

Development Management Committee Report

Committee Date: 20 March 2024



Application Number	06/23/0918/F – (Click here to see application webpage)
Site Location	Site of former Car Park G, James Paget Hospital, Lowestoft Road, Gorleston, Great Yarmouth, NR31 6LA
Proposal	Retrospective redevelopment of an existing car park to provide an Orthopaedic Elective Hub and Community Diagnostic Centre (Class C2), together with associated parking, highway, drainage, engineering and landscaping works.
Applicant	James Paget Hospital
Case officer	Rob Tate
Parish & Ward	Magdalen Ward
Date Valid	19-12-23
Determination Due	22-03-24
Reason at committee	Connected application – part of the application site is owned by the Borough Council.
Procedural notes	This application was reported to the Monitoring Officer as an application submitted for development on land owned by the Borough Council. The land owned by the Council is a short length of the 'JPUH Staff Entrance' access route to the site off Brasenose Avenue, which is within the red line of the application site. The application was referred to the Monitoring Officer for their observations on 12/03/24, to afford the Monitoring Officer an opportunity to check the file and ensure they are satisfied that it has been processed normally and that no other members of staff or Councillors have taken part in the Council's processing of the application other than staff employed within the LPA as part of the determination of this application. Any discrepancies will be raised by the Monitoring Officer prior to the meeting.

SUMMARY OF RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS

1. The Site and Context

- 1.1 The application site is within the James Paget University Hospital campus and sits on what was Car Park G located to the northwestern portion of the hospital site. The site covers circa 1.19 hectares and sits next to the recently completed Concept Ward and the Diagnostic Assessment Centre (DAC) currently under construction.

- 1.2 Car Park G is a staff car parking, although this has been closed during the construction of the neighbouring new buildings, and is now being used as a site compound.
- 1.3 The application is described as being retrospective. This is because the ground works for the proposed Orthopaedic Elective Hub and Community Diagnostic Centre commenced in December 2023 at the risk of the applicant. On the site visit on the 9th February 2024, this was confirmed with works so far being limited to the digging of foundations and associated ground works.
- 1.4 In terms of the wider site, the James Paget University Hospital campus is located to the southern end of Gorleston. The wider Site consists of the main Hospital facility, and a number of supplementary wards that have been constructed to increase the functionality of the Hospital. The James Paget has been identified to receive government funding to build a new hospital and health campus in the fullness of time.
- 1.5 The application site is bordered by hospital residential accommodation to the north, a substation and generator compound which generates power for the main hospital site to the east beyond the Diagnostic Assessment Centre, inpatient wards to the south and the remains of car park G to the west.
- 1.6 There are pockets of land around the Hospital that are formal Car Parking areas for staff, patients and visitors. These are all ancillary to the main hospital site.
- 1.7 Beyond this, the wider site is accessed from the A47 Lowestoft Road (to the east) and vehicular access is also achievable from Brasenose Avenue (to the north) with staff-only vehicle access from Jenner Road to the south. There is a one-way system internally around part of the hospital site from the A47 access.

2. The Proposal

- 2.1. The application seeks planning permission for the development of a new building that forms both an Orthopaedic Elective Hub and a Community Diagnostic Centre. The proposed building will constitute a total of 2,627m² Gross Internal Floor Space over two floors. This consists of 1,520m² at the Ground Floor which will serve as the Orthopaedic Elective Hub and 1,041m² at the First Floor which will function as the Community Diagnostic Centre, plus mechanical plant rooms and other support spaces required for both floors to function. The total Gross External Area (GEA) of accommodation equates to 2,711m².
- 2.2. The proposed building will include the following:
 - On the ground floor for patients, there are 2 no. fully compliant theatres for elective surgery with associated ancillary spaces including anaesthetic and preparation rooms. There are 4 no. Stage 1 Recovery Bays for patients post-surgery, plus 8 no. Admission/Discharge 'Pods'.
 - A separate staff entrance point to the building (located along the northern elevation to the west), straight into the changing facilities. The main visitor access point is adjacent to the DAC building to the east.
 - On the rest of the ground floor, there are separate changing facilities at the entrance point with a separate rest rooms for all staff. There are also a number of storage areas needed for the facilitation of the hospital including storage areas and a pharmacy.

