

**Application Number**

P/2014/0859

**Site Address**Torbay Hospital  
Newton Road  
Torquay  
Devon  
TQ2 7AA**Case Officer**

Matt Diamond

**Ward**

Shiphay With The Willows

**Description**

Creation of new car parks and reorganisation of existing car parks to provide 201 additional car parking spaces (131 on main hospital site and 70 on Annexe site), with associated access, barriers, footpaths, lighting, signage, ticket machines and soft landscaping (Revised).

**Update Report****Executive Summary/Key Outcomes**

This application was reported to Development Management Committee in November 2014. It was approved subject to various matters being carried out within 3 months of the date of the committee (10.02.2015), or the application be brought back to committee to be reconsidered in full. The application is being brought back to committee for full reconsideration accordingly.

The application has been revised since the previous committee. The number of new parking spaces to be created on the main Hospital site and the annexe site has reduced from 398 to 201, a reduction of almost 50%. The reason for this is that the Hospital has received further professional advice concluding that a number of the proposed car parks would be cost prohibitive to construct for the potential gain in spaces. These include the proposed car park below the Helipad adjacent to residential properties in Oak Park Avenue and one of the proposed car parks below Kitson Hall adjacent to residential properties along Shiphay Park Road. In addition, the proposed row of 9 spaces adjacent to the site entrance via Newton Road/Lowe's Bridge will no longer be provided.

Further ecological surveys are still awaited. Whilst normally these would be expected to be submitted as part of the application and prior to determination, officers consider that given the information submitted to date planning permission can be granted subject to pre-commencement (Grampian) conditions to ensure these surveys are carried out, and any necessary mitigation secured, in advance of the works commencing on the affected areas. This will allow the Hospital to commence works on the other parking areas not affected by these issues. The detailed surveys could not be carried out over the Winter.

Officers have requested section drawings of the car parks to be constructed on sloping ground to show whether these will be built flush with the ground or level with appropriate retaining walls/structures. This will have implications on the drainage strategy to be secured by condition. The latter is preferred for the car park to be constructed in the Local Wildlife Site to the west of the site in order to reduce surface water runoff into the stream running along the western boundary (Flood Zone 3) and reduce its visual impact on the landscape character of this area.

A revised sustainable transport contribution has been calculated and requested to reflect the reduced number of car parking spaces. The applicants have not yet confirmed whether they are willing to pay this contribution or enter into a s106 agreement with the Council to make this payment.

### **Recommendation**

Conditional approval; subject to the applicant submitting section drawings for the car parks to be constructed on sloping land, which are acceptable to the Director of Place, within 3 months of the date of this committee or the application be reconsidered in full by the committee; subject to full payment of sustainable transport contribution or the signing of a s106 legal agreement to secure sustainable transport contribution, within 3 months of the date of this committee or the application be reconsidered in full by the committee, unless otherwise agreed with the Chairman of the Development Management Committee; conditions are listed in the Key Issues section of this Update Report, however final drafting and determination of appropriate planning conditions to be delegated to the Director of Place.

### **Statutory Determination Period**

The application was validated on 23.09.2014. The statutory determination date was 24.12.2014 (13 weeks). An extension of time has been agreed to 24.04.2015.

### **Site Details**

(See original planning officer report below.)

### **Detailed Proposals**

Since the previous committee decision, the applicants have revised the proposals. The revised description above reduces the number of car parking spaces applied for previously from 398 to 201.

Revised parking space figures have been submitted. To clarify, as existing there are a total of 1,575 car parking spaces on the main site and 69 spaces on the annex site. Of the 1,575 spaces on the main site, 1,143 (73%) are for staff parking and 432 (27%) for patients/visitors parking. Of the 69 spaces on the annex site, 63 (91%) are for staff parking and 6 (9%) for patients/visitors parking. Of the 432 patients/visitors spaces on the main site, 51 (12%) are disabled

spaces, and of the 6 patients/visitors spaces on the annex site, 2 (33%) are disabled spaces.

Of the 201 car parking spaces to be created, 131 will be provided on the main site and 70 on the annex site. The total number of spaces on the main site will increase from 1,575 spaces to 1,706 spaces (8% increase). The total number of spaces on the annex site will increase from 69 spaces to 139 spaces (101% increase).

Of the 1,706 spaces on the main site, 1,094 (64%) will be for staff parking and 612 (36%) will be for patients/visitors parking. Of the 139 spaces on the annex site, 100 (72%) will be for staff parking and 39 (28%) will be for patients/visitors parking. Of the 612 patients/visitors spaces on the main site, 95 (16%) will be disabled spaces, and of the 39 patients/visitors spaces on the annex site, 9 (23%) will be disabled spaces.

Overall, across the two sites there will be a gain of 213 patient/visitor spaces and a loss of 12 staff spaces.

### **Summary Of Consultation Responses**

Consultees have been re-consulted. The deadline for responses has been set at 16.04.2015. Consultee responses received are summarised below. Further consultee responses will be provided to Members as late representations or reported verbally at committee.

Strategic Transportation: Responded to the revised proposals prior to their submission following discussions with the applicants. No objection to the revised proposals, subject to a sustainable transport contribution (see S106 below).

Environment Agency: Awaiting response (no previous objection).

Engineering - Drainage: Commented on drainage plans that have been submitted as part of the revised proposals. Further information is still required. (This can be addressed via a pre-commencement (Grampian) condition.)

Natural England: Awaiting response (no previous objection - refer to standing advice).

Arboricultural Officer: Commented on Arboricultural Method Statement (AMS), Tree Protection Plans and Planting Pit plan that have been submitted as part of the revised proposals. The AMS is sound and should be implemented. Further details required with respect to the Planting Pit plan and previous landscape plans. Tree numbers are low in the Old Social Club and Football Field car parks. (These matters can be addressed by condition.)

Natural Environment Services: The Green Infrastructure Coordinator has

responded and confirmed that the loss of part of the Local Wildlife Site (LWS) can be mitigated by enhancements in the remainder of the LWS, which can be secured in a Landscape and Ecological Management Plan (LEMP). Further ecological surveys are still required. Trees to be removed must be assessed for bat roost potential.

Police Architectural Liaison Officer: Awaiting response.

Building Control: Awaiting response.

### **Summary Of Representations**

Objectors to the application have been re-consulted. The deadline for responses has been set at 16.04.2015. No representations have been received to date. Representations received will be provided to Members as late representations or reported verbally at committee.

### **Relevant Planning History**

As per the original planning officer report below, except application P/2014/0879/MPA is now approved (20.11.2014) and a number of minor applications have been approved/submitted in the intervening period.

### **Key Issues/Material Considerations**

The application was approved by Members at the 10 November 2014 Development Management Committee, subject to the resolution of a number of matters (a copy of the previous committee minutes have been circulated to Members). The proposals have since been revised to reduce the number of new parking spaces by almost half. The revisions do not result in any new material considerations that have not been considered previously. The outstanding matters from the previous committee decision are addressed below:

i) Revised layout/landscaping plans and an Extended Phase 1 Habitat Survey for the remaining undeveloped areas of the site, together with protected species surveys if necessary

Due to the revisions the revised layout/landscaping plans are no longer necessary as part of the application, as the aim previously was to show additional landscaping to screen some of the car parks from neighbouring properties etc. The revisions have the beneficial effect of reducing potential impacts on the amenity of neighbouring residential properties in Oak Park Avenue and along Shiphay Park Road accordingly. However, revised detailed landscaping/planting plans must be secured by condition and should take into account the Arboricultural Officer's comments. In addition, section drawings have been requested for the proposed car parks on sloping land in order to show whether these will be built flush to the ground or level with use of appropriate retaining walls/structures. This may have implications on the drainage strategy and the applicants have been informed accordingly. The latter is preferred for the

car park to be constructed in the Local Wildlife Site to the west of the site in order to reduce surface water runoff into the stream running along the western boundary (Flood Zone 3) and reduce its visual impact on the landscape character of this area.

A second Extended Phase 1 Habitat Survey was submitted on 07.11.2014 just before the original committee date. This covered land to the north and south of the main Hospital site (originally only the land to the west of the site within the Local Wildlife Site had been surveyed). However, surveys have still not been received for the eastern part of the annexe site and area proposed for the Brookside Residents car park. Furthermore, the Extended Phase 1 Habitat Surveys received to date recommend further detailed protected species surveys for reptiles and badgers (a badger sett is located adjacent to the Football Field car park). These surveys have also still not been submitted, although Natural England advise that reptile surveys must be carried out between mid-March and June or September, and badger surveys are carried out between February and April or October and November. Whilst it is normally good practice to ensure that ecology surveys are carried out before planning applications are determined, in the circumstances, officers consider that planning permission can be granted subject to pre-commencement (Grampian) conditions to ensure that these surveys are carried out before works commence in the affected areas and any recommended mitigation is carried out as required. This will allow the Hospital to commence works that are not affected by these issues (subject to other pre-commencement conditions, such as drainage). The Hospital has submitted a Construction Phasing schedule indicating works to commence in the affected areas in April-May 2015. Officers have informed the Hospital that it must not commence works in these areas until the surveys have been carried out and any necessary mitigation secured accordingly.

