

<b><u>No:</u></b>	<b>BH2017/02256</b>	<b><u>Ward:</u></b>	<b>East Brighton Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Royal Sussex County Hospital Eastern Road Brighton BN2 5BE</b>		
<b><u>Proposal:</u></b>	<b>Erection of a 4no storey extension to existing Emergency Department building with associated alterations.</b>		
<b><u>Officer:</u></b>	Maria Seale, tel: 292175	<b><u>Valid Date:</u></b>	07.07.2017
<b><u>Con Area:</u></b>	Within setting of East Cliff and Kemp Town	<b><u>Expiry Date:</u></b>	06.10.2017
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Savills (UK) Ltd Exchange House Petworth GU28 0BF		
<b><u>Applicant:</u></b>	Brighton & Sussex University Hospitals NHS Trust C/O Agent		

## 1. RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement to secure the following Heads of Terms and the following Conditions and Informatives:

### S106 Heads of Terms

- A financial contribution of £36,450 towards the Local Employment Scheme;
- A Training and Employment Strategy to secure 20% local labour during construction;
- An artistic influence within external areas/landscaping/boundary treatment/building facades of the hospital site to a minimum value of £16,400.

### Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Location Plan	00002	P5	3/7/17
Proposed site plan	01100	P2	3/7/17
Proposed ground (level 5) floor plan	01105	P4	3/7/17
Proposed first (level 6) floor plan	01106	P4	3/7/17
Proposed second (level 7) floor plan	01107	P4	3/7/17
Proposed third (level 8) floor plan	01108	P3	3/7/17
Proposed roof plan (level 9)	01109	P4	3/7/17

Proposed street scene elevation (east)	02021	P3	3/7/17
Proposed east site elevation	02030	P3	3/7/17
Proposed south site elevation	02031	P3	3/7/17
Proposed west site elevation	02032	P3	3/7/17
Proposed north site elevation	02033	P3	3/7/17
Proposed east elevation	02200	P2	3/7/17
Proposed south elevation	02201	P2	3/7/17
Proposed west elevation	02202	P3	3/7/17
Proposed north elevation	02203	P2	3/7/17
Proposed elevation details 01	02250	P3	3/7/17
Proposed elevation details 02	02251		3/7/17
Proposed section A-A	03300	P3	3/7/17
Proposed section B-B	03301	P3	3/7/17
Proposed section C-C	03302	P3	3/7/17
Proposed section D-D	03303	P2	3/7/17
Proposed section E-E	03304	P2	3/7/17

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
  
3. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
  - i) The phases of the Proposed Development including the forecasted completion date(s)
  - ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to Commence development until such consent has been obtained
  - iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
  - iv) A scheme of how the contractors will minimise disturbance to neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site
  - v) Details of hours of construction including all associated vehicular movements
  - vi) Details of the construction compound
  - vii) A plan showing construction traffic routes

- viii) An audit of all waste generated during construction works, to include:
- ix) The anticipated nature and volumes of waste that the development will generate,
- x) Where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development
- xi) The steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities
- xii) Any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.
- xiii) The construction shall be carried out in accordance with the approved CEMP.

**Reason:** As this matter is fundamental to the protection of amenity, highway safety and managing waste throughout development works particularly given the current, long term construction works associated with the 3T's development at the main hospital taking place, and to comply with policies QD27, SU9, SU10 and TR7 of the Brighton & Hove Local Plan, policy CP8 of the Brighton & Hove City Plan Part One, and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

4. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

**Reason:** As this matter is fundamental to ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and policies HE12 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.

5. No development approved by this planning permission shall take place until a Remediation Strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- a) All previous uses
- b) Potential contaminants associated with those uses
- c) A conceptual model of the site indicating sources, pathways and receptor
- d) Potentially unacceptable risks arising from contamination at the site.

- 2). A Site Investigation Scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- 3). The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

**Reason:** The National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution, and to comply with policy SU11 of the Brighton and Hove Local Plan.

6. No occupation of any part of the permitted development shall take place until a Verification Report demonstrating completion of works set out in the approved Remediation Strategy (as referred to in the condition above) and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.  
**Reason:** To ensure that any remediation, if deemed necessary, is satisfactorily completed to comply with policy SU11 of the Brighton and Hove Local Plan.
7. 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 the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants. The remediation strategy approved shall be implemented.  
**Reason:** To ensure that any contamination identified during the construction works is fully characterised and assessed, to comply with policy SU11 of the Brighton and Hove Local Plan.
8. No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that surface water drainage from the proposed development does not result in a deterioration of groundwater quality, to comply with policies SU3, SU5 and SU11 of the Brighton and Hove Local Plan.

9. No development shall take place until a Drainage Strategy detailing the proposed means of foul and surface water sewerage disposal, an implementation timetable and detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods as per the recommendations of the Drainage Strategy Report (July 2017 , Ref 386359 | 02 | A), has been submitted to, and approved in writing by, the Local planning Authority in consultation with the sewerage undertaker. The approved drainage system shall be implemented in accordance with the approved detailed design and timetable prior to the building commencing and shall be maintained as approved thereafter.

**Reason:** To ensure that the principles of sustainable drainage are incorporated into this proposal and to protect water resources and prevent flood risk to comply with policies SU3 and SU5 of the Brighton and Hove Local Plan and CP8 and CP11 of the Brighton and Hove City Plan Part One.

10. Within 6 months of commencement of the development hereby permitted samples and details of all materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- i) Samples of all brick, render, tiling (including details of the colour of render/paintwork to be used)
- ii) Samples of all cladding, curtain walling, wire and metal mesh to be used, including details of their treatment to protect against weathering
- iii) Samples of all hard surfacing materials
- iv) Samples of the proposed window and door treatments, and details of depth of cill reveal and details/samples of brise soleil
- v) Samples of all other materials to be used externally.

Development shall be carried out in accordance with the approved details.

**Reason:** To ensure a satisfactory appearance to the development and to comply with policies CP12 and CP15 of the Brighton and Hove City Plan Part One and HE6 of the Brighton and Hove Local Plan.

11. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:2014. In addition, there should be no significant low frequency tones present. Reason: To protect amenity of the locality and that of occupiers of nearby properties to comply with policies SU9, SU10 and QD27 of the Brighton and Hove Local Plan.

12. No development above first floor level of the extension hereby permitted (hospital level 6) shall commence until details of the type and location of a

minimum of 8 swift nesting boxes to be incorporated within the development have been submitted to and approved in writing by the Local Planning Authority. The approved nest boxes shall be implemented within the development before the new extension is first occupied.

**Reason:** To enhance biodiversity, to comply with policy CP10 of the Brighton and Hove City Plan Part One.

13. No development above first floor level of the extension hereby permitted shall commence until details of a scheme for visual enhancement of the existing retaining wall below the development adjacent to Bristol Gate have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the new extension is first occupied.  
**Reason:** the existing wall is in a poor state of decoration and visual enhancement is considered necessary in the interest of visual amenity, to comply with policies CP12, CP13 and DA5 of the Brighton and Hove City Plan Part One.
14. Within 4 months of first occupation of the development hereby permitted, a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the development built has achieved a minimum BREEAM New Construction rating of 'Very Good' shall be submitted to, and approved in writing by, the Local Planning Authority.  
**Reason:** To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton and Hove City Plan Part One.
15. The development hereby permitted shall not be first occupied until evidence has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the energy plant/room has capacity to connect to a future district heat network in the area, including the main hospital site. Evidence should demonstrate the following:
  - a) Energy centre size and location with facility for expansion for connection to a future district heat network: this should include physical space to be allotted for installation of heat exchangers and any other equipment required to allow connection;
  - b) A route onto and through the application site: space on site for the pipework connecting the point at which primary piping comes onsite with the on-site heat exchanger/ plant room/ energy centre. Proposals should demonstrate a route for heat piping and demonstrate how suitable access could be gained to the piping and that the route is protected throughout all planned phases of development.
  - c) Metering: shall be installed to record flow volumes and energy delivered on the primary circuit.

The approved measures shall be implemented within the development before first occupation and retained thereafter.

**Reason:** To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton and Hove City Plan Part One.

16. Within 6 months of commencement of development an Energy Feasibility Study shall be submitted to the Local Planning Authority for written approval which investigates use of renewables and targets the highest possible BREEAM standard and which demonstrates whether use of air source heat pump technology is possible. Any agreed measures shall be implemented within the development before it is first occupied and shall be retained thereafter.  
**Reason:** In the interests of sustainability, to comply with policy CP8 of the Brighton and Hove City Plan Part One.
17. No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway. Reason: To safeguard the appearance of this simple contemporary building and the visual amenities of the locality and to comply with policies HE6 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.
18. Prior to first occupation of the development hereby permitted, details of any proposed external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.  
**Reason:** To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
3. On the gas mains record there is the pressure gas main near the site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. It will be necessary to where required confirm the position using hand dug trial holes. A colour copy of these plans and the gas safety advice booklet should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to the applicant. Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used.
4. The applicant is advised that the details of external lighting required by the condition above should comply with the recommendations of the Institution of Lighting Engineers (ILE) 'Guidance Notes for the Reduction of Light Pollution

(2011)' for Zone E or similar guidance recognised by the council. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) should be submitted with the details. Please contact the council's Pollution Team for further details. Their address is Environmental Health & Licensing, Bartholomew House, Bartholomew Square, Brighton, BN1 1JP (telephone 01273 294490 email: ehlpollution@brighton-hove.gov.uk website: www.brighton-hove.gov.uk).

5. It is suggested that any original Isle of Wight bricks recovered during demolition on this site should be saved and stored if possible for use for repairs in other parts of the city as they are difficult to source.

## **2. SITE LOCATION & APPLICATION DESCRIPTION**

- 2.1 The site comprises the current Accident and Emergency department of the Royal Sussex County Hospital, which is to the north-east of the main site and is accessed off Bristol Gate. Currently the forecourt comprises an ambulance turning and parking area and parking spaces for police cars.
- 2.2 The site is set substantially higher than the road above a retaining wall. On the other side of Bristol Gate to the east there are a number of residential properties, and further to the north in the Bristol estate. The MacMillan Horizon Centre is located to the south-east of the site.
- 2.3 The site is located within the setting of the East Cliff Conservation Area which is located to the south, and can also be viewed from the Kemp Town Conservation Area.
- 2.4 The application proposes a 4 storey extension to the existing emergency department (ED) to improve clinical provision, and includes the following:
  - Remodelled forecourt with extension over sailing the existing ambulance parking and turning area;
  - A short stay ward comprising of a 70 bed facility over two floors and associated administration areas;
  - Refurbishment of the existing ED including upgrading of existing facilities, services and new lift facilities; and
  - Roof top plant space with screening and acoustic treatment to serve to the ED and wider hospital.
- 2.5 The development will be phased and there will be no break in A&E service as a result of the development. The application is separate to the 3Ts development at the hospital (see below), but will complement it.
- 2.6 The proposed architectural style would be contemporary and the materials would be predominantly metal and wire mesh cladding. The building would have brise soleil.

## **3. RELEVANT HISTORY**

- 3.1 **Background to proposal:**

The current ED building is outdated and has insufficient patient capacity and has failed to meet Accident and Emergency and other performance standards over a number of years. The applicant states that BSUH has identified a number of issues related to the functioning of the current ED building:

- The existing layout and physical environment of the ED is not fit for purpose and is not meeting national guidelines;
- BSUH is failing to meet key national performance targets for emergency care on an ongoing basis due to the inadequate facilities;
- The quality of the service provided has been heavily criticised in three major reports in the last 2 years, resulting in the ED being rated as inadequate by the Care Quality Commission (CQC); and
- Functional content modelling has indicated a considerable capacity shortfall in the current ED. It currently has 78 beds/bays/trolley spaces compared to 187 in the models.

### 3.2 **Relevant planning applications:**

**BH2017/00819** Installation of gas meter housing and electricity substation units on highway land adj to Bristol Gate. Approved

**BH2016/06508** Alterations to Urgent Care Centre incorporating erection of single storey extension to create new entrance and creation of external store to rear. Approved 24/4/17 and currently under construction.

