

Development Control Committee

30 November 2022

Late Paper

ITEM 4 - Planning Application DC/22/0593/HYB - Land at Hardwick Manor, Hardwick Lane, Bury St Edmunds

Report No: DEV/WS/22/046

Hybrid planning application - a. outline application (means of access to be considered) for a new hospital (use class C2) of up to 100,000 square metres and surface and multistorey car park with associated infrastructure, structural landscape buffer, temporary construction compound and demolition of existing hospital buildings. b. full planning application - change of use of Hardwick Manor from a single residential dwelling (use class C3) to health related uses associated with the new hospital (use class C2)

Para 365 of the report amended to

Recommendation:

365. To approve the hybrid planning application subject to s106 Heads of Terms detailed at para 339 -341 of the committee report and the conditions as shown on pages 75-109 and to grant officers delegated authority to make minor changes to the conditions as listed in the report

Eight conditions from those shown at the end of the committee report have been amended since publication. The amended conditions are shown below.

The amended condition 1 is at the request of the applicant to accommodate their funding schedule.

Standard outline commencement condition

1. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
 - i) The expiration of five years from the date of this permission; or
 - ii) The expiration of two years from the final approval of the reserved matters; or,

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 12 amended as the Highway Authority has confirmed the relevant visibility splay distances.

Construction access on Gypsy Lane visibility splay condition

12. Before the Gypsy Lane construction access is first used visibility splays shall be provided as shown on Drawing No. 65206871-SWE-ZZ-XX-DR-TP-0016 P01 with an X dimension of 2.4 metres and a Y dimension to the east of 120 metres and a Y dimension to the west of 27 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of construction vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

Condition 21 has been amended as a consequence of discussions between LPA, National Highways and the applicant:

Monitoring of J42 of the A14 and possible mitigation

21.

- a) A queue detector will be installed at the 75% capacity point on the A14 J42 westbound off slip in order to monitor whether queuing is recorded to extend back beyond the queue detectors, for a period of more than 10 minutes on more than 3 occasions in a rolling 7 days. If queuing is recorded to extend back beyond the queue detectors, for a period of more than 10 minutes on more than 3 occasions in a rolling 7 days than parts b) to d) below would not apply. The installation of the queue detectors and the period of time that they will be in place shall be agreed in writing with the local planning authority before any development commences on site.

Should queuing not be recorded as per Part a):

- b) For five years from when the hereby approved hospital is first brought into use, continuous monitoring of queue lengths will take place on the westbound A14 J42 off slip making use of existing or new queue detectors to monitor whether queuing is recorded to extend back beyond the queue detectors for a period of more than 10 minutes on more than 3 occasions in a rolling 7 day week in any 7 day period.

- c) If queuing as defined in Part b) is detected, then an assessment shall be undertaken to establish whether the queuing is as a result of the new hospital development and will be submitted to and agreed in writing with the LPA. The conclusion of the assessment shall be submitted to the Local Planning Authority within 6 months of the queue first being detected as defined in Part b) unless otherwise agreed in writing with the local planning authority.
- d) If it is concluded that unacceptable queuing is the responsibility of the new hospital development as defined in Part c) above, then details shall be submitted to and agreed in writing with the Local Planning Authority that generally accord the junction improvements shown on drawing 65206871-SWE_XX_XX_D-TP-0021 Rev P01. The approved details shall be laid out and constructed in their entirety (and operational) within a timeframe to be agreed with the Local Planning Authority and thereafter they shall be retained in the approved form.

Reason: To ensure that the A14 continue to serve its purpose as a part of a national system for through traffic in accordance with Section 10 of the Highways Act 1980, and to satisfy the reasonable requirements of road safety.

Note: If mitigation is required to be undertaken to the junction, National Highways will be seeking for the works to be carried out in the shortest practicable timeframe.

Condition 29 and 35 amendment requested by applicant and agreed with LLFA:

Further details in general accordance with the FRA including the construction surface water plan

29. Unless otherwise agreed in writing with the Local Planning Authority Concurrent with the submission of the layout reserved matter application for site a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved FRA and include:

- a) Dimensioned plans and drawings of the surface water drainage scheme;
- b) Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality;
- c) If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to QBAR or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d) Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e) Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;

- f) Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g) Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- h) Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
 - a) Temporary drainage systems
 - b) Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - c) Measures for managing any on or offsite flood risk associated with construction

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

A scheme for surface water disposal

35.No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.

Condition 50, 52 and 54 amendments requested by the applicant and agreed with LPA and WSC Public Health and Housing officers:

Noise details of the plant and machinery

50.Prior to commencement of the development hereby approved details shall be submitted to and approved in writing by the Local Planning Authority of the external sound level emitted from the installation of any external mechanical

plant / equipment associated with the development hereby approved and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted will be equal to or lower than the lowest existing background sound level inclusive of any penalties for tonality, intermittency, impulsivity or other distinctive acoustic characteristics in order to prevent any adverse impact. The assessment shall be made in accordance with BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound' at the nearest and / or most affected noise sensitive premises, with all equipment operating together at maximum capacity and inclusive of any penalty for tonality, intermittency, impulsivity or other distinctive acoustic characteristics.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies.

Noise details of the backup generator

52. Prior to commencement of the development hereby approved details shall be submitted to and approved in writing by the Local Planning Authority of the sound level emitted from the installation of the emergency back up generator associated with the development hereby approved and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted will not exceed the BS 8233:2014 guidelines for internal noise levels in dwellings when the windows of nearby noise sensitive receptors are partially open (based on a sound reduction of 15 dB from a partially open window) in order to prevent any adverse impact. The assessment shall be at the nearest and / or most affected noise sensitive premises, with all equipment operating together at maximum capacity.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies.

Further acoustic impact assessment for the access road to the new hospital and facilities yard and any necessary mitigation identified and installed. Such as acoustic fence

54. Before development commences a noise impact assessment on the link road (the road from the existing site to the new hospital) and the facilities management yard at the south end of the new hospital shall be submitted to and approved in writing by the local planning authority. The noise impact assessment will assess the impact of these areas on nearby residential properties. This assessment is likely to require consideration of the following mitigation measures to restrict noise levels to avoid significant adverse impacts at the façade(s) of the nearest sensitive receptor(s) where reasonably practical:

- Road alignment;
- Speed restriction;
- Restrictions on ambulance sirens in the Site unless absolutely necessary;
- Noise barriers between the road/facility management yard and the receptors.

- Facilities Management Yard Plan which would include hours of deliveries and service vehicles coming to and from site and details on audible warning reversing signals for vehicles and loading and unloading bays

Any identified mitigation shall be installed/ retained thereafter/ adhered to in the case of the Facilities Management Yard Plan

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies.