

<b>Application Number</b>	<b>21/00987/FUL</b>
<b>Site Address</b>	<b>Worcestershire Royal Hospital, Charles Hastings Way, Worcester, WR5 1DD</b>
<b>Description of Development</b>	Construction of a single storey extension (971sqm) to the north east elevation of the Aconbury East building to provide a new Urgent and Emergency Care facility
<b>Expiry Date</b>	30 December 2021
<b>Applicant</b>	Worcester Royal Hospital or Worcestershire Acute Hospitals NHS Trust
<b>Agent</b>	Mr Ed Flood
<b>Case Officer</b>	Sally Watts
	sally.watts@worcester.gov.uk
<b>Ward Member(s)</b>	Nunnery Ward
<b>Reason for Referral to Committee</b>	Referred by the Corporate Director of Planning and Governance
<b>Key Issues</b>	The principle of development and whether the proposal would be sustainable form of development having regard to the 3 dimensions of sustainable development in terms of its economic role, social role and environmental role.
<b>Web link to application</b>	<a href="https://plan.worcester.gov.uk/Planning/Display/21/00987/FUL">https://plan.worcester.gov.uk/Planning/Display/21/00987/FUL</a>

<b>Recommendation</b>	<b>The Corporate Director of Planning and Governance recommends that the Planning Committee grant planning permission subject to the conditions set out in section 9 of the report.</b>
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## **1. Background**

- 1.1 The application was registered on 4 November 2021 and is due for a decision on 30 December 2021.
- 1.2 The application has been referred to the Planning Committee in accordance with the adopted Scheme of Delegation having been referred by the Director of Planning and Governance.
- 1.3 This application is an identical scheme to application 21/00319/FUL approved under delegated powers on 13<sup>th</sup> September 2021, which is the subject of an application for Judicial Review to quash the same on the grounds that the decision was not properly taken.
- 1.4 This identical application has been submitted by the applicant to run in parallel with the Judicial Review process to allow the proposal to be brought before the Council's Planning Committee for consideration in accordance with the scheme of delegation..
- 1.5 It is noted that enabling works have commenced on site.

## **2. The site and surrounding area**

- 2.1 The application site is in the south east corner of the city, off Charles Hastings Way, forming part of the Worcester Royal Hospital complex. It is close to the route around the outer city and links to Newtown Road which forms an arterial route into the city.
- 2.2 To the south of the site is Worcester Woods and the surrounding areas which forms a crucial part of the natural infrastructure in the city with key links to other areas of biodiversity in the city.
- 2.3 Within the site, the Aconbury East building lies toward the northern edge of the Worcestershire Royal Hospital site, south of Newtown Road. The Aconbury East building sits on a north west/south east axis and forms is part of a group of buildings that were developed in the 1970's and has physical links to Aconbury West, Aconbury North and Elgar Unit.
- 2.4 The only constraint on the site relates to land contamination.

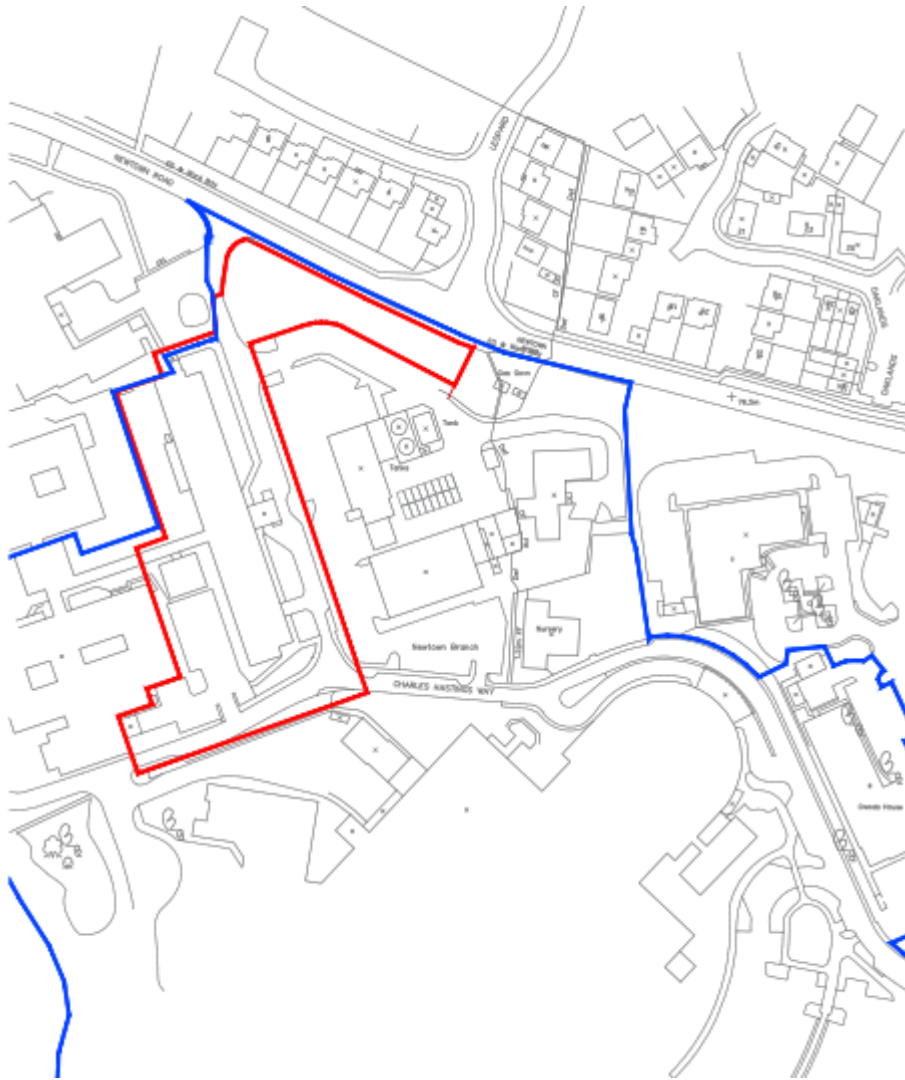


Figure 1. Site location plan

### 3. **The proposals**

#### **History relating to the need for the new provision on site**

- 3.1 As set out in the applicant's Statement of Need and submitted documents the proposal relates to changes to Aconbury East Building to provide an emergency village. The Aconbury East Building is a four-storey stand-alone unit that was originally built as a ward block, with some outpatient support services. The building has stood vacant for a period of time and is has been refurbished. Worcestershire Acute Hospitals NHS Trust advises that the trust has received funding to develop the Emergency Department and Urgent Care facilities at Worcestershire Royal Hospital in order to meet the rising current and future demand for emergency care for the residents of Worcestershire.

It is advised that following year on year growth, the Emergency Department facility at Worcestershire Royal Hospital is exceeding its physical capacity and is experiencing significant pressures in relation to key clinical areas, especially its resuscitation capacity. In order to meet current and predicted future demand, it is proposed to extend the existing Aconbury East building at ground floor level to create an expanded UEC with patient testing facilities and CT/X-ray units.

- 3.2 As set out in the submission, the proposed development is to extend the existing Aconbury East building at ground floor level to relocate and expand the Emergency Department with increased resuscitation facilities and major illness assessment space, new "Same Day Emergency Care" facilities, a dedicated radiology area and a dedicated Paediatric Emergency Department.
- 3.3 The applicant highlights that design has been influenced by a number of factors such as being able to utilise the Rheumatology car park as ambulance parking bay, a close access road linking Charles Hasting Way, space in front of the existing building enabling them to build across access road to increase the footprint of the building and to be able to utilise existing First Floor entrance at the north end of Aconbury East. The wider site was considered and existing aspects were able to be included or re-purposed in the design approach of the scheme.



Figure 2. Proposed ground floor plan with proposed new extension shown in large red box and other smaller development shown also in red areas.

- 3.4 The extension is to the ground floor to include the following internal arrangement which can be seen more clearly on the submitted plans (proposed ground floor plan);

- The main waiting room,
- 3 triage rooms,
- WCs
- 2 x x-ray rooms
- A CT scanning room
- Relative rooms
- 8 individual rooms
- 6 bed ward area
- 2 assessment rooms
- Offices and staff zones
- Utility and service areas

3.5 It is noted that the existing entrance is retained on the upper ground level to the north of the site. There is a new proposed ambulance area to the west of the building with access into the ground floor. The covered link into the wider hospital will remain.

3.6 The applicant sets out that the proposed elevational treatment has a strong horizontal emphasis which is punctuated by deeply recessed vertical strip windows with the windows to receive a privacy film treatment to maintain patient privacy and dignity.



Figure 3. Proposed East elevation annotated

3.7 The applicant highlights that the design utilises a flat roof to the Ground Floor extension where the roof mounted plant is contained within a continuous screen of polyester powder coated louvres in a mid-grey colour helping to differentiating it from the rest of the building. This sits like a band around the top of the extension to visually screen the plant equipment which is necessary to the essential functioning of the A& E for services and air handling within the controllable environment. The screening and the ground floor extension effectively cover the windows and openings of the second floor from view. These will relate to a corridor and service rooms such as kitchens and offices where outlook and amenity are not compromised.

- 3.8 In respect of materials the proposals utilise an external wall insulation system with a render finish to match the existing for the First Floor and above where necessary. For the Ground Floor it is proposed to use an external wall insulation system with a brick slip finish.
- 3.9 A canopy runs along the north elevation leading to the principal entrance lobby. The Ground Floor waiting area and entrance area has large glazed areas wrapping around the north and east elevations.