**BH2015/01434** Demolition of existing single storey double stacked modular units (C2) and single storey brick store and construction of a 3no storey building (C2) situated at the junction of North (Service) Road and Bristol Gate to provide clinical offices, workshops, storage and plant with associated works (amended drawings & additional information). Approved 10/12/15

### 3.3 **3T's:**

**BH2011/02886** Demolition of existing hospital buildings located to the north of Eastern Road and to the south of the existing children's hospital building and Thomas Kemp Tower. Addition of a helicopter landing pad and associated trauma lift on top of Thomas Kemp Tower. Erection of new hospital buildings incorporating Stage 1: Part 10, 11 and 12 storey building including reinstatement of the interior of the Chapel; Stage 2: 5 storey building; and Stage 3: Service yard with single storey building. Site wide infrastructure including substation, energy centre and flues, 2 floors of underground parking (390 spaces) with new access from Bristol Gate and associated highway works. Cycle parking, external amenity spaces including roof gardens and landscaping on Eastern Road. Approved 28/3/12 and currently under construction.

### 3.4 **Pre-application advice:**

The application was subject to a short period of officer pre-application discussion, close to submission. Timescales were limited given the pressing need to secure permission and deliver the scheme next year. The applicant was advised that officers were supportive of the scheme in principle. Officers (including the Heritage Team) requested that the design be revised to take some reference from the 3T's architectural approach and introduce more

articulation to prevent a monolithic appearance and set the plant level back – which has been done (within site constraints). The applicant was advised that a standard of BREEAM ‘excellent’ would be required, unless justified otherwise. Officers also advised that a financial contributions in line with policy and approved Technical Guidance towards the Employment Scheme was likely to be required. Officers advised that further information regarding the impact to residential properties and archaeology would be required, and this has been submitted.

#### **4. REPRESENTATIONS**

4.1 **One (1)** letter has been received objecting to the proposed development on the grounds:

- Concern regarding disruption during construction, after already enduring months of it and impact this has to physical and mental health
- Obscuration of sea view

4.2 **CAG: Objection**

The Group recommend refusal on design grounds, as there are concerns about the style and the materials proposed. Although the Group appreciated the need for the building to be have its own identify they would prefer it to be styled to be more in keeping with the rest of the development.

4.3 It further recommended that any original Isle of Wight bricks recovered during demolition on this site should be saved and used for repairs in other parts of the city as they are now so difficult to source.

#### **5. CONSULTATIONS**

5.1 **Internal:**

**Heritage: Comment**

**Statement of Significance:**

This site is on raised ground to the north of the East Cliff Conservation Area, visible from Eastern Road, a busy thoroughfare. From Eastern Road it can be seen above the listed flint walls of the former St Mary’s School site, and from greater distance it is visible above the listed terraces of the Kempton Conservation Area.

5.2 The backdrop to the site from these viewpoints is mostly provided by the existing hospital buildings, and the future development of the 3Ts proposal will produce buildings of substantial scale within the immediate context of this proposal.

5.3 **Relevant Design and Conservation Policies and Documents:**

Planning (LBCA) Act 1990, NPPF, Planning Practice Guidance, Historic England Good Practice Advice Notes, HE3 HE6, CP12, CP 15.

5.4 **The Proposal and Potential Impacts:**

The proposed development will provide additional floors above the existing

Emergency Department entrance and vehicular access, of a height similar to the adjacent pathology building. The increase in scale from the existing open site and low level ED entrance will have a substantial impact on the streetscape, particularly at close proximity in Bristol Gate, however the impact on heritage assets is longer range and will not be significant in the context of the rest of the forthcoming hospital development.

5.5 This application follows pre-application consultations through which positive outcomes have been achieved regarding the articulation of the proposed building and the reduction in the impact of the top (plant) level, however the significant site constraints limit the degree of flexibility that is possible.

5.6 Whilst it is understood that due to its function this building should have a distinct identity, it is considered important that in order to sit comfortably within the context of the other hospital buildings, the proposed mesh cladding should not create a monolithic appearance, and the opportunity to punctuate the façade with changes in plane and variations in materials was discussed at pre-application stage, the definition of the window openings plays a particularly important role in the enlivening of the facade. Proposed elevation detail 02 illustrates a clearly defined window with visible glass and 3 dimensional interest from the vertical brise-soleil, with the perforated mesh cladding covering only the panel façade system and providing textural interest to the solid areas, and this is considered a successful result. It has been clarified that the perforated mesh cladding positioned in front of all building elements on the first and second floors would be just to cover the areas of solid panels, which is considered acceptable.

5.7 Mitigations and Conditions:

The existing retaining wall along the Bristol Gate boundary has a neglected appearance and it is considered that improvements should be included in the scheme. This could include management and augmentation of the plant growth that is naturally occurring in order to conceal the failing paintwork and create a green wall.

5.8 **Environmental Health:** Approve with conditions:

5.9 Noise:

This new building will require new roof mounted plant and as such an acoustic report has been submitted as part of the application. This report is by Red Twin Ltd; Consultants in Acoustics (ref: REF: L0931.1 V2), and is dated the 30th June 2017.

5.10 The report has been assessed, and while it does not specify what plant is going in, it has stated the combined noise level that plant installed must achieve in order to meet background levels at the nearest residents. While the report is considered robust, the councils standard condition relating to plant, which is recommend for attachment to this application, requires that plant achieve a rating level of 5dB below background at the nearest receptor. The applicant should therefore be aware that the combined plant noise rating level will need to be 5dB below that recommended by the report.

5.11 Contaminated Land:

A desktop study contaminated land report by Mott MacDonald Limited (ref: 386359/GEO2/C), dated 30 June 2017 has been submitted with application. The report has been assessed and is considered robust.

- 5.12 The report has found that risk to end users is considered very low, due to design of the end build. The report outlines how the site will be covered in hard standing, breaking direct contact and dust inhalation pathways. Further the building is also elevated over the current ambulance bays, which will provide ventilation to break pathways from ingress of any ground gases or vapours. The risks to future site users are therefore considered to be very low. However the report outlines that there is potential risk to aquifers and that further testing is therefore recommend. Protection of aquifers is dealt with by Environment Agency and they will likely recommend a phased contaminated condition as well as condition around certain types of piling in order to prevent pathways for contamination.
- 5.13 Notwithstanding the above, a discovery strategy condition should be attached in order to ensure that any contaminated discovered in the process of demolition or construction, which has not be identified within the desktop study, is dealt with suitably.
- 5.14 Construction Noise:  
Construction sites by their nature produce noise and dust, certain levels of which will be unavoidable as part of the construction process. However practical means can be put in place to limit the impact.
- 5.15 The Construction Environmental Management Plan (CEMP) by BSUH, dated June 2017 has been assessed and it is considered that methods outlined represent good practise with regards to minimising the impact of construction work on nearby sensitive receptors.
- 5.16 **Sustainable Transport: No objection**  
The patient and staff access to the hospital will not change as a result of the development proposals. Access to A&E will be via the under croft ambulance bays in A&E, drop off bays or the main hospital entrance. The existing pedestrian crossing in the A&E drop off area will be retained. This is considered acceptable by the Highway Authority.
- 5.17 The proposals are not to facilitate an increase in the number of staff or patients. The reason for the development is to enhance the service offer to that currently in place. The development itself does not contribute to an increase in trips to and from the site from either patients or staff. Therefore there is not considered to be an increase in the transport impact above existing levels as a result of the development.
- 5.18 Given that there is no increase in staff and the wider redevelopment of the hospital provides cycle parking facilities this is considered acceptable to cater for the forecast demand. The proposals do result in the loss of 2 drop off bays but this is not considered to cause a significant transport issue.

- 5.19 The applicant has submitted a draft Construction Environmental Management Plan (CEMP) and the Highway Authority would look to secure further details of a CEMP via condition.
- 5.20 **Sustainability Team: Comment:**  
Under CP8 standards major non-residential development is expected to achieve BREEAM 'excellent'.
- 5.21 City Plan Part One Policy DA5 Eastern Road and Edward Street states under local priority 10 that the developer will be expected to explore a site-wide heat network and or connect new development where a heat network exists:
- 5.22 Development within this area will be expected to incorporate infrastructure to support low and zero carbon decentralised energy and in particular heat networks subject to viability.
- 5.23 In instances when the standards recommended in CP8 cannot be met, applicants are expected to provide sufficient justification for a reduced level on the basis of site restrictions, financial viability, technical limitations and added benefits arising from the development (paragraph 4.88 p170).
- 5.24 A BREEAM pre-assessment estimator report has been submitted with the application. This shows that a 'very good' score has been targeted. This scores 61.30%, within the 60-69% range of 'very good'. This falls below the expected standard of BREEAM 'excellent'.
- 5.25 Reasons have been provided in support of this lower standard for justifying a lower BREEAM standard. These refer to 'inherent constraints of projects' that impact the BREEAM credits. In this case, a mandatory credit Ene 01 (Reduction of energy use and carbon) was assessed as being not practicable due to existing, non-compliant plant being used to supply the new extension. The loss of this mandatory credit indicates BREEAM Very Good would be the highest BREEAM level achievable for Brighton Emergency Department.
- 5.26 The Design & Access Statement (Section 9) states that 'it is intended that where possible the new facility plant will tap into the existing services and/or the 3T's energy centre'. The proposed 3T's Energy centre in application BH2011/02886 proposed a 3MW gas CHP energy centre. If when the new 3 T's Energy centre is built, this scheme will be connected to it, this will provide efficiently produced, low carbon heat. It is recommended that assurance be sought that this will be the case. If possible this should be conditioned.
- 5.27 City Plan Policy CP8 seeks (at Para 2, c.) that all development facilitates on-site low or zero carbon technologies, in particular renewable energy technologies. No renewable energy technologies appear to be proposed with this scheme. There is also reference to the development of an energy feasibility study and possible use of air source heat pump technology. It would be helpful to have some clarity over this. It is recommended that any feasibility study be undertaken early, and that this be submitted to the Planning Authority either during consideration of planning application or under a planning condition, and

that the applicant continues to investigate use of renewables and targets the highest possible BREEAM standard for the scheme.

- 5.28 There are many positive measures in this scheme regarding energy performance, these include approaches such as: passive building design features - airtight, and well-insulated building envelope, improved U-values with efficient smart metered services; solar shading system will to controlling glare and overheating; efficient service provision and sophisticated control systems linked to a Building Management System (BMS); investigations into building use patterns using occupancy analytics to calibrate the building services; minimisation of construction waste through modular construction. It is a reasonable argument that if the scheme is waiting to connect to a more efficient power plant (the 3 T's energy centre) this precludes an 'excellent' score. However, this should not be a reason to relinquish the BREEAM 'excellent' target in other ways. Currently the scheme is indicated to achieve a low 'very good' standard (61.3%). The applicant should be asked to achieve sufficient score to achieve an 'excellent; standard' in all other ways by achieving a score that, if a higher ENE1 score were added, would qualify for BREEAM 'excellent'.
- 5.29 Suggest a condition is imposed to secure a BREEAM standard (once agreed) and to ensure evidence is submitted to demonstrate that the energy/plant room has capacity to connect to the district heat network in the future.
- 5.30 **Economic Development: Comment**  
City Regeneration fully supports this application. The extension to the existing Emergency Department will increase the capacity for service delivery for a growing city generating increasing demand for the crucial services.
- 5.31 Whilst existing staff will benefit from the expanded facility, it is assumed that there will also be capacity for additional employment opportunities.
- 5.32 In the event this proposal or any amended proposal is approved, an Employment and Training Strategy to be submitted for approval in advance of site commencement. The strategy should include the developer's commitment to using an agreed percentage of local labour on the development. It is proposed for this development that the minimum percentage of 20% local employment for the demolition (where appropriate due to the specialist nature of the works) and construction phase is required.
- 5.33 In addition, a developer contribution for the sum of £36,450 is also requested in accordance with the council's Developer Contributions Technical Guidance. The formula for calculating the contribution is as follows:
- 5.34 A sum of £10 per sq mtr is payable in respect of all non-residential developments with the exception of facilities for storage or distribution/general industrial, which is £5 per sq mtr. The development will create net additional gross internal floor space of 3645 sq mtrs. Therefore the developer contribution is £36,450.
- 5.35 **Planning Policy – Public Art: Comment**