- The first floor for patients will be accessed by the primary staircase and lift on the eastern side of the building. On the first floor for patients, there are 8 no. treatment rooms, 6 no. clinical consultation rooms and a waiting area. Further on the first floor, there are further staffing facilities, offices and reporting offices for the CDC staff and a plant room.
 - There are also waste storage facilities including waste disposal holds that are transported from this facility to the central Hospital facility on the wider site.
- 2.3. The proposal creates 18 no. drop-off vehicle parking spaces, including 3 no. disabled parking spaces. In addition to this, a minibus space is also proposed, due to the removal of the space provided as part of the DAC scheme.
- 2.4. The proposal allows for 40 dedicated staff cycle parking spaces, which are secured and covered to the south, and a further 10 covered visitor cycle parking spaces in the vicinity of the building entrance. In terms of access and egress points for vehicles, the proposal seeks the blocking up of the currently consented egress point from the DAC parking area, expanding this area creating a one-way system. The system will allow vehicles to access 'in' at the most eastern point in front of the DAC and exit 'out' to the most western point in front of the OEH and CDC.
- 2.5. The existing cellular soakaway, which serves the Concept Ward located to the south of the site, is proposed to be removed as part of the new development due to its close proximity to the new building (i.e. within 5m of the proposed foundations). The connections to the existing soakaway are to be directed into the proposed building's drainage system and directed to the two new soakaways, to be constructed as part of this application, to be located to the north of the new development under the car parking area.
- 2.6. The proposal seeks permission for a landscaping strategy and demonstrates the retention of the existing trees to the west of the site as well as the planting of additional trees and other landscaping features, including: Where the DAC egress point is blocked up, additional landscaping is proposed in this area; and, whilst the scheme does not seek any changes to the Concept Ward Therapy Garden it does seek additional planting to the south of the proposed OEH and CDC building as well as to the north and west.

3. Site Constraints

- 3.1. The site is located within the development limits defined by GSP1.
- 3.2. Part of the site is at risk of surface water flooding in the 1 in 1000 event.

4. Relevant Planning History

- 4.1. 06/22/0256/F
Proposed development of a Diagnostic Assessment Centre (Class Ee), together with associated drop off car parking, highway works, drainage works and landscaping.
APPROVED 30-05-22.
- 4.2. 06/22/0576/F
Proposed development of a Decant Inpatient Ward (Class C2) with associated displacement parking, highway works, drainage works, engineering works, landscaping and associated infrastructure works.
APPROVED 20-09-22.

- 4.3. 06/23/0128/NMA
Proposed non-material amendment to pp. 06/22/0576/F - Development of Decant Inpatient Ward and associated works; Alter the cladding colour of the plant room (1F)
AMENDMENT ACCEPTED 01-03-23
- 4.4. 06/23/0748/F
Construction of a surface-level car park (up to 376 spaces) to be used for a temporary period of up to 7 years, together with associated works, including drainage, construction of a bund, landscaping and access works
PENDING CONSIDERATION
Note: As the end of public consultation period expires on 13th March 2024, it is possible this decision could be made prior to the Committee meeting; an update will be provided accordingly.

5. Consultation responses

5.1. Local Highway Authority (Norfolk County Council)

No objection subject to conditions

- 5.1.1. The applicant engaged in pre-application discussions with the Local Highway Authority to minimise the likelihood of any approval being subject to pre-commencement conditions. The Highways Officer raises no objection to this application subject to conditions to ensure the implementation of the car and cycle parking along with the waiting and turning hours and the implementation of the Travel Plan.
- 5.1.2. The applicant has requested a revised trigger point for the Travel Plan to be implemented so that it can rolled out across the wider hospital more cohesively. The Highways Officer has agreed that the Travel Plan can be implemented within 12 months of the building being first used.

5.2. Lead Local Flood Authority (Norfolk County Council)

No comment – standing advice for major schemes applies.

- 5.2.1. The LLFA were consulted as statutory consultees due to the application being a major scheme and have provided standing advice for major development where it falls below their threshold to comment. The Standing Advice is used in the appraisal below.

5.3. Anglian Water

No objection

- 5.3.1. Anglian Water confirmed that the main sewer system has capacity to deal with the foul water discharge from the proposed development. They noted that the surface water scheme does not affect assets owned by Anglian Water.