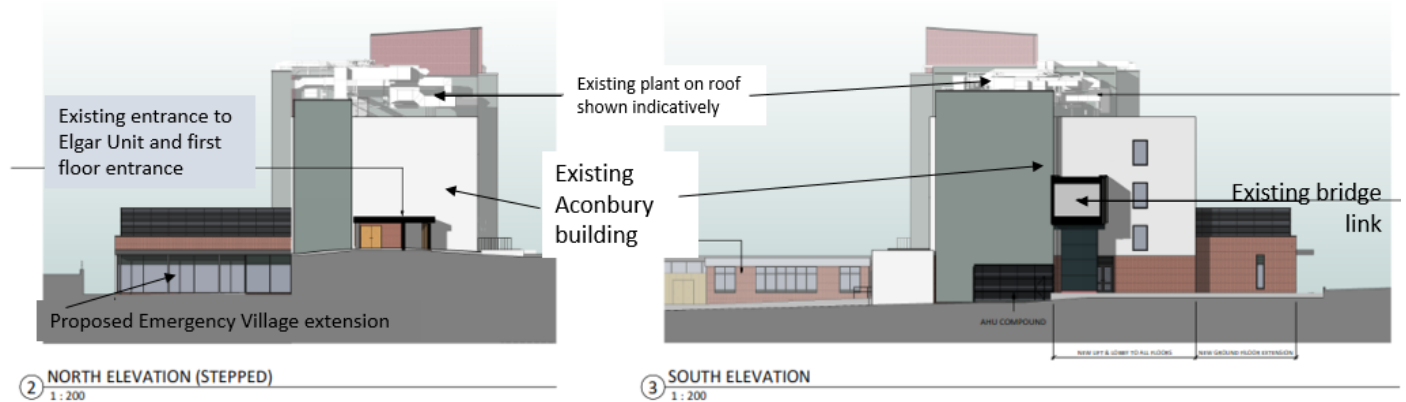


Figure 4. Proposed North and South elevation annotated

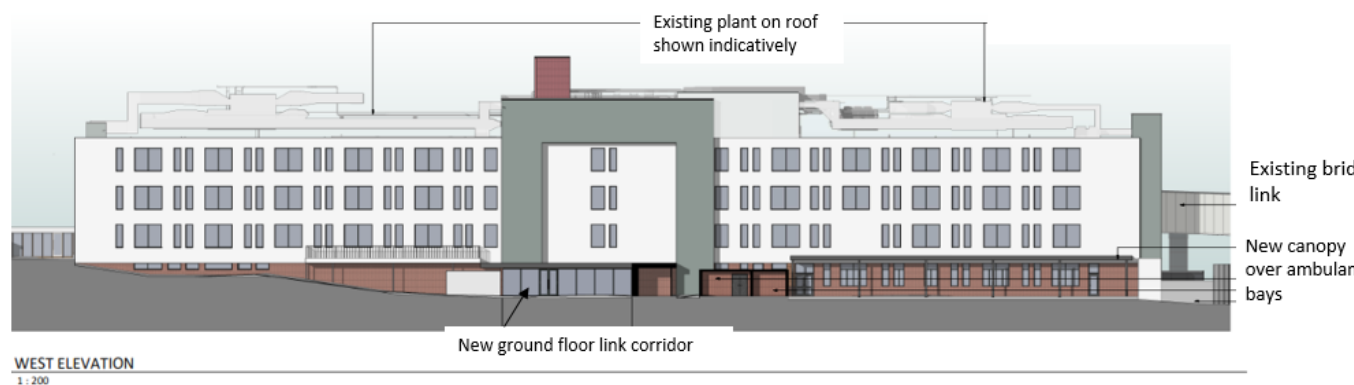


Figure 5. Proposed West elevation annotated

- 3.10 The proposal includes a new canopy over the ambulance bays on the west elevation.
- 3.11 The application is accompanied by a full set of plans together with a suite of supporting documents that include:
- 09001- Red Line Boundary

- 02002 - Main Extension Elevations
- 02003 - Staff Mess Existing and Proposed Elevations
- 02001 - Proposed Elevations
- E2001 - Existing Elevations
- E0001 - Existing Floors Sheet 1
- E0002 - Existing Floors Sheet 2
- 01003 - Upper Floors General Arrangement
- 01002 - First Floor General Arrangement
- 01001 - Ground Floor General Arrangement
- 09010-S2 - Tree Proposal Layout
- E0004 - Existing Roof Layout
- 01004 - Proposed Roof Plan
- E0003 Existing Site Plan
- Planning and Design and Access Statement (revision: A)
  
- Arboricultural Impact Assessment Ed Extension (ref: 13757\_R03\_MB\_HM)
- Transport Statement (ref: AED-BWB-GEN-XX-RP-TR-0001\_Transport Statement-S2-P03)
- Travel Plan (ref: 46329 - final Issue)
- Louvre technical information
- Ecological assessment (ref: 13757\_R01a)
- Plant Noise Egress Assessment
- Report on Ground Investigation (ref: AG3222-20-AL70 Issue 1)
- Environmental noise survey and plant noise egress assessment report (ref: 19351-RO1 Rev C)
- 21364-M001- A Cumulative impact assessment
- Drainage Strategy (Rev P03)
- Drainage Statement and SuDS Assessment - P2 Inc Appendices (7801 - Aconbury East )  
 Drainage Statement and SuDS Assessment appendices are:
  - WRH-CCE-S0-XX-DR-C-0212\_P02 Detail Drainage Layout Sheet 2 Of 2
  - WRH-CCE-S0-XX-DR-C- 0210\_P06 - Drainage General Arrangement
  - WRH-CCE-S0-XX-DR-C-0211\_P02 Detail Drainage Layout - Sheet 1 Of 2
  - WRH-CCE-S0-XX-DR-C-0212\_P02 Detail Drainage Layout Sheet 2 Of 2
  - Drainage Calculations North 100yr
  - Drainage Calculations South 100yr

3.12 In accordance with Article 15 (7) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), full details of the application have been published on the Council's website. As such, Members will have had the opportunity to review the submitted plans and documents in order to familiarise themselves with the proposals prior to consideration and determination of the application accordingly.

#### **4. Planning Policy**

4.1 The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application.

Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan, unless material considerations indicate otherwise.

4.2 The Development Plan for Worcester now comprises:

- The South Worcestershire Development Plan (SWDP) which was adopted February 2016, and;
- The Worcestershire Waste Core Strategy, which was adopted on December 2012.

4.3 The following policies of the SWDP are considered to be relevant to the proposal:

SWDP1 Overarching Sustainable Development Principles  
SWDP4 Moving Around South Worcestershire  
SWDP7 Infrastructure  
SWDP13 Effective Use of Land  
SWDP21 Design  
SWDP27 Renewable and Low Carbon Energy  
SWDP29 Sustainable Drainage Systems  
SWDP30 Water Resources, Efficiency and Treatment  
SWDP31 Pollution and Land Instability  
SWDP33 Waste

### **Material Considerations**

1. National Planning Policy Framework
2. National Planning Practice Guidance
3. Supplementary Planning Documents
4. Other relevant background documents

4.4 The following Supplementary Planning Documents (SPD) are relevant to the application proposals:-

- South Worcestershire Design SPD
- Planning for Health in South Worcestershire SPD
- Renewable and Low Carbon Energy SPD
- Worcestershire County Council Streetscape Design Guide (2018)

4.5 Other relevant background documents that are relevant to the application proposals include



- Worcestershire's Local Transport Plan (LTP4) 2018 – 2030

## **5. Planning History**

5.1 The site has been the subject of the following relevant planning applications:

- P92J0458 Erection of District General Hospital and associated siteworks. Approved 30<sup>th</sup> March 1993
- P98J0339 Construction of car park extension to serve new hospital. Approved 25<sup>th</sup> November 1998
- P15Q0338 The construction of various extensions of modular construction to extend existing accident and emergency department and associated works. Approved 30<sup>th</sup> October 2015
- P17G0351 Refurbishment and re-cladding of Aconbury East building including new link bridge to main hospital Approved 31<sup>st</sup> August 2017
- P18G0397 Change of the main entrance area to improve the internal flow. New external canopy. Approved 21<sup>st</sup> November 2018
- P18G0449 Amendment to condition 2 of application P17G0351 to allow an upgrade to the thermal properties of proposed design. Approved 23<sup>rd</sup> November 2018
- 19/00520/FUL Retrospective application for the installation of 5no.air handling units and 2no. air cooled chillers on the roof of Aconbury East Approved 22<sup>nd</sup> October 2020
- 19/01015/FUL New BOC liquid oxygen compound for support to Aconbury East of Worcestershire Royal Hospital Approved 17<sup>th</sup> March 2020
- 21/00319/FUL Construction of a single storey extension (971sqm) to the north east elevation of the Aconbury East building to provide a new Urgent and Emergency Care facility Approved 13<sup>th</sup> September 2021 (see above with regard to procedural errors)

## **6. Consultations**

6.1 Formal consultation, including display of site notices, has been undertaken in respect of the application. The following comments from statutory and non-statutory consultees and interested third parties have been received in relation to the original and amended proposals and are summarised as follows:

**West Mercia Constabulary:** no objection or concern

**Fire and Rescue Services:** There is a need to ensure fire access and hydrant provision is catered for with access to be provided within 45m of every building or 15% of the site's perimeter. This is a matter which can be discussed and agreed through Building Regulations approval.

**South Worcestershire Land Drainage Partnership:** The proposed drainage strategy set out on the accompanying Drawing Numbered WRH-CCES0-XX-DR-C-0210/P03 is acceptable in principle. I have no requirement for surface water drainage conditions to be applied to any planning permission granted for this application. An advisory note in relation to existing connections and the Water Industry Act is recommended.

**Landscape and Biodiversity Officer:** Comment – The eco assessment is acceptable, and as suggested an ecological enhancement plan should be drawn up as a condition. The new tree planting is welcomed however it has the effect of removing tree cover from the central site area to the edges. This should be addressed with more new tree planting in spaces within the site, and including some to visually "break up" the long lines of car parking in front of the new extension. Several half bays could be used or triangles at the rear of pairs of spaces.

**Worcester Regulatory Service – Contamination:** no objection subject to a watching brief condition on any unknown contamination not found or expected in the Report on Ground Investigation.

**Worcestershire Regulatory Service – noise/nuisance:** WRS are satisfied that the installation for additional plant will not have any cumulative impact that would exceed the set-out noise limit criteria for residential receptors as detailed in 19/00520/FUL for daytime or night time levels.

Recommendation

Should the Council be minded to grant the application then the consent should be subjected to the same noise limitation criteria as set out in 19/00520/FUL as a total cumulative noise impact ceiling to prevent any likelihood of noise creep.

**Highways:** no objection subject to conditions regarding travel plan before occupation and the implementation of the proposed cycle storage.

**Severn Trent Water:** no objection

**Third Party Comments:**

Neighbours that have commented on this application are 3, 9, 11, 13 and 15 The Heights.

- The proposal will generate noise for residents at the heights and that this will be above reasonable levels both day and night

- Inadequate and/or incorrect information in the report by Sandy Brown and noise recordings are inaccurate
- Insufficient acoustic protection/lack of inclusion of an acoustic barrier
- Noise generated by the equipment will create disturbance for patients in the Aconbury building
- There will be a downgrading of materials in the scheme if planning permission granted
- concern regarding process on previous applications for the hospital site

Given the limited duration between the applications the comments from 21/00319/FUL have been included also in the consideration of the report.