- 5.36 Policy context:  
Adopted City Plan Policy CP5 supports investment in public realm spaces suitable for outdoor events and cultural activities and the enhancement and retention of existing public art works; CP7 seeks development to contribute to necessary social, environmental and physical infrastructure including public art and public realm; and CP13 seeks to improve the quality and legibility of the city's public realm by incorporating an appropriate and integral public art element.
- 5.37 Type of contribution:  
To safeguard the implementation of these policies, it is important that instances in which approval/sign off from the council is needed is clearly identified and secured.
- 5.38 Level of contribution:  
This is arrived at after the internal gross area of the development (in this instance approximately 3,645 sq. m) is multiplied by a baseline value per square metre of construction arrived at from past records of Artistic Component contributions for this type of development in this area. This includes average construction values taking into account relative infrastructure costs. It is suggested that the Artistic Component element for this application is to the value of £16,400. As ever, the final contribution will be a matter for the case officer to test against requirements for s106 contributions for the whole development in relation to other identified contributions which may be necessary. To make sure that the requirements of Policies CP5, CP7 and CP13 are met at implementation stage, it is recommended that an Artistic Component schedule be included in the section 106 agreement.
- 5.39 **Flood Risk Management:** No Objection subject to detailed design of drainage secured by condition.
- 5.40 **External:**
- 5.41 **County Ecologist:** Comment  
Summary:  
The proposed development is unlikely to have any significant impacts on biodiversity and can be supported from an ecological perspective. The site offers opportunities for enhancement that will help the Council address its duties and responsibilities under the NERC Act and NPPF.
- 5.42 The proposed development is on an area of previously developed land within the urban environment and is of low ecological value. No important habitats will be lost. The site is unlikely to support any protected species. If protected species are encountered during development, work should stop and advice should be sought on how to proceed from a suitably qualified and experienced ecologist.
- 5.43 The site offers opportunities for enhancement that will help the Council address its duties and responsibilities under the NERC Act and NPPF. Opportunities include the provision of a green (biodiverse) roof, provision of a green wall, the provision of bird boxes and the use of species of known value to wildlife in the landscape scheme. Advice on appropriate species can be found in the Council's

SPD 11, Annex 7 Notes on Habitat Creation and Enhancement. Where possible, native species of local provenance should be used. A minimum of 8 bird boxes should target species of conservation concern e.g. swift.

**5.44 County Archaeologist: Comment**

The proposed development is of archaeological interest due to its location in an area of Iron Age and Roman activity. Finds relating to a probable settlement were found in the early 20th century to the east of the proposed development at St Mary's. The application includes a comprehensive desk based assessment that concludes:

5.45 *There are no known heritage assets on the Site. There is low-moderate potential for as yet unknown non-designated heritage assets (archaeological remains) of Late Iron Age – Roman date to be present, but a low potential for all other periods. The Site is terraced into and over the natural slope, and is likely to have experienced truncation in some areas and preservation through fill in others. The main impact is likely to derive from the excavation of a geocellular soakaway tank. This impact can be mitigated by carrying out an archaeological watching brief during the excavations for the tank.*

5.46 The conclusion is concurred with. In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works to be secured by condition.

**5.47 Sussex Police: Comment:**

It will important to provide clear routes of access throughout the hospital whilst ensuring that access is controlled for appropriate areas. External doors, ground floor and any easily accessible windows are to conform to LPS 1175 SR2 with laminated glazing conforming to BS EN 356 P1A. Lighting around the entrances, car parking and communal areas is to conform to the recommendations within BS 5489:2013.

5.48 The Police are confident that the design and layout will follow and implement the same level of satisfactory security measures that have been demonstrated in previous phases of construction at the above development. There is no objection to the reduction in parking bays, and it is pleasing to note parking is still available.

**5.49 Environment Agency: No Objection subject to conditions**

The site lies above Tarrant Chalk Member which is designated a Principal Aquifer. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk to groundwater underlying the site.

5.50 We have had extensive consultations with the Principal Infrastructure Engineer at WSP/Parsons Brinckerhoff for the T3 development and this area was one of the last to be addressed in terms of the separator/pollution control aspects. For the helipad and adjacent building and access road we have agreed the drainage

scheme which involved quite a lot of pollution control measures. These were interceptors with shut valves to prevent fire water getting in to soakaway.

5.51 This area is unlikely to have significant pollution associated with its use though we would recommend some form of interceptor and as the size of the area is relatively small you could size the interceptor accordingly or another device that can treat hydrocarbons. Discharging surface water into deep infiltration systems is generally only acceptable in certain cases. The use of SUD's is supported in principle but they must be suitably designed and maintained.

5.52 **UK Power Networks:** No Objection.

5.53 **Scotland Gas Networks:** Comment:

On the mains record there is the pressure gas main near the site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. It will be necessary to where required confirm the position using hand dug trial holes. A colour copy of these plans and the gas safety advice booklet should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to the applicant. Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is the applicant's responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working on or near gas pipes.

5.54 **Southern Water:** Comment

The results of an initial desk top study indicates that SW currently cannot accommodate the foul drainage needs of this application at preferred manhole ref TQ32038801 without the development providing additional local infrastructure. The proposed development would increase flows into the wastewater sewerage system and as a result increase the risk of flooding in and around the existing area, contrary to paragraph 109 of the National Planning Policy Framework. Appropriate conditions are needed to ensure satisfactory provision for foul and surface water disposal.