ii) Agreeing an appropriate mitigation strategy for the loss of part of the Local Wildlife Site

Officers have agreed in consultation with the Green Infrastructure Coordinator that this issue can be addressed by securing a Landscape and Ecological Management Plan (LEMP) to secure biodiversity enhancements in the remaining parts of the Local Wildlife Site on Hospital land. This must be secured by condition.

iii) Full payment of sustainable transport contribution or the signing of a s106 legal agreement to secure sustainable transport contribution

(See S106/CIL section below)

iv) A condition preventing construction of parking places on the Local Wildlife Site until the rest of the parking hereby permitted has been provided and the applicant has demonstrated through appropriate monitoring, the need for the Local Wildlife

Site to also be used for parking.

The submitted Construction Phasing schedule shows the Hospital's intention to construct this car park about three quarters of the way through the overall construction timetable in August-September 2015. Officers have informed the Hospital that a reptile survey must be carried out for part of this area. Officers have also asked the Hospital whether it has investigated whether these (or at least some of these) staff spaces can be provided elsewhere on the site, possibly at the expense of some of the new patient/visitor spaces? No response has been received and an update will be provided verbally at committee.

v) The conditions set out in the submitted report and any further conditions being delegated to the Director of Place.

The applicants have submitted additional information in order to negate the requirement for some of the pre-commencement conditions indicated previously at committee. However, in the majority of cases, additional information/further detail is still required. A revised list of conditions is provided below and officers will endeavour to provide fully worded draft conditions prior to committee.

- Construction and Environmental Management Plan (CEMP)
- Secure measures in Arboricultural Method Statement/Tree Protection Plans
- Detailed Landscaping/Planting Plans
- Tree Pit Designs
- Landscape and Ecological Management Plan (LEMP)
- Surface Water Drainage Strategy Detailed Design
- Updated Travel Plan - incorporate facilities for charging plug-in and other ultra-low emission vehicles
- Lighting Strategy
- Full compliance with the Safer Parking - Park Mark award scheme
- Location and Details of Cycle Parking
- Extended Phase 1 Habitat Surveys for relevant areas
- Reptile surveys for relevant areas
- Badger survey for relevant area.

#### **S106/CIL -**

The sustainable transport contribution has been recalculated based on the reduced number of new parking spaces. The total sum requested is £181,820 (or £160,320 with hospital land agreement), split as follows:

- £6,750 to provide a bus shelter and stop close to the Women's Health Unit.
- £64,000 as contribution towards public transport improvements, including for a new bus service to bring twice hourly Brixham connections.
- £38,500 for a new 3 metre shared use path via the rear of the Lodge

- (subject to hospital land agreement), or via the existing footway fronting that property at an extra cost of £21,500.
- £16,070 for a central refuge island or similar facility to enable walkers and cyclists safer crossing across the Lowes Bridge main entrance, linking the shared use path (SUP) towards Shiphay Lane with the opposite side to the lodge.
  - £35,000 towards the new £1,148,000 Lowes Bridge - Shiphay junction improvements for which the Council has underpinned funding through Prudential Borrowing, including improving junction performance through selected lane widening and reallocating functions of lanes, to relieve delay and queues benefiting access into and out of the hospital.

**Justifications:**

The contribution towards sustainable transport is justified in paragraphs 4.12-4.24 of LDD6 and will be used towards the provision of sustainable transport projects in local area. The NPPF and Local Plan Policy T2 promote sustainable transport modes. The proposed development would generate additional trips and should therefore contribute toward sustainable transport in the area.

**Status:**

The applicant has not confirmed whether they are willing to pay the required contribution, or by which method they wish to make payment. A verbal update will be provided at committee.

**Conclusions**

The revised proposals are considered to be acceptable, subject to pre-commencement (Grampian) conditions to address the outstanding matters from the previous committee decision that are still applicable and payment or a s106 to secure the sustainable transport contribution. The conditions must necessarily include the requirement to submit further ecology surveys for the relevant parts of the site and secure any necessary mitigation as may be required in advance of the works of those parts of the site. This will allow the Hospital to commence works on the car parks that are not affected by these issues. Additional section drawings have also been requested and should be submitted before the application is determined.

**Original Report**

**Executive Summary/Key Outcomes**

Torbay Hospital serves the whole of the South Devon area. It not only provides for patient care, but also makes a very valuable contribution to Torbay's economy in terms of the medical / healthcare sector and employment.

There is an existing parking pressure at the Hospital, with drivers parking in unsuitable locations or circling the site looking for spaces. This pressure has led

to hospital appointments being missed, with consequent costs to patients and to healthcare provision.