Comments from consultation on 23/08/21

1, 3, 5, 7, 9 and 11 The Heights

- Concerns regarding the impact of the air handling impact regarding noise
- Does not agree with the methodology and results of the noise report- wishes there to be conditions which safeguard the maximum noise levels and measures in place to ensure that if breached, appropriate action can be taken.
- Concerns regarding maintenance of equipment- both site specifically and across the site
- Concerns regarding traffic and vehicle speed by entrance to A & E

There were comments on the original consultation from the following residents with shared objections

5, 11, 1 The Heights, 25 Rowntree Gardens, 8 Leopard Rise, 21 Didcot Close, 7 Oaklands, 10 Linksvie Close. within these comments references and discussion is had in regards to the withdrawn Helipad application which are no longer of relevance and before further information regarding noise and disturbance were provided.

The comments on application 21/00319/FUL raised objections regarding

- General support for the growth of the essential service
- Parking on the site and impact on the surrounding residential area
- Anti-social behaviour generated by the A&E facilities including smoking in bus shelter adjacent to residential dwelling
- Concern regarding the 'walking ill' to the site
- The site is not adequately served by the public bus service

6.2 Members have been given the opportunity to read all representations that have been received in full. At the time of writing this report no other consultation responses have been received. Any additional responses received will be reported to members verbally or in the form of a late paper, subject to the date of receipt.

- 6.3 In assessing the proposal due regard has been given to local residents comments as material planning considerations. Nevertheless, I am also mindful that decisions should not be made solely on the basis of the number of representations, whether they are for or against a proposal. The Localism Act has not changed this, nor has it changed the advice that local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded on valid planning reasons.

## **7. Planning Assessment**

- 7.1 Policy SWDP1 of the South Worcestershire Development Plan sets out overarching sustainable development principles and these are consistent with the Framework. The various impacts of the development have to be assessed and the benefit and adverse impacts considered, to establish whether what is proposed is sustainable development.
- 7.2 The main issues raised by the proposal relate to the principle of development and whether the development would be sustainable, having regard to the 3 dimensions of sustainability set out in the Framework: economic, social and environmental, in particular with regard to:

### **Policy and Principle of Development:**

- 7.3 The principle of development is clearly set out in both the NPPF and the SWDP where necessary infrastructure to serve both local and regional needs is necessary. Paragraph 123 sets that 'Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:
- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and
  - b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.'
- 7.4 Also, that local planning authorities should aim to enable faster delivery of sites of public service infrastructure.
- 7.5 There is a presumption in favour of development of the brownfield and previously developed site and there is a clear need for the growth of the essential service and the need for close proximity is clearly essential in terms of delivery on the site for proximity to other medical and care services.

## **Design and Visual Impact**

- 7.6 Within the Planning and Design and Access Statement, there has been consideration of where on site the Emergency Village is best to be situated. This evaluation extended to the essential additional requirements in terms of ambulance access and traffic routes around the site necessary for A&E functionality, plus ease of access to the main hospital areas which is a limitation on opportunities for placement within the site.
- 7.7 The extension would enable the Emergency Village to be included into the Aconbury East building and meet these essential functionality requirements. Area.
- 7.8 The Local Planning Authority considers that the external design is acceptable albeit utilitarian, being a reflection of the units functional requirements, including louvres which will screen rooftop equipment. Importantly, whilst utilitarian in nature, the extension is viewed against the backdrop of the existing building which itself is of a flat roof design and of a similar external appearance.
- 7.9 The building is clearly led by functionality requirements with screening the more sensitive services/activities in the building as well as being robust in the design to accommodate the high level of usage. These are all significant factors which influence both layout, materials and functionality of the design process and influences design choices and options- especially in terms of materials, landscaping etc.
- 7.10 On balance, the design is acceptable and will not introduce a visually discordant or intrusive feature to the detriment of the character of the area
- 7.11 Importantly, the building would not be highly visible from outside the site given the changes in levels and the ground floor being set lower than Newtown Road and would have minimal views around the entrance from outside the site.
- 7.12 Overall, there is a good standard of design and a clear materials strategy for the proposed building and as such it meets the design criteria and the requirements of SWDP21.

## **Secured by Design**

- 7.13 West Mercia Constabulary have advised that in terms of design they wish to achieve a Secured by Design certification which is a positive in ensuring that safety is considered as a fundamental aspect of the proposal especially given the public nature of the building. Officers note the positive comments.

### **Amenity of nearby neighbouring residents.**

- 7.14 The consultation responses to this application are noted in particular from residents' groups. It is also noted that detailed responses have been provided in respect of the impact of noise and that these reflect those that were also received to the previous planning application reference 21/00319/FUL. It is noted that there was an attempt by the applicant at pre-application to discuss the proposals through a letter drop with the local residents and have sought to address the concerns. There has been and continues to be a clear narrative and concern in the earlier application that clearly set out by a range of neighbours regarding the cumulative impact in terms of noise and activity of the extension and the placement of the Emergency Village in the new area of the site. There is an existing Accident and Emergency function on the site which will be displaced and moved to the new facility. This is closer to the residents and would result in new equipment installed on the roof area of the extension which is screened.
- 7.15 There are two aspects in terms of impact from the equipment and the impact this has, which have been assessed.
- 7.16 Firstly, Worcestershire Regulatory Services accept that the noise generated from the new equipment can be designed to ensure it would be no higher than the existing base level within the site and can be designed to ensure it would not have a negative impact on the general noise emitted from the site.
- 7.17 The condition which secures the assessment of the noise generated by the equipment necessary for the Emergency Village is as follows;

Within one month of the date that all plant and equipment hereby approved has been installed and is operationally functioning, a post completion noise assessment shall be conducted in accordance with the provisions of BS 4142 :2014 'Methods for rating and assessing industrial and commercial sound' to ensure that the noise level being generated does not exceed recommended rating levels stipulated in section 5.7 of WRS Technical Planning Guidance Document. Details of the testing methodology shall be submitted to and approved by the Local Planning Authority before any testing is conducted on the site and the testing results and details of any additional and/or amended noise mitigation measures to be employed, including the timescale for implementation, shall be submitted to and approved by the Local Planning Authority.

