

DELEGATED REPORT

Report by Helen Pressley	Date of report: 06/12/2023	Ref: 69513/FUL
Registration: 13/04/2023	LDFC: 26/05/2023	Expiry Date: 08/06/2023
Site Visit: 04/05/2023	Site Notice: 04/05/2023	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: PI
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Erection of a new single storey ED modular unit extension

Location: Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD

Description

The application relates to Fairfield General Hospital, Rochdale Road. The hospital site is bounded by largely residential properties, with the River Roch and Broad Oak Wood to the South and Rochdale Road to the South. The site is accessed from Rochdale Old Road, via Rough Hill Lane which is the main access to the site, and that leads to Jericho Road that enables access to the wider site.

The planning permission relates to the A&E, X-Ray and Wards building. This building is bounded by a number of other hospital buildings to the west and south and car parking to the north and west. Planning permission is sought for the construction of a new single storey ED modular unit extension. The proposed extension would replace the existing A&E entrance.

Relevant Planning History

44321 - Demolition of existing nursery and erection of new prefabricated modular building to form nursery - Approve with Conditions 19/05/2005

46815 - Construction of external fenced compound and installation of stand-by generator with 24 hour fuel tank - Approve with Conditions 27/09/2006

51546 - Erection of smoke particulate emissions control filtration unit for the coal fired energy plant - Approve with Conditions 04/09/2009

54442 - Two single storey extensions at ground floor level; internal remodelling to the existing Accident and Emergency Department. - Approve with Conditions 25/10/2011

62511 - Construction of a car park and associated access, footpaths, boundary treatments, lighting columns and landscaping. - Approve with Conditions 06/06/2018

65385 - Link bridge at first floor level to connect Wards 24 and 25 to the main hospital street corridor - Approve with Conditions 30/06/2020

65466 - Extension at level 03 built on the existing flat roof to the South. - Approve with Conditions 24/06/2020

66197 - Installation of a VIE Compound containing a liquid oxygen vessel and two ambient vaporisers in order to supply medical oxygen to the hospital, perimeter security fencing and works to site and access - Approve with Conditions 12/02/2021

66815 - Erection of a facility for cold water booster tanks containing 2no. 125m3 water

tanks, booster units and associated external works. - Approve with Conditions 21/09/2021

Publicity

Site notice 20/04/2023.

No representations received.

Statutory/Non-Statutory Consultations

Environmental Health - Contaminated Land - The gas assessment is acceptable to this section. A consultation with UU is required regarding the need to protect water supply pipes and a watchingbrief to be carried out during works. Condition requested to secure implementation of the agreed remediation strategy and site verification report.

The Coal Authority - We do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the nature of the development proposed in this particular case and do not object to this planning application.

Traffic Section - Do not wish to restrict the granting of planning permission.

Conservation Officer - No objection

Environmental Health - Pollution Control - No comments to make

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

CF1/1	Location of New Community Facilities
CF4	Healthcare Facilities
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
HT5/1	Access For Those with Special Needs

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle

UDP Policy CF1/1 - Location of New Community Facilities generally looks favourably on proposals for additional or improved community facilities where these do not conflict with amenity or the local environment and Policy CF4 - Healthcare facilities states that improvements to existing and proposals for new facilities will generally be considered favourable.

The proposal would not see the change of use of the building, but would introduce additional consultant rooms, clinical support and ancillary accommodation for patients and staff. The planning statement associated with the application states that the existing facilities within are not compliant with current standards and as such the proposal would provide an improvement. The proposal would therefore provide additional health care facilities for the benefit of the local community. It is therefore considered that the proposal would support the policy considerations for improvements to health care facilities, and small businesses and would therefore comply with UDP Policy CF1/1 and CF4.

Layout and Design

UDP Policies EN1/1 and EN1/2 seek to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area.

The proposed extension would provide 212m² of gross external floor area at ground floor to the front of the existing A&E department. The proposed extension would be flat roof in design replicating the existing flat roofs that are visible on the same elevation. Facing brick work is considered to be an acceptable external material, and the proposed windows and openings are considered to be suitably aligned.

In this instance therefore it is considered that the proposed extension would not detract from the character of the site, adjacent buildings or street scene and as such complies with UDP Policies EN1/1 and EN1/2.

Residential Amenity

Due to the location of the proposed extension, which is bounded by hospital buildings and car parks no residential amenity issues are foreseen in this instance.

Access

Access to the site will remain unchanged and as such pedestrian and vehicular movement around the site would not be affected by the development.

3no. disabled spaces were lost to the front of the existing A&E during COVID due to the location of a decontamination unit. These spaces would be permanently lost following the development.

In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. This is further supported through UDP Policy HT5/1 - Access for Those with Special Needs that encourages the provision of satisfactory access to public transport, car parks, pedestrian areas and public and private buildings for the mobility impaired and those with special needs. Part of this will be achieved through the provision of specially demarcated car parking spaces.

Whilst there are existing spaces available in other car parks and areas of the Hospital, there are no spaces proposed as part of this application. As such a condition has been added to include the submission of a scheme to ensure this parking is re-provided.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 This decision relates to drawings numbered 030001 C, 030002 C1, 100101 B, 200001 F, 201001 D, 202001 A, 203001 B, 900100 A, 900103 B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 2 The approved remediation proposals set in the council's response reference CL032.060923.1 must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and
A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
- 3 The external finishing materials for the proposal hereby approved shall be as follows:

Bricks - Raeburn Brick Ltd Derwent Buff - 215x102.5x65mm and Forterra Hadrian 215x102.5x65mm
Aluminium Door - Colour - RAL 5000 (violet blue matt)
PPC finish aluminium Windows - Colour - White internally - RAL 8017 (chocolate brown) Externally (sprayed)
PPC finish parapet capping - RAL 8017 (chocolate brown)

Only the approved materials/bricks shall be used for the construction of the development.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

- 4 A scheme and implementation timetable to show the provision of 3no. disability parking bays for the use of the ED Unit users shall be submitted to and approved in writing by the Local Planning Authority within 9 months of the date of this decision. The parking bays shall be implemented in accordance with the approved scheme and timetable and thereafter maintained.
- Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policy HT5/1 – Access for Those with Special Needs of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	6/12/2023		