

Application Site Address	Torbay Hospital, Newton Road, Torquay. TQ2 7AA
Proposal	Construction of three storey medical assessment unit, with patient drop-off point, vehicle turning head and associated landscaping works.
Application Number	P/2021/0431
Applicant	Torbay And South Devon NHS Foundation Trust
Agent	
Date Application Valid	25.05.2021
Decision Due date	24.08.2021
Extension of Time Date	21.02.2022
Recommendation	<p>Approval: Subject to;</p> <p>The submission of a swept path analysis of an ambulance to ensure that safe access and egress can be achieved for the relocated bays;</p> <p>The conditions as outlined below with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency, and;</p> <p>The resolution of any new material considerations that may come to light following Planning Committee to be delegated to Divisional Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.</p>
Reason for Referral to Planning Committee	Major development
Planning Case Officer	Alexis Moran

Location Plan



Site Details

The application site is part of the larger Torbay Hospital site on the western outskirts of Torbay near to the residential areas of Shiphay and Edginswell.

The site is located to the north of the existing Level 2 Outpatients Entrance on what is currently a turning head accessed from the west and provides a patient drop-off area. The site is linked to surrounding car parks via pedestrian pavements. The immediate area includes one and two storey linked buildings that sit relatively close to much taller elements of the hospital.

The topography of this part of the site is such that it falls away by approximately 2.5m from east to west and approximately 1.2m from south to north. It forms part of the mid/late 20th century grouping of buildings, away from the original brick hospital buildings that date from around the 1920s, and the Grade 2 listed chapel.

In terms of designations the site is within a Critical Drainage Area.

Description of Development

The proposal is for a new Acute Medical Unit split over level 2 and 3 of the existing hospital, with plant provided at level 4. An Acute Medicine Unit (AMU) is defined as a dedicated facility within a hospital that acts as the focus for acute medical care for patients that have presented as medical emergencies to hospitals or who have developed an acute medical illness while in hospital. Ideally the AMU should be co-located with other acute and emergency services on an emergency floor.

The Acute Medicine Unit is essential to reduce overcrowding in the existing Emergency Department and to ensure that patients receive timely, high quality care in the right place. The current unit has 26 assessment spaces for patients, whereas the new facility will see this increase to 52 assessment spaces, provided in a modern and fit-for-purpose AMU which will be split over two levels.

The new building will co-locate the Emergency Department and AMU, both of which are adjacent to the existing diagnostics allowing better use of workforce and improved patient flow.

Currently the majority of the hospital's emergency admissions go through Emergency Department (ED), with some GP expected patients going directly to the Surgical Assessment unit. The Design and Access Statement advises that, by establishing a Medical Assessment Unit it is estimated that at least 80% of medical patients will be streamed away from ED, which will improve flow and reduce hospital admissions.

The development site is located to the front of the existing Level 2 Outpatients Entrance on what is currently a vehicular turning head and is to the north of the hospital complex. This leads to the loss of 12 disabled parking spaces which will be relocated to an existing car park slightly further to the north of the current location.

The proposed building comprises of a two-storey main building with a partial third floor providing plant enclosure. The proposed development would be approximately 27.6m long by 11.8m wide with a height of 13.7m at the highest point of the level 4 plant room.

The proposal is to be divided over 3 floors as below:

Level 2 - 762.4 sqm of new build with 212sqm of existing accommodation being demolished. Patients on this floor will be lower acuity and the area will have a mixture of trolleys and examination chairs in the patient cubicles.

Level 3 - 721.4 sqm of new build. Patients seen in Level 3 of the new AMU will be higher acuity patients and will need full care.

Level 4 - 243 sqm of new build. This level is made up of open and enclosed mechanical and electrical plant.

Due to the natural topography of the site, the building sits approximately 1 metre above existing group levels to the north, and 2.5 metres to the northwest.

The proposed finished floor level of level 2 (ground floor) and level 3 (first floor) are aligned with the existing internal finished floor levels to allow connectivity into the main hospital, meaning that the parapet level is broadly in line with the existing parapet level of the main hospital building. The plant room height is dictated by the air handling units and associated ductwork.

A separate 2 bay ambulance drop off zone is provided with its own dedicated entrance under a canopy giving access to a protected stair core and 2 no. trolley lifts that provide vertical circulation. Internally users will not be segregated by physical ability and the proposed building will incorporate features to provide access for people with a range of disabilities and uses the Disability Discrimination Act as a minimum standard in conjunction with HTM requirements. Access and egress will meet the DDA requirements.

Pedestrians will access the building from the existing established pedestrian routes. A new ramped access path and pedestrian foot way along the north elevation will provide DDA compliant access from a new 2 bay accessible drop off point to the main entrance.

The proposal is designed to accord with the modern approach taken to the new ICU building with the outer building being clad in aluminium. The roof top plant is hidden from view by the addition of a partial third storey which is also aluminium clad.

Relevant Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

Development Plan

- The Adopted Torbay Local Plan 2012-2030 ("The Local Plan")
- The Torquay Neighbourhood Plan ("The Neighbourhood Plan")

Material Considerations

- National Planning Policy Framework (NPPF)
- Planning Policy Guidance (PPG)
- Published Standing Advice
- Planning matters relevant to the case under consideration, including the following advice and representations, planning history, and other matters referred to in this report.

Relevant Planning History

Pre-Application: None directly related to this application.

Applications: The hospital has been subject to numerous applications to extend and improve its facilities over the years.

Summary of Representations

None.

Summary of Consultation Responses

Torquay Neighbourhood Forum: No comment.

Strategic Planning: There is a strong presumption in favour of approval for proposals that seek to meet the area's healthcare needs, implicit in paragraphs 8 (b) and 91 of the NPPF. Policies

SS7 and SC1 (3) of the Torbay Local Plan would also support the proposal. Table 9 from Policy SDT3 states that the site should be used to maintain the healthcare needs of South Devon and supports proposals that make more effective use of the site.

Highway Authority: The applicant will be required to submit a swept path analysis of an ambulance to ensure that safe access and egress can be achieved for the relocated bays

The applicant will be required to update the Travel Plan to include mode share targets in accordance with Policy TA2 of the Torbay Local Plan (2012 – 2030), the requirement for this information can be conditioned to be submitted for approval prior to the occupation of the development.

Torbay Council Drainage Engineer: No objection providing the surface water drainage is constructed in accordance with the latest hydraulic design.

Torbay Council Community Safety Team: No objection.

Torbay Council Arboricultural Officer: No objection subject to submission of details of mitigation planting within the hospital site.

South West Water: No objection.

Environment Agency: No objection subject to a standard contaminated land condition.

Key Issues/Material Considerations

Planning Officer Assessment

1. Principle
2. Design and Visual Impact
3. Residential Amenity.
4. Transport and Highway Safety.
5. Ecology and Biodiversity
6. Drainage and Flood Risk
7. Low Carbon Development and Climate Change

1. Principle

With regard to the Development Plan Policy SC1 of The Local Plan outlines the importance for development to contribute to improving the health and well-being of the community. The improvement of hospital services is considered aligned with this policy aspiration. The Neighbourhood Plan is silent on the development of health facilities within its health and well-being policies. With regard to other material considerations the NPPF guides that the purpose of the planning system is to contribute to the achievement of sustainable development and relative to this the planning system has three overarching objectives, one being the social objective. The provision and enhancement of health facilities is considered aligned with the social objective of sustainable development, as supported within the NPPF.

For the reasons above the enhancement of the health facilities provided within this established hospital site is considered to be supported in principle through planning policy.

The principle of the development in the context of it being brownfield development should also be considered. Policy TS4 of The Neighbourhood Plan states that development proposals for brownfield sites will be supported, providing there are no significant adverse impacts, having regard to other policies in the plan. In the absence of significant adverse impacts the policy indicates that the development should be supported.

2. Design and Visual Impact

With regard to the Development Plan Policy DE1 of The Local Plan, this outlines that development should be well-designed, respecting and enhancing Torbay's special qualities. The Neighbourhood Plan, through Policy TH8, cites that development must be of good quality design, respect the local character in terms of height, scale and bulk; and reflect the identity of its surroundings. With regard to other material considerations the NPPF guides that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development (Para 126). It also guides that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (Para 132).

The scale and design of the development is considered acceptable given the context. The scale

of the building will sit comfortably beside the existing large buildings that form part of the immediate visual context. Although the development is significant it will be lower than adjacent elements of the wider hospital building group that will more widely frame the proposed development. This context (of larger buildings) provides an arrangement where the building will sit comfortably within the locality and where its scale does not raise concern.

With regard to design the development form and detail is considered to harmonise well with the fairly utilitarian feel of the wider building group. These display an evolving character of development spread through many decades. The finish materials consist of aluminium cladding which matches the modern extension to the ICU entrance to the south of the site.

It is considered that the scheme is well conceived and accords with the policy aspirations cited above. As such the proposal is considered to be in accordance with design policies contained within the Development Plan and guidance contained within the NPPF.

The conclusion above has taken account of the statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 for the local planning authority pay special regard to the desirability of preserving or enhancing the setting of listed buildings. In this respect the development would have no impact upon the setting of the listed chapel due to the visual disconnect and existing character of the wider hospital setting.

3. Residential Amenity

Policy DE3 of the Torbay Local Plan states that all development should be designed to provide a good level of amenity for future residents or occupiers and should not unduly impact upon the amenity of neighbouring and surrounding occupiers. The Neighbourhood Plan is largely silent on the matter of amenity. With regard to other material considerations, the NPPF guides that decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users (Para 130).

The proposal is set centrally within the hospital site some distance from its borders and adjacent residential occupiers. Considering the location and building arrangement the proposal will not affect the amenity of occupiers of nearby properties/occupiers.

For the above reasons the proposed development would not unduly impact the level of amenity afforded neighbouring occupiers, which presents development that accords with Policy DE3 of the Torbay Local Plan and guidance contained within the NPPF.

4. Transport and Highway Safety

Policy TA1 of the Torbay Local Plan in-part seeks to promote development in locations that are easily accessible and safely reached by foot, cycle, public transport, other sustainable transport or car. Policy TA2 of the Local Plan seeks those major developments should provide a good standard of access for walking, cycling, public and private transport. Policy TA3 of the Local Plan requires all new development to make appropriate provisions for car, commercial vehicle and cycle parking. Policy THW5 of the Torquay Neighbourhood Plan states that to encourage use of sustainable forms of transport, new development proposals will be supported where they are located on or near to public transport routes wherever possible and appropriate. With development in sustainable locations and promoting accessibility and sustainable travel options but caveats that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (Para 111).

The Design and Access Statement submitted as part of the application does not cite an increase in the employment numbers via the development, but rather that it will improve facilities currently provided by the hospital. The proposal would lead to the loss of 12 disabled parking spaces which are to be located in the car park to the north of the site, there would however still be a loss of overall parking and this loss will require mitigation via a site specific Travel Plan which will be required to meet Policy requirements of 30% modal shift to foot, cycle and public transport, with appropriate mitigation measures should these targets not be met.

Highways have advised that a swept path analysis for the relocated ambulance bays is required to be submitted to ensure an ambulance can safely access and egress in this area, the application is recommended for approval subject to the submission of suitable swept path analysis details.

With regards to the movement and highway considerations focus on the construction impacts and the (assumed) increased patient capacity these matters are not expected to present any

demonstrable harmful impact in terms of highways and movement patterns when considering the much larger scale of the hospital.

As there is a functioning bus route that serves the main reception to the south of the development it is considered expedient to seek information on the construction requirements, compound needs, location, etc, via a Construction Method Statement in order to ensure any impacts upon the bus route, general movement and parking facilities, are limited.

Subject to additional swept path analysis information and the submission of a Travel Plan, the proposal is considered acceptable on highway and movements grounds, and in accordance with the Policies TA1, TA2 and TA3 of the Local Plan, Policy THW5 of the Neighbourhood Plan, and guidance contained within the NPPF.

5. Ecology & Biodiversity

With regard to Policy NC1 of the Torbay Local Plan seeks for development to duly consider biodiversity and take opportunities for enhancement, proportionate to the context and development. Policy TE5 of the Torquay Neighbourhood Plan cites that where there may be an impact development should be accompanied by an assessment of impacts upon any existing protected species or habitats and as necessary provide mitigating arrangements in order to protect and enhance those species and habitats. In regard to other material considerations the NPPF provides similar guidance to the above in that planning decisions should contribute to and enhance the natural and local environment and includes guidance towards minimising impacts on and providing net gains for biodiversity (Para 174).

The application is accompanied by an ecological assessment that concludes that as the development site predominantly consists of buildings, hardstandings and car parking with small pockets of amenity grassland, ornamental shrub planting and scattered trees to the north, east and west with a small Leyland cypress hedgerow is present along the eastern boundary. The development will require some smaller ornamental tree and a section of hedge are to be removed. These are to be mitigated by planting within the Hospital grounds. Overall the development site is considered to be of negligible ecological value.

In order to ensure that there are no impacts on nesting birds it is considered reasonable to attach a planning condition to ensure that all works should be undertaken outside of the bird nesting season unless previously checked for the absence of nests by a suitably qualified ecologist (March-September inclusive).

With regard to the policy aspirations towards securing a net gain in biodiversity the accompanying ecology report advises that this may include a least one bird box and one bat box. These could be mounted within the tree group immediately northeast of the Site. The boxes should be installed at a minimum height of 3m with the bird boxes mounted so to avoid the southerly aspects as they can become too hot in the summer. It is suggested that a planning condition to secure proposals to achieve a net gain in biodiversity, to be secured prior to the first use of the development, would be appropriate.

With regard to trees and landscaping on the site there is limited impact due to the area of the site being made up largely of hardscaping. However, some smaller ornamental tree and a section of hedge are to be removed. These are to be mitigated by planting within the Hospital grounds.

Subject to conditions to secure enhancement features and tree planting measures, the development is considered acceptable on ecological and biodiversity grounds for the reasons stated above, in-line with the aspirations of Policies NC1 and C4 of the Torbay Local Plan, the Torquay Neighbourhood Plan, and advice contained within the NPPF.

6. Flood Risk and Drainage

Policies ER1 and ER2 of the Torbay Local Plan seeks that development maintains or enhances the prevailing water flow regime on-site and further guides on a hierarchy for the management of surface water with sustainable drainage systems being prioritised. The Torquay Neighbourhood Plan is silent on the matter. In regard to other material considerations the NPPF provides guidance aligned with the Torbay Local Plan, including that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (Para 169).

The site sits in an area with a low risk (Flood Zone 1) of flooding, however it does sit within a Critical Drainage Area as designated by the Environment Agency. The design model has been updated to reflect the plan area of 82.5m as indicated on the project drawings. A site specific flood

risk assessment has been submitted with the application, due to the ground conditions the use of infiltration drainage will not be feasible at this development site. Therefore, the developer is proposing to discharge his surface water drainage at a controlled rate to the existing drainage system. The proposed discharge rate of 1.5l/sec complies with the requirements of the Torbay Critical Drainage Area and a condition is considered necessary to ensure the development it undertaken in accordance with the approved drainage details.

The proposal infiltration drainage is considered to be in accordance with Policies ER1 and ER2 of the Torbay Local Plan and advice contained within the NPPF.

7. Low Carbon Development and Climate Change

Policy SS14 of the Local Plan relates to 'Low carbon development and adaptation to climate change' and seeks major development to minimise carbon emissions and the use of natural resources. Policy ES1 seeks to ensure that carbon emissions associated with existing buildings (heating, cooling, lighting and energy consumption) are limited.

The submitted Energy Statement advises that a number of passive measures including its form, fabric and orientation. Photovoltaic array and heat pump are considered the most cost effective and suitable on-site technology available to achieve a low carbon building.

A 20kWp Photovoltaic roof mounted system is proposed for the building. The modelling results show an energy consumption reduction of 33% after the incorporation of passive measures. The proposed building successfully meets the BREEAM Ene04 criteria for passive design analysis.

The development is considered suitable for approval subject to satisfactory condition to secure the measures outlined within the Energy Statement. The development is in accordance with Policy SS14 and ES1 of the Torbay Local Plan and advice contained within the NPPF.

Sustainability

Policy SS3 of the Local Plan establishes the presumption in favour of sustainable development. The NPPF definition of sustainability has three aspects which are economic, social and environmental. Each of which shall be discussed in turn.

The Economic Role

There are no adverse economic impacts that would arise from this development. During the construction phase there will be economic benefits through the creation of additional jobs.

In respect of the economic element of sustainable development the balance is considered to be positive.

The Social Role

The proposal would result in improvements to the current quality of healthcare provided to occupiers of Torbay.

On balance, the social impacts of the development weigh in favour of the development.

The Environmental role

With respect to the environmental role, the proposal would provide passive and renewable energy measures to aid in reducing the carbon emissions of the building during construction and operation. A biodiversity net gain is provided through the addition of bird and bat boxes.

It is concluded that the environmental impacts of the development would be neutral to positive within the planning balance.

Sustainability Conclusion

Having regard to the above assessment the proposed development is considered to represent sustainable development.

Local Finance Considerations

S106: N/A.

CIL: N/A.

EIA/HRA

EIA:

Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

HRA:

Due to the scale, nature and location this development will not have significant effects on the South Hams SAC or Lyme Bay and Torbay SAC and does not require a formal HRA.

Planning Balance

The development would provide an improved, streamlined service which will aid in reducing waiting times for patients to be seen. The addition of improved health facilities will have a positive impact on residents of Torbay. The proposed works will provide a number of additional jobs through the construction of the building itself. Furthermore, the provision of the new building will ensure that existing staff can remain in their current positions and contribute to local household income and household expenditure. These matters weigh in favour of the development.

Housing Supply: N/A.

Statement on Human Rights and Equalities Issues

Human Rights Act: The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Proactive Working

In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has considered the need to work positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Conclusions and Reasons for Decision

For the reasons stated within this report the development is considered to be in accordance with the Development Plan when considered as a whole and in accordance with the NPPF when considered as a whole.

The NPPF guides on the presumption in favour of sustainable development, and this means for decision making approving development proposals that accord with an up-to-date development plan without delay.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. There are no material considerations that indicate otherwise in this instance.

The application is, for the reasons stated above and contained within this report, recommended for approval.

The above conclusion is also guided by advice contained within the NPPF that outlines that Local Planning Authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. It also furthers that decision-makers at every level should seek to approve applications for sustainable development where possible. There are, for the reasons within this report, no substantive reasons to not grant planning permission.

Officer Recommendation

Approval: Subject to;

The submission of a swept path analysis of an ambulance to ensure that safe access and egress can be achieved for the relocated bays;

The conditions as outlined below with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency, and;

The resolution of any new material considerations that may come to light following Planning Committee to be delegated to Divisional Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.

Conditions

Drainage

Prior to the first use of the development surface water drainage shall be provided in accordance with the submitted flood risk assessment and shall be retained and maintained at all times thereafter.

Reason: In the interests of adapting to climate change and managing flood risk, and in order to accord with saved Policy ER1 and ER2 of the Torbay Local Plan 2012-2030 and guidance contained in the NPPF.

Nesting season - birds

All demolition and/or the removal of any vegetation shall be undertaken outside of the bird nesting season (March-September inclusive). If not practicable demolition and/or vegetation removal shall be undertaken only immediately following an inspection of the site by a suitably qualified ecologist to confirm the absence of nesting birds. If nests are found no works shall be undertaken until the birds have fledged.

Reason: To ensure due protection is afforded wildlife, in accordance with Policy NC1 of the Torbay Local Plan 2012-2030.

Biodiversity measures

Prior to the first use of the building hereby approve, measures to maximise opportunities for biodiversity enhancement in and around development, in order to deliver a net gain for biodiversity shall be incorporated and maintained thereafter. This shall include one bird box and one bat box

mounted within the tree group immediately northeast of the Site. The boxes should be installed at a minimum height of 3m with the bird boxes mounted so to avoid the southerly aspects as they can become too hot in the summer.

Reason: To secure biodiversity enhancements in accordance with Policy NC1 of the Torbay Local Plan 2012-2030, Policy TE5 of the Torquay Neighbourhood Plan, and advice contained within the NPPF.

Low Carbon Development

The construction of the development shall be carried out in strict accordance with the energy reduction measures proposed in the Energy Statement and shall be maintained as such for the lifetime of the development.