## **6. MATERIAL CONSIDERATIONS**

6.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report

6.2 The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016)
- Brighton & Hove Local Plan 2005 (retained policies March 2016);

- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013) and Waste and Minerals Sites Plan (adopted February 2017);

6.3 Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

## 7. **POLICIES**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development  
 CP2 Sustainable economic development  
 CP5 Culture and tourism  
 CP7 Infrastructure and developer contributions  
 CP8 Sustainable buildings  
 CP9 Sustainable transport  
 CP10 Biodiversity  
 CP11 Flood risk  
 CP12 Urban design  
 CP13 Public streets and spaces  
 CP15 Heritage  
 CP18 Healthy city  
 DA5 Eastern Road and Edward Street Area  
 SA6 Sustainable neighbourhoods

#### Brighton & Hove Local Plan (retained policies March 2016):

TR4 Travel plans  
 TR7 Safe Development  
 TR14 Cycle access and parking  
 SU3 Water Resources and their quality  
 SU5 Surface water and foul sewage disposal infrastructure  
 SU9 Pollution and nuisance control  
 SU10 Noise Nuisance  
 SU11 Polluted land and buildings  
 QD5 Design - street frontages  
 QD14 Extensions and alterations  
 QD15 Landscape design  
 QD25 External lighting  
 QD27 Protection of amenity  
 HO19 New community facilities  
 HE6 Development within or affecting the setting of conservation areas  
 HE12 Scheduled ancient monuments and other important archaeological sites

#### Supplementary Planning Documents:

SPD03 Construction & Demolition Waste  
 SPD11 Nature Conservation & Development  
 SPD14 Parking standards  
 SPGBH15 Tall Buildings

## **8. CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to:

- The principle of health-related development in this location and the need for the development
- The impact to the visual amenities of the locality including the setting of nearby conservation areas
- The impact to amenity of occupiers of nearby properties
- Crime prevention
- The impact in terms of demand for transport
- The impact in terms of sustainability
- The impact in terms of biodiversity
- The impact to archaeology
- The impact to water resources
- The infrastructure demands created by the development including support for economic development

### **8.2 Planning Policy Context and Principle of Development:**

The key policy in the Brighton and Hove City Plan Part One which is applicable to this site is DA5 Eastern Road and Edward Street, which identifies the location as a 'development area'.

8.3 The strategy for the development area is to secure significant improvements to the public realm and townscape to make the area more attractive, accessible and safer for residents, employees and visitors and to deliver the amounts of development as set out in the policy. The policy identifies a number of local priorities to achieve the strategy including adoption of design guidance, ensuring sustainable transport infrastructure is in place and improving air quality.

8.4 Part C.1. of DA5 strategically allocates the Royal Sussex County Hospital for:

Comprehensive redevelopment and enlargement of the hospital to provide 74,000sqm additional hospital (C2 use) floorspace, including the floorspace granted planning permission in 2012, which will be considered in the context of citywide policies and the following criteria:

- a) Sustainable transport infrastructure improvements will be required including bus, walking and cycling improvements, and a comprehensive transport strategy will be required, including a feasibility study to support the enlargement of the hospital taking into account its wider sub regional role;
- b) There will be a comprehensive and integrated approach to the redevelopment of the site that will be of a high standard of design and which will be sympathetic to the surrounding historic built environment; and
- c) The developer will enter into a training place agreement to secure training for local people.

- 8.5 City Plan policy SA6 seeks to create and maintain sustainable neighbourhoods and reduce inequalities between neighbourhoods by working with public, private and community and voluntary sector partners, businesses and local communities. One of the city-wide priorities identified in this policy is improvement of the quality of public services through joint working between public, private and community and voluntary sector partners. Another priority of SA6 is to secure good quality employment and training opportunities for residents in areas with high levels of long term unemployment, for example, through planning obligations on major development schemes. There is also a priority to support partners, programmes and strategies that aim to reduce health and learning inequalities between neighbourhoods and promote healthier lifestyles and wellbeing.
- 8.6 City Plan policy CP18 seeks to support programmes and strategies which aim to reduce health inequalities and promote healthier lifestyles through various measures including joint working with health providers to help deliver and protect a sub-regional network of critical care hospitals and a citywide integrated network of health facilities that is within reasonable walking distance of public transport (criteria 6).
- 8.7 Local Plan policy HO19 states that permission will be granted for community facilities including health provision provided certain criteria are met. The supporting text states it is important to ensure the range and quality of community facilities in Brighton & Hove is supported and improved.
- 8.8 In the context of the above, the principle of additional and improved health care provision in this location is acceptable and is welcomed. The site of the whole hospital has been strategically allocated for substantial additional development. Whilst the 3Ts development is reflected in policy DA5 (in terms of the 74,000sqm floorspace cited) this amount of development is stated to be a minimum only, and there is no objection in principle to further development of the site, which will contribute to the wider aims of policy DA5. The Emergency Department (ED) is well located in terms of the main hospital and sustainable transport links.
- 8.9 There is a clear identified public need for the proposal, particularly given that current emergency provision has failed to meet performance standards over a number of years. It is understood the existing layout and physical environment of the ED is not fit for purpose and is not meeting national guidelines. BSUH NHS Trust is failing to meet key national performance targets for emergency care and the quality of the service provided has been heavily criticised in three major reports in the last 2 years, resulting in the ED being rated as 'inadequate' by the Care Quality Commission (CQC). There is a clear need for a substantial development given that a considerable capacity shortfall in the current ED has been identified, as it currently has only 78 beds/bays/trolley spaces compared to the 187 ideally needed. Access to the A&E will be possible at all times during construction, which is welcomed.
- 8.10 The new ED building will provide a much needed fit for purpose facility and result in patients being admitted to the short stay wards quickly, rather than

waiting for scarce inpatient beds in the main hospital, greatly improving clinical care. The proposal is considered to provide significant public benefit and therefore great weight is attached to this.

**8.11 Design and Appearance:**

The council has a statutory duty (under S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The NPPF states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Local Plan policies QD5 and HE6 and City Plan policies CP12, CP13 and CP15 seek to ensure that development is of a high architectural quality and is sympathetic to the character and appearance of the locality, including the setting of nearby conservation areas. Policy CP13 seeks to improve the quality, legibility and accessibility of the city's public realm in a comprehensive manner including the incorporation of an integral public art element. CP5 seeks to maintain and enhance the cultural role of the city and supports the role of the arts.

8.12 The site is predominant and is set on rising ground and will have a presence on Bristol Gate. It is not located within a conservation area although it can be readily viewed from within the East Cliff Conservation Area (from Eastern Road) and in longer views from the Kemp Town CA. The development is just below the 18m/6-storey definition of a 'tall building' in SPGBH15 (being 17.2m) when taken from the ground level at the top of the retaining wall however it will appear taller as it is on rising ground, set above Bristol Gate. Given the scale of the proposal, supporting information including a Visual Impact Assessment containing key views from outside the site, including from nearby Conservation Areas, has been submitted. It is considered that this, together with other information submitted, satisfactorily demonstrates that the proposal would not have a harmful impact.

8.13 The character of the immediate area surrounding the site is mixed, with many different architectural styles, materials and height of development. The scale and height of the proposal is considered acceptable, given the backdrop of substantial development behind, and buildings on rising ground in the Bristol Estate. Eastern Road is identified in SPGBH15 as a 'corridor' suitable in principle for tall buildings. The proposal has been tested in key views from within the East Cliff and Kemp Town Conservation Areas and the council's Heritage Team confirm that no harm will be caused given the hospital backdrop and distances involved. To reduce visual dominance of the proposal on Bristol Gate above the already high retaining wall, a set back at roof level was incorporated. Site constraints and construction methods have meant this level cannot be set back further but on balance this is considered acceptable. The building would partly angle away from Bristol Gate, lessening its impact here.

8.14 The character of the locality is mixed, and the hospital site comprises numerous eclectic styles and the 3T's development introduces a further architectural approach. In this context, there is no objection in principle to the introduction of a contemporary building. The building has been designed to ensure it has a

distinctive identity, and given its function this is considered a reasonable approach. At the pre-application stage it was, however, felt important to take some references from the 3T's development given it will comprise a large part of the hospital site, to ensure the development is viewed as part of the overall identity of the hospital. It was also felt important to reduce any potential for the building to appear monolithic or unrelieved. Punched windows to provide a more vertical emphasis and brise soleil on the more prominent south and east elevations, and roof plant enclosures referencing the 3Ts enclosures, were therefore incorporated.

- 8.15 The concern from CAG regarding the style and materials proposed and desire to match the 3T's development is noted, however, for reasons set out in this section are considered to be unfounded. The council's Heritage Team raise no objection to the design or materials proposed. It should be noted that CAG do not explicitly comment that the proposal would cause harm to the setting of nearby conservation areas. There are no other examples of mesh metal clad buildings, however, this simple, very contemporary approach is considered sympathetic and it will not compete/clash unduly with other buildings in the hospital site. The development represents a significant improvement upon the existing building. Precise details of materials can be secured by condition.
- 8.16 The existing retaining wall along the Bristol Gate boundary has a neglected appearance and it is considered that improvements should be included in the scheme to match the quality of development above, and this can be secured by condition.
- 8.17 Public art:  
In accordance with policies CP5, CP7 and CP13, incorporation of an element of public art via S106 has been requested, and the level sought is considered reasonable and necessary. Such provision can produce attractive and adaptable public spaces that enrich people's quality of life and provide for the needs of all users, which is particularly important in this case of a hospital and a public building. The hospital already has a public art strategy and an artistic element could 'influence' the landscaping, enclosures or the facades of the building for example.
- 8.18 **Amenity and Crime Prevention:**  
Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health. Policy QD25 relates to external lighting and floodlighting and seek to ensure developments do not cause light pollution to the wider environment or to nearby residents. The NPPF and policy CP12 state crime prevention is a consideration.
- 8.19 Whilst a substantial extension is proposed, it is not envisaged that there will be an increase in users of the facility or staff as a result of the development (other than general population increases each year) and therefore there should be no undue intensification of use that could lead to additional noise or nuisance to

occupiers of neighbouring properties. A significant amount of new plant is proposed at roof level, however, the council's Environmental Health team consider that any potential for noise from this can be satisfactorily dealt with by condition. A CEMP can be secured by condition to limit impacts during construction.

- 8.20 There are a number of residential properties opposite the site and the applicant has provided a Sunlight/Daylight Assessment which tests the impact of the scheme on those properties that are nearest (8 and 8a Bristol Gate and 2 Chadborn Close). It concludes that in terms of daylighting and Vertical Sky Component (VSC) all windows in 2 out of the 3 properties fully pass the BRE guidelines with negligible impact, and the third property (8 Bristol gate) only has 5 out of 11 windows where the impact is identified as 'minor adverse'. In terms of the No Sky Assessment all windows in all properties meet BRE guidelines. In terms of sunlight, all windows pass the BRE guidelines. The methodology using BRE recognised guidelines is considered robust and the conclusions are concurred with. Therefore the proposal is considered to have a minimal impact in terms of daylight and sunlight and is considered acceptable in this regard.
- 8.21 With regard to potential for loss of outlook and privacy, the building would be partly set back, is set higher, and would angle away from Bristol Gate, limiting its impact. The windows would have brise soleil which would limit views. The relationship between the development and properties opposite is not uncharacteristic of this high density central location. Potential loss of a sea view is not a material planning consideration. The proposal will restrict outlook from windows within existing hospital facing outwards towards Bristol Gate, however, it is difficult to avoid this and satisfactorily provide the much needed extension, and relationship is considered acceptable given a courtyard/lightwell will be provided between the two buildings.
- 8.22 No details of external lighting are proposed, and this can be satisfactorily conditioned, to prevent harm to visual and other amenity.
- 8.23 Given the above, the proposal is considered to have an acceptable impact in terms of amenity, in accordance with relevant policies.
- 8.24 Crime prevention:  
The police confirm they are satisfied with the development from a crime prevention and operational point of view, despite the reduction of two emergency car parking spaces, and the scheme is considered to comply with relevant policies in this regard.
- 8.25 **Sustainable Transport:**  
National and local planning policies seek to promote sustainable modes of transport, and seek to ensure highway safety. CP Policy CP9 (Sustainable Transport) is relevant as are Local Plan policies TR4 (Travel Plans), TR7 (safe Development) and TR14 (cycle access and parking).
- 8.26 The site is well located to take advantage of sustainable transport modes. Given that the development itself does not contribute to an increase in trips to and

from the site from either patients or staff, the Highway Authority consider there would not be an increase in the transport impact above existing levels as a result of the development. Cycle parking will be provided as part of the wider redevelopment of the hospital, which can satisfactorily meet any demand from the Emergency Department.

8.27 The patient and staff access to the hospital will not change as a result of the development proposals. The proposals do result in the loss of 2 drop off (emergency) bays but this is not considered to cause a significant transport issue, and the police raise no objection to this. A CEMP can satisfactorily deal with any transport impacts during construction.