This proposal seeks to create an additional 398 car parking spaces on the main hospital site (321 spaces) and on the hospital annex site (77 spaces). The total number of spaces on the main site would increase from 1,584 spaces to 1,905 spaces (20% increase). The total number of spaces on the annex site would increase from 69 spaces to 146 spaces (112% increase). The additional spaces are for staff, patients, visitors and residents (for those living on site). The increase in parking spaces will be complemented by revised circulation space and lighting.

Both sites contain a number of large buildings and are extensively landscaped.

The proposal is supported in principle by Policy CF13 Torbay Hospital of the adopted Local Plan and by Policy SDT3 of the emerging Local Plan.

There is a need to carefully balance the Health Care Trust's operational needs, the need to protect residential amenity, ecology interests and maintain the landscape setting of the Hospital's sites. Negotiation has resulted in a slight reduction of parking spaces from that originally proposed, increased planting and landscaping (including retention of TPO'd trees), ecology mitigation and protection of residential amenity for those people living close to the sites.

This report should be read in conjunction with the report, on this agenda, for the proposed new Critical Care Unit (P/2014/0879)

### **Recommendation**

Conditional approval; subject to the applicant submitting revised layout/landscaping plans and an Extended Phase 1 Habitat Survey for the remaining undeveloped areas of the site with natural features (main site and annex site), together with protected species surveys if necessary, which are acceptable to the Director of Place, within 3 months of the date of this committee or the application be reconsidered in full by the committee; subject to agreeing an appropriate mitigation strategy for the loss of part of the LWS on the site to be secured by condition or s106 legal agreement as appropriate which is acceptable to the Director of Place, within 3 months of the date of this committee or the application be reconsidered in full by the committee; and subject to full payment of sustainable transport contribution or the signing of a s106 legal agreement to secure sustainable transport contribution, within 3 months of the date of this committee or the application be reconsidered in full by the committee, unless otherwise agreed with the Chairman of the Development Management Committee; conditions are listed at the end of this report, however final drafting and determination of appropriate planning conditions to be delegated to the Director of Place.

### **Statutory Determination Period**

The application was validated on 23.09.2014. The statutory determination date is 24.12.2014 (13 weeks). An extension of time will be sought with the applicant if the sustainable transport contribution has not been paid or the s106 legal agreement has not been completed before the statutory determination date.

### **Site Details**

The site comprises two parcels of land belonging to Torbay Hospital: the main hospital site and its grounds, hereby referred to as 'the main site', and a smaller site off Newton Road north of the main hospital campus, hereby referred to as 'the annexe site'. The total site area is 21.38ha.

The main site is bounded by residential and commercial properties to the north, the railway line to the east, residential properties to the south, residential properties and Kitson Park to the west, and Cadewell Lane to the northwest. The main access points are via Newton Road to the east and Cadewell Lane to the northwest. There is also an emergency access off Shiphay Park Road to the south.

The annexe site is bounded by the railway line to the north, a supermarket to the east, Newton Road to the south and a shared use cycle/footpath to the west beyond which is residential development.

Both sites comprise numerous large buildings, roads, car parks and ancillary open space, including many trees.

The main site is designated as Torbay Hospital in the Adopted Torbay Local Plan 1995-2011 ('the Local Plan'), where expansion, redevelopment and improved facilities are permitted, subject to four criteria. In addition, the western area of the main site is designated a Local Wildlife Site (LWS). There are no other policy designated areas around the site, except for the railway line which is designated as another LWS. The annex site is undesignated.

The main site is shown as a 'Potential development site for consideration in the Neighbourhood Development Plan - primarily employment investment' in the Torbay Local Plan - A landscape for success (Proposed Submission Plan, February 2014) ('the new Local Plan'). Whilst the new Local Plan is a material consideration, this designation is shown for information only. The western area is still designated as a LWS. The annex remains undesignated, although Newton Road is shown as part of the National Cycle Network.

The vast majority of the site is within Flood Zone 1; however, the western edge of the main site is within Flood Zone 3 due to a watercourse running along the western boundary, which is a tributary of the Aller Brook (main river). The railway embankment to the north of the annex site is also within Flood Zone 3.

The Torbay Hospital Chapel on the main site is a Grade II listed building.

### **Detailed Proposals**

The proposals are to provide additional car parking on the two sites for both staff and patients/visitors. This would entail extending and rearranging existing car parks, and building new car parks on undeveloped ancillary open space. The application also includes associated access roads, footpaths, lighting, signage, ticket machines, barriers and soft landscaping. New cycle parking facilities will also be provided.

As existing, there are a total of 1,584 car parking spaces on the main site and 69 spaces on the annex site. Of the 1,584 spaces on the main site, 1,148 (72.5%) are for staff parking and 436 (27.5%) for patients/visitors parking. Of the 69 spaces on the annex site, 63 (91%) are for staff parking and 6 (9%) for patients/visitors parking. Of the 436 patients/visitors spaces on the main site, 52 (12%) are disabled spaces, and of the 6 patients/visitors spaces on the annex site, 2 (33%) are disabled spaces.

Due to tree constraints, the proposed number of parking spaces on the sites have been revised since the original submission. The New Parking Layout drawing (8/15/52\_26 Rev B) shows a number of proposed parking spaces removed, highlighted in red. Therefore, the revised proposals are to develop an additional 398 car parking spaces on the two sites (321 spaces on the main site and 77 spaces on the annex site). The total number of spaces on the main site would increase from 1,584 spaces to 1,905 spaces (20% increase). The total number of spaces on the annex site would increase from 69 spaces to 146 spaces (112% increase).

Of the 1,905 spaces on the main site, 1,151 (60%) would be for staff parking and 754 (40%) would be for patients/visitors parking. Of the 146 spaces on the annex site, 75 (51%) would be for staff parking and 71 (49%) would be for patients/visitors parking. Of the 754 patients/visitors spaces on the main site, 96 (13%) would be disabled spaces, and of the 71 patients/visitors spaces on the annex site, 12 (17%) would be disabled spaces.

Of the proposed 398 additional car parking spaces to be provided on the two sites overall, 15 (4%) would be for new staff parking and 383 (96%) would be for new patients/visitors parking.

As existing, there are a total of 10 cycle spaces on the main site. The proposals are to increase this to 40 cycle spaces (300% increase). No information has been provided in the application regarding cycle spaces on the annex site. This information has been requested.

The car parks, access roads and footpaths would primarily be surfaced in Bitmac, with some spaces surfaced in granular materials.

The application form states that surface water will be drained to soakaway, but no details are provided. The Site Specific Flood Risk Assessment states that surface water from the 0.8ha of increased impermeable area created by the application will discharge to a sustainable drainage system where practicable. It also states that the surface water runoff from the new car parking areas to the west of the main site will discharge at a controlled rate (the existing greenfield runoff rate) to the open watercourse located on the western boundary.

No development is proposed near to the Grade II listed Chapel, therefore a Statement of Heritage Significance is not required.

### **Summary Of Consultation Responses**

(The agent for the application is an employee of the Council - the Engineering Service Manager. Therefore, a different officer has been consulted in Engineering who has not been involved in the application.)

Strategic Transportation/Highways: No objection. Requires a sustainable transport contribution to mitigate the additional trips generated by the development. This totals £293,750 and would contribute to a number of sustainable transport projects in the area.

Environment Agency: No objections. Suggest condition for the management of the site's surface water drainage.

Engineering - Drainage: No details of proposed soakaways provided. Therefore, Grampian style condition required for details of infiltration testing and detailed design of soakaways prior to any development works commencing. The applicant must also demonstrate that the surface water drainage design will not increase the risk of flooding to properties or land adjacent to the site.

Natural England: No objection re statutory nature conservation sites. Natural England's standing advice should be used to assess any potential impacts on protected species. The standing advice is a material consideration in making planning decisions. The local authority should ensure it has sufficient information to understand the impact of the proposal on any local sites.

Arboricultural Officer: Lengthy discussions have taken place with the applicant's agents. This has led to a revised plan with fewer car parking spaces to account for arboricultural concerns. The application is suitable for approval on arboricultural and landscape merit if the following are addressed by conditions:

- Landscape strategy to be amended to indicate exact species per plotted point, with additional detail of management plans, tree pit volumes relating to specific volume required (both engineered and in soft), replacement of losses, watering regimes, type of nursery stock and so on.
- Method statements for tree protection fencing alignments.

- Enhanced planting as described in comments 4 (a and b) 8 & 9.
- All protective fencing to be erected prior to any commencement on site
- Arboricultural ongoing support to be appointed to all fencing supervision and consideration of any required deviation from approved plans.

Police Architectural Liaison Officer: The reorganised car parks should achieve full compliance with the Safer Parking - Park Mark award scheme as detailed on the Secured by Design website. There should be clear and substantial boundaries/buffer zones between the public space of the hospital grounds and adjacent dwellings. Surveillance responsibilities over the parking areas should be in control of the Hospital and not neighbouring residents. New landscaping should not prevent natural surveillance.

Building Control: These will, if forthcoming, be presented verbally to DMC.