5.4. Essex and Suffolk Water

No objection

- 5.4.1. Essex and Suffolk Water confirmed that the nearest asset is a 9" water main on Brasenose Avenue which will remain unaffected by the proposed development.

5.5. Historic Environment Service (Norfolk County Council)

No objection

- 5.5.1. The Historic Environment Service noted that the proposed development will not have any significant impact on the historic environment and therefore did not wish to make any recommendations for archaeological work.

5.6. County Ecologist (Norfolk County Council)

No objection

- 5.6.1. The County Ecologist raised no objection to the proposal, noting that the application was submitted before the 12th of February 2024 and therefore is not subject to the mandatory Biodiversity Net Gain.

5.7. Environmental Services

No objection subject to conditions

- 5.7.1. The Senior Environmental Protection Officer raised no objection to the scheme although did request a number of conditions related to contamination and amenity (noise in particular).

5.8. Outstanding Consultations

- 5.8.1. No comments have been received from the Environment Agency, Arboricultural Officer or the Designing Out Crime Officer. The absence of comments is not considered critical to the determination of this application. Should any comments be received prior to the committee meeting, a written update report or verbal update will be provided.

6. Publicity and Representations

- 6.1. Consultations undertaken: Site notices / Press advert. Reasons for consultation: Major application. The overall expiry date for the consultation process was 1 March 2024.

6.2. Ward Member – Cllr(s) Green, Pilkington and Wainwright

- 6.2.1 No comments received.

6.3. Public Representations

- 6.3.1 At the time of writing, no public comments have been received.

7. Relevant Planning Policies

7.1 The Great Yarmouth Core Strategy (adopted 2015)

- Policy CS1: Focusing on a sustainable future.
- Policy CS9: Encouraging well-designed, distinctive places.
- Policy CS11: Enhancing the natural environment.
- Policy CS12: Utilising natural resources.
- Policy CS13: Protecting areas at risk of flooding and coastal change.

- Policy CS15: Providing and protecting community assets and green infrastructure.
- Policy CS16: Improving accessibility and transport.

7.2 The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy GSP1: Development Limits.
- Policy A1: Amenity.
- Policy E4: Trees and landscape.
- Policy E6: Pollution and hazards in development.
- Policy C1: Community facilities.
- Policy I1: Vehicle parking for developments.
- Policy I3: Foul Drainage.

8. **Other Material Planning Considerations**

8.1 National Planning Policy Framework (Dec 2023)

The policies in the Framework are material considerations which should be taken into account in dealing with applications.

- Section 2. Achieving sustainable development
- Section 4. Decision-making
- Section 8. Promoting healthy and safe communities
- Section 9. Promoting sustainable transport
- Section 11. Making effective use of land
- Section 12. Achieving well-designed and beautiful places
- Section 14. Meeting the challenge of climate change, flooding and coastal change
- Section 15. Conserving and enhancing the natural environment

8.2 Supplementary Planning Documents

- Great Yarmouth Design Code (adopted January 2024)

9. **Planning Analysis**

9.1 Legislation dictates how all planning applications must be determined. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

9.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states: *In dealing with an application for planning permission the authority shall have regard to—*

- (a) *the provisions of the development plan, so far as material to the application,*
- (aza) *a post-examination draft neighbourhood development plan, so far as material to the application,*
- (b) *any local finance considerations, so far as material to the application, and*

(c) any other material considerations.

Main Issues

- Principle of development
- Design, Form and Character
- Amenity
- Highways, Parking and Travel Plan
- Drainage
- Contamination
- Landscaping
- External Lighting

10. Assessment

Principle of Development

- 10.1 The application site is located within the development limits for Gorleston. Here, policy GSP1 states: *“Development will be supported in principle within the Development Limits subject to compliance with other relevant policies in the development plan.”*
- 10.2 Moreover, The James Paget University Hospital is one of the Borough's key strategic community facilities, providing cross boundary healthcare and being one of the Borough's main employers. From a national and local planning policy level, there is a presumption in favour of enhanced community facilities. Core Policy CS15 recognises this and supports the growth, upgrading and eventual redevelopment of the JPUH to support the needs of the borough. Policy C1 supports the approach of Core Strategy Policy CS15 and states *“The retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth, will be encouraged.”*
- 10.3 As such, the principle of upgraded and expanded facilities at the hospital are supported, subject to complying with the rest of the development plan.