The development shall not operate other than in full accordance with such approved details.

Reason:-

To safeguard the amenities of neighbouring residents in accordance with policy SWDP 21 of the South Worcestershire Development Plan 2016 and the aims and interests that the National Planning Policy seeks to protect and promote with regard to amenity.

- 7.18 This condition secures testing and a noise assessment once the equipment has been installed with the details of the testing to the satisfaction of the Local Planning Authority and Worcestershire Regulatory services. Once the testing is undertaken, if there is an increase in the noise levels in the site beyond caused by the equipment, then additional or amended mitigation measures will be necessary with a timescale set out for implementation to ensure the noise impact is limited.
- 7.19 The second aspect is the noise and activity generated by the proposed use of the A&E function. This could include ambulance noise, patients near the entrance entering and exiting and potential anti-social behaviour. This is likely to be erratic noise.
- 7.20 There will be security on site which can help manage this noise and this will be displaced from the existing unit. The existing and proposed main entrances to the Emergency Village are approximately 200metres from one another. It is the view of the Local Planning Authority that the nature and scale of this type of noise would not significantly increase from moving to the new site. By moving the facility, it would not be a significant contributor of noise and noise generation beyond what is experienced within the site currently.
- 7.21 The ability of the site to cope with existing demand would increase with new facilities designed to meet the requirements of the current Emergency Care department. The proposal would result in better provision on site to meet the current demand with less ambulances idling, people waiting for services etc. Consequently, there may be some reduction in the noise generated in the site with improved functionality. The improvements in the built form being able to better support the service could offset the issue of proximity with the new Emergency Village being approximately 150 metres closer to the nearest neighbours at The Heights.

**Other antisocial behaviour.**

- 7.22 Although not raised on this application in respect of the previous identical application a neighbour raised concerns that the bus shelter may be used as an informal smoking shelter as the wider hospital has a no smoking policy. The concerns of the neighbour are understood in this regard however, this is an issue in terms of the wider management of the site and beyond the site there is limited opportunity to take action given it is on highway land also.

## **Landscape, Ecology and wildlife**

- 7.23 In respect of the previous application comments were raised from the Landscape Officer who wished an overall biodiversity enhancement plan which includes adjacent works, additionally to ensure all the replacement trees are extra heavy standards. It was also queried if part of the flat roof be green native roof.
- 7.24 The issue of the green roof was discussed but was not considered to be practicable given the necessary plant equipment plus issues in term of maintenance of the area.
- 7.25 There are improvements to the landscaping in the wider site being undertaken. However, there is limited opportunity within the red line of the site to improve the landscaping quality given the high level of traffic and high demands in terms of services and the footfall of the site.

The Landscape and Biodiversity Advisor has suggested there is the opportunity to include tree planting within the parking areas around the building and in front of the extension to soften the visual appearance. This will be conditioned to be undertaken in the first planting season following occupation of the building in order to fulfil policies such as SWDP5 and SWDP 22

## **Highways & Traffic Generation**

- 7.26 The proposals would not result in a material change in onsite parking space provision and it is anticipated that any disruption during construction will be accommodated by the 300 temporary parking spaces currently available elsewhere on the hospital campus. This is considered acceptable by the Highways authority who have accepted that the changes are acceptable, and that the Hospital has an up to date travel plan. This is secured by suggested condition in order to meet the requirements of SWDP4 regarding traffic and getting around the local area.

## **Drainage & Flooding**

- 7.27 The site is in Flood Zone 1 and there are no issues in this regard, however the drainage on the site and the drainage strategy and specifications regarding foul and surface water has been reviewed and accepted by the Land Drainage Partnership and Severn Trent. As such it is considered to meet the necessary standards required in SWDP 29: Sustainable Drainage Systems and SWDP 30: Water Resources, Efficiency and Treatment.

## **Contaminated Land**

- 7.28 Worcester Regulatory Services advise that the submitted ground contamination assessment has been carried out through desktop and intrusive investigation.



It is noted that the historic maps indicate that the site was historically fields and open land with the site being expanded onto in the 1980s. The site is not in an area known to be affected by past coal mining activities. The nearest surface watercourse (river/stream) is a drain located approximately 97 m to the South West. The EA has no records of any licensed surface water abstractions within 250 m of the site. There are no known surface water abstractions within 2km.

- 7.29 A total of five sample boreholes, four trial pits, a hand dug pit were undertaken as part of the intrusive investigation. No evidence of contamination was recorded as part of this investigation. Four soil samples were taken, and the results have been analysed. It is noted that no areas of soft landscaping/garden borders are proposed as part of the development. Asbestos is not considered by Worcester Regulatory Services to present a significant risk to end users for the current proposal.
- 7.30 Gas monitoring has been carried out on three occasions between 21st January and 4th February 2021. No methane was recorded during the monitoring programme and carbon dioxide levels have also not raised concern from Worcester Regulatory Services. Significant deposits of made ground were not encountered during the ground works
- 7.31 The consultant recommends a watching brief during excavations/groundworks to ensure any unexpected potential contaminated materials are identified and treated appropriately. This is recommended to be secured by condition.