### **Summary Of Representations**

10 representations have been received, 9 objecting and 1 neutral. The following material considerations have been raised:

- Noise pollution from vehicles
- Air pollution from vehicles
- Light pollution from new lighting
- Loss of trees
- Impact on privacy
- Impact on wildlife
- Increased risk of flooding from surface runoff
- Water pollution
- Parking charges will mean staff and public will still park on surrounding roads
- Greenspace Strategy
- Overdevelopment - loss of ring of green space
- Security risk to neighbouring properties.

### **Relevant Planning History**

P/2014/0879/MPA: Demolition of existing main entrance and shop. Construction of new main entrance facilities, new critical care unit, new support facilities and plant room. New hard landscaping and planting around new building: Pending Decision

P/2003/1802/PA: Temporary Car Park To Provide Approximately 150 Additional Car Spaces On Existing Playing Field: Approved 15.01.2004

Numerous other non-major planning applications for building extensions, minor works, etc.

## **Key Issues/Material Considerations**

The key issues are:

1. The Principle of the Development
2. Impact on Local Highways
3. Design Layout and Landscaping
4. Safety and Security
5. Impact on Amenity of Neighbouring Properties
6. Impact on Trees
7. Impact on Ecology
8. Surface Water Drainage and Flood Risk
9. Water Pollution
10. Air Pollution

### 1. The Principle of the Development

The principle of the development is acceptable. The application has been submitted due to parking pressures at the hospital, where due to the insufficient number of parking spaces for patients/visitors, appointments have been missed. It has also led to overspill parking on roads both within and outside the main hospital site, effecting the function and safety of these roads, which can cause delay to emergency vehicles. Local Plan Policy CF13 permits proposals for the expansion, redevelopment and improvement of facilities at Torbay Hospital, subject to the following four criteria:

- 1) the campus is used only for development related to the hospital's primary function of providing healthcare;
- 2) landscaping is provided both within and around the perimeter of the site which maintains and enhances the amenity and wildlife features of the hospital grounds and which reduces the impact on surrounding residential areas of any development which may take place;
- 3) an integrated transport and parking policy which seeks to address the transportation needs of the campus and the surrounding area is implemented; and
- 4) new development does not have a detrimental effect on the amenities of the surrounding residential areas.

Taking the above criteria in turn: (1) the proposed development is related to healthcare, in so much as the new parking will be for staff and (primarily) patients/visitors of the hospital; (2) whilst the proposals will lead to the loss of some areas of open space and trees, new landscaping will be provided to mitigate for this loss ensuring no harm to wildlife or impact to neighbouring properties; (3) the application is accompanied by an updated Travel Plan committed to implementing sustainable transport choices alongside the new parking provision; and (4) landscape buffers will be provided between the newly created parking areas and surrounding residential properties to protect their

amenity.

Subject to appropriately worded conditions securing the matters under 2-4 above, the proposed development is considered to accord with Local Plan Policy CF13. Furthermore, provided the development is linked to a fully up-to-date Travel Plan with clear targets and monitoring/review mechanisms, it is considered to accord with the twin requirements of the NPPF of supporting economic growth and promoting sustainable travel to reduce greenhouse gas emissions. However, it is considered there is an opportunity to incorporate facilities for charging plug-in and other ultra-low emission vehicles in accordance with the NPPF, and this should be added to the Travel Plan by condition.

Local Plan Policy T25 states that parking provision for major, non-residential sites will be based on an assessment of parking needs, to be defined as part of a travel plan to be submitted by the developer and agreed by the local planning authority. It goes on to state that car parking provision in excess of the assessed need will not be permitted, except on a temporary basis during the implementation of the travel plan. The applicant has submitted a Travel Plan as part of the application, which sets out the required parking provision based on staff and visitor surveys undertaken in 2005, 2009, 2010 and 2013. It sets a public/staff car parking split target of 40-60% respectively. The proposals would achieve this on the main site and exceed it on the annex site. Therefore, the proposed development accords with Local Pan Policy T25.

## 2. Impact on Local Highways

The Transport Statement submitted with the application states that the car parking proposals address the problem of demand exceeding supply at the hospital, and as there are no proposals to change the services of the hospital or alter the existing operation, there will be no material increase in demand or impact on local highways. Furthermore, the new parking provision will prevent overspill parking on the local highway network allowing these roads to function better.

Strategic Transportation and Highways officers raise no objection to the application in terms of specific highways impacts. However, officers consider the proposals will result in a greater number of car trips to/from the site than at present and therefore a sustainable transport contribution should be secured from the development in accordance with the Council's Planning Contributions and Affordable Housing SPD and its Update 3. This is addressed under S106/CIL below.

Therefore, provided the sustainable transport contribution is either paid in full as an upfront payment or secured by way of a s106 legal agreement, the proposals are considered to accord with Local Plan Policies TS, T1, T2, T7 and T26.