Design, Form and Character

- 10.4 Core Strategy Policy CS09 expects new development to provide a high quality of design, in part stating that development should *“respond to, and draw inspiration from the surrounding area’s distinctive natural, built and historic characteristics, such as scale, form, massing and materials, to ensure that the full potential of the development site is realised, making efficient use of land and reinforcing the local identity”*.
- 10.5 The recently adopted Design Code expands on this and outlines how development proposals can achieve the level of design expected. At Section 6.3 of the Design Code it outlines the expectations for new industrial, commercial and retail development. Here, there is an expectation that there should be:
- A legible layout of streets and movement routes with a clear relationship to the active frontages of buildings.

- Tree planting should specify species that will grow to provide substantial canopy shade and be climate- resilient; permeable paving should be used; and all opportunities for introducing planting and biodiversity must be taken.
 - Boundary treatments of non-residential development should use greening, such as climbing plants, to soften the visual impact of security fencing and to increase biodiversity on the site.
 - Where external lighting is required, this should be very carefully designed to limit light pollution while ensuring a safe and attractive environment at night.
- 10.6 The James Paget University Hospital was built in the early 1980s and its design is typical for hospitals dating from that era. The site has seen piecemeal development since - some of which are more in keeping and of higher quality than others. The proposed Orthopaedic Elective Hub and Community Diagnostic Centre would be read in conjunction with the DAC building to the east and the Decant Ward (known also as the Concept Ward) to the south.
- 10.7 The application has benefitted from pre-application discussions which have helped create a design which is complimentary to the surrounding buildings and one which positively contributes to the emerging 'street' scene being created in this part of the university hospital campus.
- 10.8 The proposed building consists of three distinctly different massing blocks, in three distinct coloured fibre cement cladding materials. This is to provide reference to the DAC which utilises buff bricks and allows in effect the continuation of the street frontage, whilst also allowing for a modular construction building. The building uses vertical horizontal cladding boards to provide some interest to the elevation and to lessen the sense of excessive horizontal massing. The black recessed windows provide a visual link to the Concept Ward designs to the rear.
- 10.9 The proposed building does not exceed the height of the existing hospital building. The distinct blocks provide relief to, and mitigates, the sense of excessive horizontal massing of the building. The corner block is coloured in muted yellow/tawny hue cladding and is the tallest of the three blocks, this creates a prominent corner and an effective bookend to the building line.
- 10.10 The ground floor northern elevation and the corner detailing do not make full use of the possible street frontage, as there is a lack of activity on the northern elevation and a lack of activity on the first floor of the corner frontage. Whilst this is less than ideal, it is recognised that this is due to the constraints of the use of the building and the operational requirements dictating the internal layout of the building and thus impacting on the positioning of the windows. This harm is somewhat offset by the entrance to the building which continues to reference the vertical lines of the DAC and provides an attractive entrance to the building.
- 10.11 The use of parapets and screening around the roof edge means that plant equipment and PV panels will not be visible from ground level. The design ensures that the parapets and screening is integrated into the building and therefore does not clutter its appearance.
- 10.12 Overall, the building suitably references the surrounding buildings and provides a functional design which also achieves the design expectations of CS09 and the Design Code.

Amenity

- 10.13 Core Strategy Policy CS09 also expects that new development achieves a high level of amenity for future and existing users. Policy A1 expands on this approach and states:

"Development proposals will be supported where they protect or promote a high standard of amenity to ensure a suitable living environment in the locality.

Planning permission will be granted only where development would not lead to an excessive or unacceptable impact on the amenities of the occupiers of existing and anticipated development in the locality, in terms including:

- a. overlooking and loss of privacy;*
- b. loss of light and overshadowing and flickering shadow;*
- c. building and structures that will be overbearing;*
- d. nuisance and disturbance"*