### **Other Issues**

- 7.32 In order to meet the requirements of Policy SWDP27, the applicant has explored the potential to generate 10% of the buildings energy use by sustainable means. A Combined Heat and Power plant was originally considered but ultimately discarded due to noise impacts. As a consequence, an alternative solar PV installation has been proposed the details of which are conditioned.

### **Environmental Impact Assessment Regulations 2017 (as amended)**

- 7.33 In accordance with the Regulations, the proposals have been screened by Officers with regard to whether the proposals would fall under Schedules 2 and the criteria outlined in Schedule 3 of the Regulations. Government guidance sets out that only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment. The proposals would be less than the threshold set out in the legislation and having regard to the characteristics of the development, the proposed development would not call for an Environmental Impact Assessment to be carried out. This does not affect the consideration of material planning considerations under the consideration of the planning application.

## **8. Conclusion**

- 8.1 The hospital site has grown not only in terms of the number of buildings and extension in recent years but also in the intensification of the use of the buildings with increasing demands on all healthcare services on the site. This growth is needed to serve the Worcestershire area and there is an expectation that the growth is accommodated to meet the needs of the wider area. This needs to be carefully weighed against the impact locally by these changes and accommodation of growth in the site.
- 8.2 In terms of the principle of development there is a requirement on the local planning authority in terms of ensuring that local and regional needs are met to support the local community and ensure that key services are delivered. Provision of emergency healthcare is critical in being a principal area in the service delivery of health services and the NPPF and SWDP is clear that infrastructure needs such as these proposed should be proactively accommodated.
- 8.3 There is a balance in terms of assessing the impact of the proposal. If this is applied with the three tenets of sustainability considered, then it is clear that the social role with the provision of a key area of healthcare provision in the county would significantly outweigh the more limited economic and environmental roles of the development. However, it is necessary to understand the economic and environmental roles to understand the total impact of the proposal and to ensure it is not so unbalanced as to render the scheme unacceptable in terms of harm and where possible mitigation be secured.
- 8.4 There is a noise impact which is likely to occur from the change in location of the Emergency Village in the site which is facilitated by the proposed extension. Whilst it is reasonable to assert that many of the existing impacts are already occurring within the site, however they would be re-sited to a more sensitive location being closer to the nearest neighbouring residents.
- 8.5 A condition is applied which, to the satisfaction of Worcestershire Regulatory Services, ensures that the overall noise of the site is not exceeded and that the rooftop equipment does not increase the total noise coming from the site as set out in paragraphs 7.15-7.22 above. A further condition relating to ground contamination and a watching brief for unexpected contamination is also required.
- 8.6 It has been reasonably demonstrated for key consultees that the impact of the development is acceptable and the mitigation measures are adequate and have been secured to ensure that neighbours are not detrimentally impacted by further noise from the equipment necessary to support the Emergency Village. The concerns of the local residents have been fully considered in the consideration of the application.

- 8.7 Therefore, whilst the Local Planning Authority recognise that the change in location of the Accident and Emergency department may have implications beyond the site, they are not considered so severe that they would outweigh the significant need for improved A&E services on the site.
- 8.8 There is a need for conditions to secure landscaping and renewables on the site which are necessary but can be dealt with by condition so as to not delay the decision making.
- 8.9 I acknowledge all comments received as part of the consultation process and consider all material planning issues have been considered in the determination of this application. Having regard to the totality of the policies in the Framework, I consider that the proposed development is sustainable when looking at its social, economic and environmental credentials in the round. The adverse impacts of the development (taking into account the considerable importance and weight to be given to the less than substantial harm to the significance of the heritage assets) do not significantly and demonstrably outweigh the benefits. Overall, it is considered that the proposals constitute an environmentally, socially and economically sustainable form of development that accords with the Framework and the Development Plan as a whole.

## **9. Recommended conditions**

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

Reason: To conform with the requirements of Section 91 of the Town and Country Planning

Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out and completed in accordance with the following approved plans and associated documents and the specifications and recommendations contained therein, except where otherwise stipulated by conditions attached to this permission

- 09001- Red Line Boundary
- 02002 - Main Extension Elevations
- 02003 - Staff Mess Existing and Proposed Elevations
- 02001 – Proposed Elevations
- E2001 - Existing Elevations
- E0001 - Existing Floors Sheet 1
- E0002 - Existing Floors Sheet 2
- 01003 - Upper Floors General Arrangement
- 01002 - First Floor General Arrangement
- 01001 - Ground Floor General Arrangement

- 09010-S2 - Tree Proposal Layout
- E0004 - Existing Roof Layout
- 01004 - Proposed Roof Plan
- E0003 Existing Site Plan
- Planning and Design and Access Statement (revision: A)
  