### 3. Design Layout and Landscaping

The layouts of the proposed car parks are acceptable and will allow adequate access and manoeuvring for vehicles. A Landscape Strategy Report has been submitted with the application, which includes landscape proposals for the newly created car parks. The Council's Arboricultural Officer has agreed to these, subject to some minor amendments for the benefit of the amenities of neighbouring properties and visual amenity of the car parks themselves. Revised layout/landscape proposals are required incorporating these amendments and accounting for the reduced number of car parking spaces now agreed. These should be submitted prior to planning permission being granted, whilst detailed landscaping/planting plans can be conditioned.

Therefore, subject to the applicant submitting the revised layout/landscape proposals for the new car parks and an appropriately worded condition securing detailed landscaping/planting plans, the proposed development is considered to accord with Local Plan Policies L10 and BE1.

### 4. Safety and Security

The Police Architectural Liaison Officer has highlighted the requirement for defensible planting within buffers zones between the hospital grounds and neighbouring residential properties. In addition, landscaping within the car parks should not prevent natural surveillance, i.e. plant species should be chosen that grow to low heights and planting should be adequately maintained. These issues can be taken into account in the detailed landscaping/planting plans to be secured by condition.

In addition, the reorganised car parks should achieve full compliance with the Safer Parking - Park Mark award scheme as detailed on the Secured by Design website. A condition requiring this should be added accordingly.

Getting the right balance in lighting is important to ensure safety without impacting on the amenity of neighbouring properties or ecological interests. A condition requiring a lighting strategy for the new car parks with detailed lighting proposals should be added accordingly.

Therefore, subject to appropriately worded conditions securing the matters above, the proposed development is considered to accord with Local Plan Policy CF2.

### 5. Impact on Amenity of Neighbouring Properties

Local residents have raised concerns with the potential impact of the proposals on their amenity, in terms of privacy, noise and lighting. The New Parking Layout drawing (8/15/52\_26 Rev B) shows that buffer strips would be provided between

the new car parking and residential gardens. Provided these buffers are appropriately planted and maintained in accordance with detailed landscaping/planting plans to be secured by condition, it is considered that the proposed development will not have a significant adverse impact on the amenity of neighbouring properties, in terms of privacy and noise. As discussed above, a lighting strategy for the new car parks with detailed lighting proposals is required by condition and this should include details of how lighting will not adversely affect the amenity of neighbouring properties.

Therefore, subject to appropriately worded conditions securing the matters above, the proposed development is considered to accord with Local Plan Policies CF13, EPS, EP4 and EP5.

## 6. Impact on Trees

The proposals will necessitate the removal of a number trees. However, the Council's Arboricultural Officer has had lengthy discussions with the applicant's agents to ensure high quality trees are retained. This has resulted in the removal of a number of the proposed car parking spaces. The Arboricultural Officer has recommended a number of conditions to protect the trees to be retained during construction, further landscape enhancements, planting methodologies and management regimes. Therefore, subject to appropriately worded conditions securing these matters, including a Landscape and Ecological Management Plan (LEMP), the proposed development is considered to accord with Local Plan Policy L9.

## 7. Impact on Ecology

The applicant has submitted a Phase 1 Habitat Survey with the application for the western area of the main site. It identifies the Shipway Hospital LWS as being on the site and recommends consultation should take place with the landowners and managers of the site to devise an appropriate mitigation package, due to the loss of part of the LWS to development. The details of this have yet to be agreed and should be identified before planning permission is granted. This may include biodiversity offsetting. The mitigation will have to be secured by pre-commencement condition or s106 agreement if mitigation funding is proposed.

No direct evidence of protected species was found on the western area of the site, but trees and habitats on the site are suitable for protected species, specifically bats, birds and reptiles. Therefore, the survey recommends any trees with ivy to be removed must be checked by a suitably qualified ecologist beforehand to ensure there are no roosting bats. In addition, trees and vegetation should not be removed during the bird breeding season from March to August inclusive (this should be changed to from March to September inclusive for consistency with other applications). In addition, it recommends a reptile survey is carried out if reptile habitat is planned to be removed. All these matters should

be addressed in a Construction and Environmental Management Plan (CEMP) which must be secured by pre-commencement condition and cover the site as a whole, including the main site and the annex site.

Since the application was submitted, officers have been informed that there is a badger sett on the site to the south of the 'Football Field' car park. Therefore, prior to planning permission being granted, an Extended Phase 1 Habitat Survey should be carried out for this area, together with any other undeveloped areas with natural features on the site (main site and annex site) which will be affected by the proposals. If the Extended Phase 1 Habitat Survey recommends further protected species surveys, then these must also be carried out prior to planning permission being granted and submitted with the Extended Phase 1 Habitat Survey. Any further recommended mitigation must be secured by condition.