- 10.14 As mentioned earlier in the report, the application site is adjacent to existing hospital buildings and opposite (to the south of) the hospital's on-site residential accommodation. The nearest non-hospital use residential dwellings are located on Brasenose Avenue circa 100 metres to the north.
- 10.15 The Environmental Protection Officer has requested further details or use of proposed conditions. Of the conditions requested, a Glint and Glare Assessment for the solar panels is considered unnecessary because these will be hidden behind the parapet and therefore not visible from the public domain. The request for conditions to secure a noise assessment of the proposed air source heat pumps and other plant and machinery is understandable, given the cumulative impacts of the recent developments in the area; this is necessary and is recommended if permission is to be granted, to accord with policy A1. Although some noise data sheets have been provided and noise data sheets in relation to air source heat pumps are expected to be provided in advance of Committee meeting, the information has not been reviewed by the Environmental Protection Officer. A written update Addendum Report in advance of the Committee meeting, or a verbal update within the meeting, will be provided to Members as necessary.
- 10.16 The Environmental Protection Officer has also requested a Construction Environment Management Plan, to include detailed noise and dust management proposals, in the interests of protecting residents at both the hospital's residential accommodation and the non-hospital dwellings such as at Brasenose Avenue. The Local Planning Authority and Environmental Health teams have both received at least one enforcement complaint about current construction practices, noise and unsuitable working hours, being experienced from as far as 100m away, and it is suggested that these should be prevented by the use of appropriate construction management techniques. A requirement to provide a Construction Management Plan and the use of a Working Hours condition can address this, and ensure the proposal can be undertaken in accordance with policy A1. This has been requested of the applicant for presentation to the Committee meeting, and, if received, Members will be updated in due course.
- 10.17 The building is located a sufficient distance (15.5m) to the north of the Concept Ward such that the building's presence should not be overbearing to patients being treated in the Concept Ward. The existing therapy garden will remain between the two buildings.

- 10.18 The proposal is not considered to generate any other amenity concerns. The application is therefore considered to comply with CS09 and A1.

Highways, Parking and Travel Plan

- 10.19 Core Strategy Policy CS16 expects that new development should not have an adverse impact on the existing highway network.
- 10.20 The proposed building will be accessed via the Hospital's internal road network, including access from either Brasenose Avenue or the A47. It will link with the parking area for the DAC to create an In/Out parking area with 18 no. drop-off vehicle parking spaces, including 3 no. disabled parking spaces dedicated for the proposed building. The minibuss space is proposed to be shared between the proposed building and the DAC.
- 10.21 The application also recognises the need to promote a more sustainable and less car dependant mode of travel. The application proposes 40 dedicated staff cycle parking spaces, which are secured and covered to the south, and a further 10 covered visitor cycle parking spaces in the vicinity of the building entrance. Officers are checking whether this also includes appropriate provision for the adjoining developments such as the recently approved DAC facility and will update Members in an Addendum Report; should more be required, there is sufficient space and land availability to do so in the vicinity.
- 10.22 The submitted proposed Travel Plan details how the Hospital will introduce car share schemes and promote public transport options for staff and patients. Given the incremental and piecemeal recent developments at the hospital, Officers are verifying that this takes into account and complements any Travel Plans required for the adjoining developments such as the recently approved DAC facility, and will update Members in an Addendum Report; should any adaptations be required these can be agreed by subsequent conditions in the initial preparation stage before Travel Plan implementation.
- 10.23 The Local Highway Authority have been consulted on the application and have raised no objection to the scheme. The Highways Officer is agreeable to a condition which requires that the Travel Plan is implemented within 12 months of the permission being granted.
- 10.24 Subject to the recommended conditions from the Local Highways Authority, and any amendments required for cycle storage and Travel Plan adjustments, the application would comply with CS16.

Flooding and Drainage

- 10.25 The application site is located within Flood Zone 1. The application has included a site-specific flood risk assessment and, being an application for major development, the application is supported by a surface water drainage scheme. This confirms that the site would not be at risk of flooding in the most extreme fluvial and coastal flood events.
- 10.26 The application proposes that the existing cellular soakaway which serves the Concept Ward should be removed due to its close proximity to the new building (i.e. within 5m of the proposed foundations). The connections to the existing soakaway are to be directed into the proposed building's drainage system and directed to the two new soakaways, to be constructed as part of this application, to be located to the north of the new development. The use of infiltration is the preferred method of dealing with surface water drainage according to the drainage hierarchy. The use of on-plot SuDS detention and infiltration will

reduce flood risk by reducing the quantity of surface water run-off from the Hospital site and promoting groundwater recharge, thereby complying with one of the Four Pillars of SuDS, 'Water Quantity' and complying with the standing advice of the LLFA.