8.28 On this basis the transport impact of the proposal is considered to be very limited and is acceptable, in accordance with policy

8.29 **Sustainability and Ecology:**

City Plan policy CP8 requires all developments to incorporate sustainable design features, and major developments (over 1000sqm floor area) are expected to reach a BREEAM standard of 'excellent'. The supporting text to CP8 states the council will consider site constraints, technical restrictions; financial viability and the delivery of additional benefits to the city where requirements of the policy cannot be met. One of the local priorities in the DA5 policy area is to ensure development incorporates infrastructure to support low and zero carbon decentralised energy and in particular heat networks, subject to viability. City Plan policy CP10 seeks that all development proposals conserve, restore and enhance biodiversity.

8.30 In accordance with policy CP8, the development incorporates a number of positive sustainable measures (see Sustainability Officer in consultee comments section), which is welcomed. A BREEAM standard of 'very good' is targeted as opposed to 'excellent', however, this is contrary to policy. The applicant states that this is because the mandatory energy credit needed to reach a higher standard cannot be achieved given that existing non-compliant plant will be used. This is considered reasonable justification. A new energy centre (boiler room and CHP plant) is proposed as part of the current 3Ts development to serve the hospital, and the applicant states it is their intention to link into it in the long term. This would bring the proposal nearer to achieving 'excellent', which is welcomed, however, timescales are such that the ED extension needs to be delivered in advance of that scheme. A condition can ensure the scheme is satisfactorily future proofed to enable future connection. This would accord with the aims of policy DA5 and SA6.

8.31 The scheme is however targeting the lower end of 'very good' at present and could potentially score higher in other BREEAM categories, and a condition is recommended to secure submission of a feasibility study to explore further sustainability improvements. On this basis it is considered that the sustainability aspects of the proposal would be acceptable.

8.32 With regard to biodiversity, the County Ecologist confirms the current ecological value of the site is very low (being an intensively developed site) and they raise

no objection to the proposals subject to appropriate mitigation and enhancement measures. On balance it is considered that the provision of 8 swift nesting boxes is sufficient ecological provision, given the low level of biodiversity that exists. Formalisation of the existing green wall growing up the retaining wall on Bristol Gate was requested to enhance biodiversity (as well as for visual enhancement), however, the developer did not wish to pursue this for financial and maintenance reasons and it was considered a refusal of permission on the grounds on non-provision could not be justified, provided other measures were secured.

**8.33 Water Resources:**

National and local planning policies (Local Plan policies SU3, SU5 and SU11 and City Plan policy CP11) seek to protect water resources and prevent pollution, and ensure developments manage and reduce their flood risk.

8.34 The site is located above a Principal Aquifer and in this regard an initial desk top land contamination assessment has been submitted, as well as a drainage strategy. Whilst it has been identified that this area is unlikely to have significant pollution associated with its use and that drainage can be satisfactorily dealt with, it is recommended that conditions are imposed to ensure details are submitted to secure this. No objections have been raised by Southern Water, the Environment Agency or the council's Flood Risk Manager, provided that appropriate conditions are imposed. It is therefore considered that water resources would be satisfactorily protected, in accordance with policy. The development incorporates sustainable drainage measures, which is welcomed to prevent flooding in accordance with policy.

**8.35 Archaeology:**

National and Local planning policies (LP policy HE12 and CP Policy CP15) seek to ensure development proposals preserve and enhance sites of known and potential archaeological interest and their settings.

8.36 The north-east part of the site lies adjacent to an Archaeological Notification Area, and the County Archaeologist confirms that the proposed development is of archaeological interest due to its location in an area of Iron Age and Roman activity. The application includes a comprehensive desk based assessment that concludes that there is a low-moderate potential for archaeological remains and that the site is likely to have been disturbed by past development. It goes on to recommend an archaeological watching brief by way of mitigation. The County Archaeologist concurs with these conclusions and approach, and this will ensure the scheme satisfactorily complies with policy.

**8.37 Economic Development:**

The council's Economic Development Team have requested a financial contribution via S106 towards the Local Employment scheme and seek to secure 20% local labour on site. This is considered necessary to make the development acceptable in planning terms as securing on site local employment provision is a priority area for the council, to secure social infrastructure to meet planning policy objectives where this is directly related to development. City Plan policy DA5 specifically identifies that developers at the hospital site should

enter into a training place agreement to secure training for local people, and the provision is established since incorporation into the Developer Contributions Technical Guidance adopted by the council in 2011, a key material consideration. CP policy SA6 also seeks such provision in economically deprived areas. In addition, the contributions are secured in accordance with adopted policy CP7 (see section below) to meet overall objectives in the adopted City Plan Part One.

8.38 The level sought is considered reasonable and is in line with the Developer Guidance document. For all Local Employment contributions these will be spent supporting the local employment provision on each development site as specified within each Employment & Training Strategy required under the s106 Agreement. The developer has agreed to meet the request in full and this is welcomed. The applicants have provided supporting information to demonstrate their commitment to working with the community as part of the project and to employment training and local labour during construction, which is considered comprehensive and welcome and can form a sound basis for work associated with the Local Employment Scheme.

8.39 **Section 106:**

City Plan policy CP7 Infrastructure and Developer Contributions states that to meet the needs of Brighton & Hove and the wider sub-region the council will work with partners to ensure that the necessary social, environmental and physical infrastructure is appropriately provided in time to serve development. To make development acceptable and enable the granting of planning permission, inadequacies in infrastructure arising from proposed development will be required to be mitigated through s.106 Planning Obligations via a legal agreement. The Developer Contributions Technical Guidance (March 2017) provides a policy overview and funding formulas for certain types of development.

8.40 It is considered necessary to secure the level of financial sums requested by consultees as outlined in the Heads of Terms at the beginning of this report, to meet policy requirements and to mitigate against the impacts of the development. These are sought in accordance with the Developer Guidance, and are met in full. In addition it is considered necessary to secure an obligation to secure 20% local labour during construction, as set out elsewhere in this report.

**9. EQUALITIES**

9.1 The building would be accessible and a lift is proposed.