Reason: In the interests of sustainable development and in accordance with Policies SS14 and ES1 of the Torbay Local Plan 2012-2030 and the NPPF.

Energy Statement accordance

The measures within the approved energy statement shall be fully incorporated within the development prior to its first use and maintained thereafter.

Reason: In interests of tackling climate change and securing low carbon development, in accordance with Policies SS14 and ES1 of the Torbay Local Plan 2012-2030 and guidance contained within the NPPF.

Solar Panels

Prior to the first occupation of the development hereby approved, details of the proposed solar panels shall be submitted for approval in writing by the Local Planning Authority. The approved measures shall be fully incorporated within the development prior to its first use and maintained as such thereafter.

Reason: To ensure an acceptable form of development in accordance with Policy DE1 of the Torbay Local Plan 2012-2030 and Policy TT2 of the Adopted Torquay Neighbourhood Plan 2012-2030.

Contaminated Land

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason(s) To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

Materials

Prior to the installation of all external material within the development samples of all the materials, physical or digital, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and shall be retained as such.

Reason: To ensure an acceptable form of development in accordance with Policy DE1 of the Torbay Local Plan 2012-2030 and Policy TT2 of the Adopted Torquay Neighbourhood Plan 2012-2030.

Travel Plan

Prior to the first occupation of the development a Travel Plan and Implementation Strategy with SMART targets to seek to meet Policy requirements of 30% modal shift to foot, cycle and public transport, with appropriate mitigation measures should these targets not be met, shall be submitted to and approved in writing by the Local Planning Authority. The approved travel Plan shall be implemented throughout the lifetime of the development.

Reason: To ensure sustainable travel modes are duly promoted, in accordance with Policies TA1, TA2 and DE1 of the Torbay Local Plan 2012-2030.

Landscaping

Notwithstanding the plans submitted and/or approved, prior to the first occupation or use of the development hereby permitted a Detailed Landscaping Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include mitigation tree planting and include details of stock to be planted including nursery size (stem girth and what size standard), planting pit and if ties and stakes are to be used and how they will be arranged to support the trees

The Scheme shall include details of hard and soft landscaping. The hard landscaping shall be constructed as approved prior to the occupation/use of the development. The soft landscaping shall be planted in the first planting season following the occupation/use of the development, or in earlier planting seasons wherever practicable. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and design in accordance with Policies DE1, C4 and NC1 of the Torbay Local Plan 2012-2030, and advice contained within the NPPF

CMS

Within one month of the date of the issuing of this decision notice, a site-specific Construction/Demolition Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, & dust. The plan should include, but not be limited to:

- Procedures for maintaining good neighbour relations including complaint management.
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Control measures for dust.

Reason: In the interests of the amenities of surrounding occupiers and users of the Hospital during the construction of the development and in accordance with Policy DE3 of the Local Plan. This information is required prior to development in order to ensure that the construction phase of the development does not have an adverse impact on residential amenity.

Tree Protection Measures

Prior to the commencement of development, the tree protection measures outlined in approved tree protection plan section of the Arboricultuural Method Statement shall be implemented in full. The approved protection measures shall be maintained in full throughout the construction phase of the development.

Reason: In order to ensure against harm to mature trees within the vicinity of the development either directly or to their rooting system, in accordance with Policies DE1 and C4 of the Torbay Local Plan 2012-2030. These details are required to be implemented prior to commencement to ensure protection measures are in place prior to potential harmful construction works commencing on site.

Development Plan Relevant Policies

SS1 - Growth Strategy for a prosperous Torbay

SS3 - Presumption in favour of sustainable dev

SS8 - Natural Environment

SS9 - Green Infrastructure

SS11 - Sustainable Communities Strategy

TA1 - Transport and accessibility

TA2 - Development access

TA3 - Parking requirements
C4 - Trees, hedgerows and natural landscape
DE1 - Design
DE3 - Development Amenity
ER1 - Flood Risk
ER2 - Water Management
NC1 - Biodiversity and geodiversity
TS1 - Sustainable Development
TS4 - Support for Brownfield and Greenfield development
TH8 - Established architecture
TE5 - Protected species habitats and biodiversity
TH2 - Designing out crime
TTR2 - Sustainable Communities
THW5 - Access to sustainable transport