- 10.27 In terms of foul drainage, Anglian Water have confirmed that the main sewer network has capacity to accommodate the flows expected from the proposal and the application therefore complies with policy I3.
- 10.28 The application is therefore considered to comply with policy CS13.

Contamination

- 10.29 Policy E6 requires that applicants demonstrate their proposals are safe from, and do not give rise to, unacceptable hazards and/or pollution. The application is supported by a Phase 1 and Phase 2 contamination assessment. This concludes that there is no identified contamination on site and there are no associated dangers to human receptors.
- 10.30 Environmental Protection Officers request that the recommendations stated in the Phase 1 & Phase 2 contaminated land report produced (dated December 2023) should be adhered to. The recommendations outline the process required if contaminated land is found during construction. This can be secured through a condition, to ensure compliance with policy E6.

Landscaping

- 10.31 The application is supported by a Landscaping Plan. This proposes 7 trees along the northern verge which will continue the line of trees which has been secured within the permission for the DAC to the east, and the proposed trees are also reflective of the species of these adjacent trees as well. The trees on the western edge of the car park are to be retained, but the car park is proposed to be used as a construction compound and so will need to be protected during construction (despite the submitted arboricultural assessment suggesting the trees are too far away from the proposed building to be affected by construction). Planning conditions can still be used to require fencing and ensure there is no parking, unloading, materials storage etc in the vicinity / within the crown spread of these trees. In other areas tree planting is not proposed but some feature planting, shrubs and wild flower mix are proposed which will provide further biodiversity benefits along with improving visual amenity. The proposed planting mix is considered appropriate.
- 10.32 A condition is required to ensure the vehicular access outside the DAC centre is closed up and planted with trees to match the mix proposed in this application. A condition is also required to ensure that the planting takes place within the first planting season of the development being first used and that any trees or shrubs which are planted are replaced if they die, are removed or fail within 10 years.
- 10.33 The planting scheme is considered to be acceptable and complies with the aims of E4 and CS11.

External Lighting

- 10.34 The application is supported by an external lighting plan which shows the light spill from the proposed external lighting. This is all contained within the site boundaries, preventing light trespass to neighbouring buildings on the hospital site and the hospital residential accommodation.

- 10.35 The luminaires proposed are to be attached to the building at 3m above the finished floor level. These luminaires accord with good lighting design principles in the fact that they are proposed to be downlit and therefore avoid contributing to sky-glow and avoiding glare and light trespass. The proposed lighting would therefore not cause adverse impacts on neighbouring amenity.
- 10.36 The Environmental Health Officer's response requests that no other external lighting be installed other than in accordance with the submitted lighting scheme. The lighting scheme is considered to be in accordance with the requirements of Policies A1 and E6.

Local Finance Considerations

- 10.37 Under Section 70(2) of the Town and Country Planning Act 1990 the Council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus, or the Community Infrastructure Levy (which is not applicable to the Borough of Great Yarmouth). Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority, for example. There do not appear to be any planning-related local finance considerations linked to this development.

11 The Planning Balance

- 11.1 The application proposes a new building at the James Paget University Hospital which will expand the available healthcare provision which can be provided on site. This provides a public benefit and complies with the aims of improving community facilities and supporting the expansion of the Hospital as outlined in policy CS15.
- 11.2 The design of the new building is considered to appropriately reflect the neighbouring buildings and the positioning of the building and the material palette proposed ensures that the building will contribute to forming a street frontage, even if it is recognised that a more active frontage would have been desirable but operational restrictions mean it cannot be achieved due to the function of the building.
- 11.3 The landscaping scheme is considered acceptable if delivery is secured by condition, along with the required reinstatement and planting of the redundant access outside the DAC centre, and subject to protection of the trees.
- 11.4 Local residential and in-patient amenity can be protected by use of planning conditions, including precautionary mitigation measures for plant and machinery and specific conditions concerning construction practices.

12 Conclusion

- 12.1 Having considered the details provided, the application is considered to comply with policies CS1, CS9, CS11, CS12, CS13, CS15 and CS16 from the adopted Core Strategy, and policies GSP1, A1, C1, E4, E6, I1 and I3 from the adopted Local Plan Part 2.
- 12.2 It is considered that there are no other material considerations to suggest the application should not be recommended for approval.

- 12.3 As works have commenced on site, there is no need to impose a condition requiring the development to commence within 3 years of the grant of planning permission.

13. Recommendation

It is recommended that application 06/23/0918/F should be APPROVED subject to the proposed conditions listed below.

Conditions

Development to accord with approved plans and details.

1. The development must be undertaken in strict accordance with the following plans and details submitted to the Local Planning Authority:
 - Site Location Plan: 180726-DGL-01-XX-DR-A-1100 Rev P5
 - Proposed Block Plan: 180726-DGL-01-XX-DR-A-1160 Rev P6
 - Proposed Site Plan: 180726-DGL-01-XX-DR-A-2003 Rev P5
 - Proposed Roof Plan: 180726-DGL-01-XX-DR-A-2002 Rev P4
 - Proposed Elevations: 180726-DGL-01-XX-DR-A-2100 Rev P8
 - Proposed Building Section: 180726-DGL-01-XX-DR-A-2320 Rev P2
 - Proposed Ground Floor General Arrangements: 180726-DGL-01-XX-DR-A-2000 Rev P15
 - Proposed First Floor General Arrangements: 180726-DGL-01-XX-DR-A-2001 Rev P17
 - Proposed Site Sections A & B: 180726-DGL-01-XX-DR-A-2300 Rev P3
 - Proposed Site Sections C & D: 180726-DGL-01-XX-DR-A-2301
 - Proposed Landscape Plan: PWP 823 002 Rev 00
 - External Lighting Layout: 7358-MCP-ZZ-00-DR-E-9000
 - Interim Travel Plan for the 'Cold Elective Hub' version P2 dated December 2023.

Reason: For the avoidance of doubt.

2. Construction Working Hours:

There shall be no construction of the development hereby permitted undertaken outside of the following hours:

- 0730 hours to 1830 hours Monday to Friday
- 0830 hours to 1330 hours Saturdays
- There shall be no work undertaken on Sundays, Public or Bank Holidays.

These restrictions imposed shall apply only to any works that are audible outside of the boundary of the application site and when measured at the nearest noise sensitive receptor.

Reason: In the interests of protecting nearby residential amenity due to the close proximity of other residential dwellings, in accordance with Local Plan Part 2 policy A1.

3. Construction Environment Management Plan

No construction shall take place beyond *[date: 14 days – TBC at the Committee meeting, being at least 21 days since requested]* of the date of this permission, unless a Construction Environment Management Plan (CEMP), to include detailed noise minimisation and appropriate dust management proposals for use during the construction of the development, has first been submitted to the Local Planning Authority for its approval in writing. The development shall thereafter be undertaken only in strict accordance with the details of the approved CEMP and its associated mitigation measures, which shall be retained for the duration of the construction of the development hereby permitted.

Reason: In the interests of protecting the amenity of nearby residential dwellings and those hospital patients in close proximity to disruptive construction operations, in accordance with Local Plan Part 2 policy A1. The timescale is necessary because the development has already started without first gaining the permission of the local planning authority and is the most expedient course of action in the absence of formal planning enforcement measures.

4. Tree protection during construction

Before any works begin, appropriate tree protection fencing shall be installed around the retained trees on the western edge of the existing car park to be used as a construction compound. There shall be no storage of materials, parking, servicing or loading or unloading undertaken within the immediate vicinity or within the crown spread of the retained trees on the western edge of the car park to be used as a construction compound, and these are to be retained and shall not be pruned, lopped or in any way altered or removed without the prior written consent of the local planning authority.

Reason: In the interests of protecting the visual amenity of the area and maintaining biodiversity and ecology at the application site, in accordance with policies CS11 and E4.

5. Details of Plant noise data

There shall be no installation of any Plant Equipment or Air Source Heat Pumps within the development hereby permitted until full details including location, acoustic specifications, and specific measures to control noise from the equipment, and maintenance details and schedules thereof, have first been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed, used, maintained and retained in full working order thereafter in full accordance with the approved details.

Reason: In the interests of visual and neighbouring amenity, in accordance with Core Strategy (2015) Policy CS9 and Great Yarmouth Local Plan Part 2 (2021) Policy A1.

