces will improve the visual amenities of this entrance to the hospital site. In addition the resurfacing around the listed buildings will contribute towards an improvement to their setting which is to be welcomed and a significant area of existing tarmac would be removed and the area laid to lawn.
19. Officers have concluded that, in the absence of a highway objection to the proposal and given the clear amenity benefits that would result, there are no sustainable planning reasons to resist removing the 2 conditions from planning permission 09/02309/FUL which would enable the refurbishment of other wards on the hospital site.

Conclusion:

20. The proposal to vary conditions 7 and 16 of planning permission 09/02309/FUL [erection of Highfield Unit] to allow firstly the retention of

the existing Highfield Unit as a decant ward whilst existing hospital wards are being refurbished and secondly its associated car park to be partly retained to provide parking spaces for 2 ambulances, 5 staff [including one disabled space] and 4 service vehicles with the remaining car parking spaces being removed and landscaped is considered to be acceptable in terms of both visual amenity and highway safety. In this way the proposal complies with adopted policies contained within both the Oxford Local Plan 2001 – 2016 and the Oxford Core Strategy 2026.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

09/02309/FUL
12/02082/VAR

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Extension: 2445

Date: 8th October 2012

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