#### 8. Surface Water Drainage and Flood Risk

The proposals aim to drain surface water from the new car parks via sustainable drainage systems, including soakaways where ground conditions are suitable. It is understood that some of the existing car parks on the site already drain to soakaways. No details of the proposed locations/designs of new soakaways or other sustainable drainage systems have been provided. Engineering has recommended a Grampian condition, whereby no development works can take place until the details have been submitted and agreed, to secure details of the proposed surface water drainage systems. Therefore, subject to an appropriately worded Grampian condition securing details of the proposed surface water drainage systems for the new car parks, the proposed development is considered to accord with Local Plan Policy EPS and paragraph 103 of the NPPF.

#### 9. Water Pollution

A few local residents have raised concerns with potential water pollution from surface runoff from the proposed car parks. This issue should be taken into account in the detailed designs of the proposed surface water drainage systems for the new car parks, including appropriate filters which must be easily maintained. Therefore, subject to an appropriately worded Grampian condition securing details of the proposed surface water drainage systems for the new car parks that take into account this issue, the proposed development is considered to accord with Local Plan Policy EP9.

#### 10. Air Pollution

The increased car trips to/from the site will result in more air pollution from vehicles. However, air pollutants disperse quickly particularly on exposed sites. The nearest Air Quality Management Area (AQMA) is in Hele Road, approximately 1.6km to the east. Therefore, it is considered that the proposals

will not have an adverse impact on air quality on the site or in the local area. The proposals therefore accord with Local Plan Policy EP3.

### **S106/CIL -**

A sustainable transport/SDLR contribution is required in accordance with Local Plan Policies TS, T1 and T2, the Planning Contributions and Affordable Housing SPD and adopted Council Report 'Third Party Contributions towards the South Devon Link Road'. This is based on an assessment of the number of trips the proposed development will generate. The total sum is £293,750 and is split as follows:

- £6,750 to improve bus services to the site by providing a covered bus stop at near Lowes Bridge main entrance specifically close to the Womans' Health Unit
- £60,000 for a toucan crossing over Lowes Bridge main entrance
- £60,000 for a 3 metre cycle route across the grass rear of the Lodge, to link the new cycle route to Newton Road
- £64,000 as contribution towards public transport improvements including for the new Edginswell Station due to be constructed from 2017/18, and an enhancement of bus services
- £35,000 towards the new £1,148,000 Lowes Bridge - Shiphay junction improvements that the Council has underpinned funding its construction through Prudential Borrowing
- £68,000 towards the new South Devon Link Road, for which the Council has underpinned funding its construction through Prudential Borrowing.

### **Justifications:**

The contribution towards sustainable transport is justified in paragraphs 4.12-4.24 of LDD6 and will be used towards the provision of sustainable transport projects in local area. The NPPF and Local Plan Policy T2 promote sustainable transport modes. The proposed development would generate additional trips and should therefore contribute toward sustainable transport in the area.

The contribution towards the SDLR is justified in Appendix 1 of the 'Third Party Contributions towards the South Devon Link Road' report adopted by the Council on 6 December 2012 and is based on an assessment of the impact that the development would have on the road.

### **Status:**

The applicant has not confirmed whether they are willing to pay the required contribution, or by which method they wish to make payment. A verbal update will be provided at committee.

### **Conclusions**

The proposal will meet the operational needs of the Health Care Trust, now and into the future, as well as the needs of patients, visitors and on-site residents.

The proposal, as now presented and subject to the suggested conditions and S106 requirements, meets the requirements of existing and emerging Local Plan policies.

The proposal will provide much needed new parking spaces, with associated circulation space, landscaping and lighting.

However, further information is awaited on ecological impact and mitigation. Planning permission should only be issued once that information has been provided, assessed and the necessary conditions applied.

### **Relevant Policies**

CFS - Sustainable communities strategy  
CF2 - Crime prevention  
CF6 - Community infrastructure contributions  
CF13 - Torbay Hospital  
LS - Landscape strategy  
L8 - Protection of hedgerows, woodlands and o  
L9 - Planting and retention of trees  
L10 - Major development and landscaping  
NCS - Nature conservation strategy  
NC5 - Protected species  
EPS - Environmental protection strategy  
EP3 - Control of pollution  
EP4 - Noise  
EP5 - Light pollution  
TS - Land use transportation strategy  
T1 - Development accessibility  
T2 - Transport hierarchy  
T7 - Access for people with disabilities  
T25 - Car parking in new development  
T26 - Access from development onto the highway