- Arboricultural Impact Assessment Ed Extension (ref: 13757\_ R03\_MB\_HM)
- Transport Statement (ref: AED-BWB-GEN-XX-RP-TR-0001\_Transport Statement-S2-P03)
- Travel Plan (ref: 46329 - final Issue)
- Louvre technical information
- Ecological assessment (ref: 13757\_R01a)
- Plant Noise Egress Assessment
- Report on Ground Investigation (ref: AG3222-20-AL70 Issue 1)
- Environmental noise survey and plant noise egress assessment report (ref: 19351-RO1 Rev C)
- 21364-M001- A Cumulative impact assessment
- Drainage Strategy (Rev P03)
- Drainage Statement and SuDS Assessment - P2 Inc Appendices (7801 - Aconbury East)  
 Drainage Statement and SuDS Assessment appendices are:
  - WRH-CCE-S0-XX-DR-C-0212\_P02 Detail Drainage Layout Sheet 2 Of 2
  - WRH-CCE-S0-XX-DR-C- 0210\_P06 - Drainage General Arrangement
  - WRH-CCE-S0-XX-DR-C-0211\_P02 Detail Drainage Layout - Sheet 1 Of 2
  - WRH-CCE-S0-XX-DR-C-0212\_P02 Detail Drainage Layout Sheet 2 Of 2
  - Drainage Calculations North 100yr
  - Drainage Calculations South 100yr

Reason: To ensure compliance with the approved scheme and to define the permission

3. The Development hereby approved shall not be brought into use until sheltered, secure and accessible cycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

4. An Energy Statement which must include the type, specification, timescale for implementation and location of the renewable provision to meet the 10% requirement of the proposed energy use of the development must be provided to the Local Planning Authority and approved in writing by the Local Planning Authority on or before occupation of the development hereby approved. The approved details shall be installed in accordance with the agreed timescale

Reason: To ensure the provisions of SWDP27 are complied with in ensuring 10% of the proposed development energy requirements are met through a renewable source.

5.a) Before the first use/occupation of the development hereby permitted a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include tree planting in the parking areas adjacent to the site as well as around the building to visually soften the visual impact.

It must also include:-

(i) a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.

(ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.

(iii) a schedule of proposed planting- indicating species, sizes at time of planting and numbers/densities of plants.

(iv) a written specification outlining cultivation and other operations associated with plant and grass establishment.

(v) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.

b) All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the completion or first occupation/use of the development, whichever is the sooner.

c) The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.

6a). Within one month of the date that all plant and equipment hereby approved has been installed and is operationally functioning, a post completion noise assessment shall be conducted in accordance with the provisions of BS 4142 :2014

'Methods for rating and assessing industrial and commercial sound' (or any succeeding best practice or guidance) to ensure that the noise level being generated does not exceed recommended rating levels stipulated in section 5.7 of WRS Technical Planning Guidance Document. Details of the testing methodology shall be submitted to and approved by the Local Planning Authority before any testing is conducted on the site.

b) The testing results and details of any additional and/or amended noise mitigation measures to be employed, including the timescale for implementation, shall be submitted to and approved by the Local Planning Authority.

c) The approved mitigation shall be implemented, maintained and retained in accordance with the agreed details.

Reason: To safeguard the amenities of neighbouring residents in accordance with policy SWDP 21 of the South Worcestershire Development Plan 2016 and the aims and interests that the National Planning Policy seeks to protect and promote with regard to amenity.

7. The Development hereby approved shall not be brought into use until the applicant has submitted a Travel Plan using Modeshift STARS Business. The applicant must meet green level accreditation before occupation and bronze level accreditation within 12 months of occupation of the development hereby approved.

Reason: To reduce vehicle movements and promote sustainable transport choices.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. The applicant is advised to immediately seek the advice of an independent geo-environmental consultant experienced in contaminated land risk assessment, including intrusive investigations and remediation.

No further works should be undertaken in the areas of suspected contamination, other than that work required to be carried out as part of an approved remediation scheme, unless otherwise agreed by the Local Planning Authority, until requirements i to iv below have been complied with:

i. Detailed site investigation and risk assessment must be undertaken by competent persons in accordance with the Environment Agency's 'Land Contamination: Risk Management' guidance and a written report of the findings produced. The risk assessment must be designed to assess the nature and extent of suspected contamination and approved by the Local Planning Authority prior to any further development taking place.

ii. Where identified as necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking.

he remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

iii. The approved remediation scheme must be carried out in accordance with its terms prior to the re-commencement of any site works in the areas of suspected contamination, other than that work required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

iv. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings on site.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. No demolition, construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday, and such works shall only take place between the hours of 08.00 to 18.00 weekdays and 08.00 to 14.00 Saturdays. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.

Reason: To ensure that the amenities of neighbouring residents are not unduly inconvenienced by development of the site construction operations and in accordance with Policy SWDP21 of the South Worcestershire Development Plan 2016 and the aims and objectives of the National Planning Policy Framework.

10. a) Prior to the installation of any lighting a detailed lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The details to be submitted shall include:

- i) layout plans / elevations with luminaire locations annotated,
- ii) full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the submission area
- iii) consideration of Glare (direct source luminance / luminous intensity in the direction and height of any sensitive residential receiver) as appropriate, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in

accordance with the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light GN01:2011" or succeeding or replacement guidance.

b) The approved lighting scheme for that Development Parcel shall be installed, maintained and operated in accordance with the relevant approved details / measures.

Reason: To minimise light pollution from the development and to ensure that the amenities of neighbouring residents are not unduly inconvenienced by development of the site construction operations and in accordance with Policy SWDP21 of the South Worcestershire Development Plan 2016 and the aims and objectives of the National Planning Policy Framework

### **Informative**

Advisory Note:

For the use or reuse of sewer connections, either direct or indirect, to the public sewerage system the Applicant will be required to make a formal application to STWL under Section 106 of the Water Industry Act 1991. The Applicant may obtain copies of current guidance notes and application form from either the STWL website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting the STWL Development Services Team (Tel: 0800 707 6600).