6. Closure and planting of the DAV access/egress point

The shall be no use or occupation of the development hereby permitted until the existing vehicle access/egress point on the west side of the adjoining 'Existing DAC' building (as shown on the landscaping plan ref PWP 823 002 Revision 00) has first been closed, removed from use and reinstated as a soft landscape verge to match the verge either side, and this shall be planted with at least 1no. tree species from those listed in the proposed tree planting

specification on the approved landscaping plan for this development (plan ref PWP 823 001 Revision 03), with associated tree protection and establishment measures which shall be retained in situ until the tree has been successfully established.

Reason: To ensure a high quality of development and in the interests of ensuring appropriate visual amenity for the local area, to enhance biodiversity and to secure appropriate residential amenity, in accordance with Core Strategy (2015) Policies CS9, CS11 and Local Plan Part 2 Policy E4.

7. Parking areas to be provided

There shall be no use or occupation of the development hereby permitted until the proposed access, on-site car and cycle parking and turning/waiting areas have first been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and shall be retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with Core Strategy Policy CS16.

8. Planting and landscaping

The approved planting scheme (detailed in plan PWP 823 001 Rev 03) shall be carried out in its entirety within the first planting and growing season following the first use of the Orthopaedic Elective Hub and Community Diagnostic Centre hereby permitted. For the duration of a period of 10 years from the first use of the Orthopaedic Elective Hub and Community Diagnostic Centre, any trees, shrubs or hedges planted in accordance with the landscaping scheme which die, are removed or become seriously damaged or diseased shall be replaced in the next immediate planting season with others of similar size and species, unless the Local Planning Authority gives its first written consent to any variation thereof.

Reason: To ensure a high quality of development and in the interests of ensuring appropriate visual amenity for the local area, to enhance biodiversity and to secure appropriate residential amenity, in accordance with Core Strategy (2015) Policies CS9, CS11 and Local Plan Part 2 Policy E4.

9. Implementation of the Travel Plan

No later than 12 months following the first use or occupation of the development hereby permitted, the approved Interim Travel Plan for the 'Cold Elective Hub' version P2 dated December 2023 shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented and operated as such as long as any part of the development hereby permitted is occupied, subject to any approved modifications to be first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment, in accordance with Core Strategy Policy CS16.

10. No use of additional external lighting

No external lighting shall be installed other than in accordance with the submitted lighting plan unless otherwise first agreed in writing by the Local Planning Authority and no external lighting shall be able to cause light intrusion beyond the application site boundaries.

Reason: To ensure that the development minimises light pollution and reduces glare, in the interests of highway safety, and to minimise the potential impact on biodiversity in accordance with sections 12 and 15 of the NPPF.

11. Unexpected Contamination

If, during development, contamination not previously identified is found to be present, then no further development shall be carried out in pursuance of this permission until a scheme has been submitted to and approved by the Council as Local Planning Authority detailing how this contamination shall be dealt with in accordance with the remediation scheme as set out above. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with section 179 of the NPPF.

Informative Notes

1 Informative Note: Site Drainage:

The applicant should ensure that adequate and suitable provision is made for the surface water drainage of the proposed development. Under no circumstances should the surface water be connected into the foul drainage system without the permission of Anglian Water.

It should be noted that it is the applicant/developer's responsibility to ensure adequate drainage of the site so as not to adversely affect surrounding land, property or the highway.

2 Informative Note: Contamination Disclaimer:

NOTE: The responsibility for the safe development and secure occupancy of the site rests with the developer. The local planning authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination, or that the land could not be declared Contaminated Land in future.

3 Informative Note: Construction Noise Notification:

The applicant is strongly recommended to advise neighbouring businesses and residential occupiers of the proposals, including any periods of potentially significant disturbance e.g. demolition or piling, together with contact details in the event of problems.

4 Informative Note: Anglian Water Advice:

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

1. INFORMATIVE – Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

2. INFORMATIVE – Protection of existing assets – A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

3. INFORMATIVE – Building near to a public sewer – No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

6 Statement of Positive Engagement

STATEMENT OF POSITIVE ENGAGEMENT: In dealing with this application Great Yarmouth Borough Council has actively sought to work with the applicant in a positive and proactive manner.

APPENDIX 1: Site Location Plan

