



Planning Committee

Application Address	St Anns Hospital, 69 Haven Road, Poole, BH13 7LN
Proposal	Demolition of existing buildings and erection of a hospital building comprising bedrooms with amenity space, communal, support and staff facilities, generator reconfiguration, and associated works
Application Number	APP/23/00167/F
Applicant	NHS Dorset HealthCare University Foundation Trust
Agent	Savills
Ward and Ward Member(s)	Canford Cliffs Cllr Haines Cllr Challinor
Summary of Recommendation	Grant in accordance with the details set out below for the reasons as set out in the report.
Reason for Referral to Planning Committee	Public interest and Part 3 (Responsibility for Functions), Section 2 (Planning Committee) Paragraphs 2.23. d) and f) of the Council's Constitution.
Case Officer	Piotr Kulik
Is the proposal EIA Development?	No

Description of Proposal

1. This application seeks full planning approval for the proposed demolition of two existing buildings on the site to erect a new hospital building (New Build 2 'Chaddesley House') comprising a 7-bedroom male Psychiatric Intensive Care Unit (PICU), a 6-bedroom female PICU and a 14-bedroom female Adult Mental Health Unit (AMH); with amenity space, communal, support and staff facilities, generator reconfiguration, and other associated works. The proposal would involve demolition of Pine Cottage and Kimmeridge Court on site.

2. This application forms part of a wider development of the site where the NHS Trust aim to modernise the hospital site to improve overall conditions and standards expected for both staff and patients. It has been confirmed by the applicant that the existing hospital requires the following works through its Capital Development Programme:

- Transfer all inpatient accommodation out of the 1910 Grade II* listed building at St Ann's Hospital to meet Care Quality Commission directives;
- Complete the Phase 2 development at the St Ann's Hospital site through the construction of 'Alternative New Build 2' ('Alternative NB2') facilitating the delivery of a 7-bed male Psychiatric Intense Care Unit (PICU), a 6-bed female PICU and a 14-bed female Adult Mental Health Unit (AMH) (separate planning proposal);

- Refurbish Haven Ward (a 1980s building's ground floor) to provide a minimum of 8 adult mental health beds and Health Based Place of Safety (HBPoS), and Alumhurst ward (the 1980s building first floor) to convert four dormitory style bedrooms into single bedrooms and add three bedrooms to the male side (separate planning proposal).
- The works at St Ann's also include the conversion of a window to door at the Chine Ward to provide active level facilities for staff and crescent car parking reconfiguration works (separate planning proposal)

Description of Site and Surroundings

3. The application site consists of two 2-storey existing buildings; Kimmeridge Court and Pine Cottage, and a parking area comprising 24 spaces. It forms part of the St Ann's Hospital site. Kimmeridge Court is a purpose-built hospital building which provides inpatient care for eating disorders and adult mental illness services, whereas Pine Cottage appears of a residential nature and provides ancillary support space (used as a gym equipment storage).

4. St. Ann's hospital shares a vehicular access with Chaddesley Grange and a residential cul de sac (Chaddesley Pines) on the south side of Haven Road. The hospital site comprises a number of buildings set within a landscaped setting with the land sloping steeply both to the southeast and towards Flag Head Chine. The oldest building on site is a two/three storey Grade II* listed hospital building to the south (rear) of the site next to a crescent with parking which sits behind the hospital building. There are a number of other buildings within the site which lie within the curtilage of the listed building, some older whilst others are recent and more contemporary. Apart from the Grade II* Listed Hospital Building, the other buildings on site are not individually listed. However, those buildings dating from before July 1948 are "curtilage listed" in association with the II* hospital and listed building consent is required for their demolition. This includes Pine Cottage.

5. The Grade II* listed building is to the southeast of the application site (St Anns Hospital Building), and newer buildings separate the listed building from the application site. This includes a Phase 1 building granted in 2011 under planning permission ref. APP/11/00154/FUL.

The listing description is as follows:

POOLE Canford Cliffs HAVEN ROAD (south east side) St Ann's Hospital

(Formerly listed as St Anne's Hospital)

05/10/88

II Hospital. 1909-12, with later C20 additions. By R Weir Schultz. Flemish bond brickwork, cross-axial stacks and tiled roof. Free Queen Anne style. Parallel curved ranges with central connecting blocks. Two storeys and attic, single-storey link block; 10:7:10 window range.*

Entrance front has two storey central range with exterior gable stacks and forward curving single-storey side ranges; central porch with segmental arch and key dated 1910. Keyed flat arches over 6/6-pane sashes. Segmental-arched ridge cupola. Two storey and attic; 7:14:7 window range symmetrical garden front in three sections, the outer ranges set back and angled, and with cross ranges projecting one window deep with ogee gables. Gables have canted bays with pierced balcony parapets, single storey to the end gables and two storeys to the centre and flanking gables, which are linked by similar pierced balconies on square brick piers. 6/6/6-pane ground-floor and keyed 6/9-pane first-floor sashes, wide dormers with triple 4/4-pane sashes across the central section, and four round-gabled half dormers to the outer wings. These have wide carriage arches flanking the centre section with rusticated archivolt beneath first floor oculi. The interior courtyards have two three storey service towers with pyramidal roofs.

INTERIOR: panelled link blocks; light wells have decorative friezes, coffered ceilings, moulded beam soffits, and a fireplace in the dining room with shouldered lintel and Ionic column arcade.

One of Schultz's best buildings on a prominent cliff-top site, built as the seaside branch of the Holloway Sanitorium, Surrey.

6. Recent developments from the 1980s are in varied styles though the largest complex including Haven Ward is in a sprawling cottage style with pitched roofs that knit the older

cottages facing Haven Road and previously Chattersley Glen Road with the cube line block from the millennium period built to house the modern entrance to the complex.

7. Attempts have been made to modernise the 1980s block with the more recent entrance by replacing windows in green frames with dark grey frames though this work is incomplete.

8. The interior of the listed hospital was sensitively renovated in recent years.

9. The site is subject to tree preservation order TPO 43/1999 (November 1999), which was subsequently varied in 2002.

Relevant Planning History

10. The site has extensive planning history; with only the following being considered relevant to this proposal.

11. **2011: APP/11/00154/FUL** - Erect two 2-storey (plus plant storey) buildings on site to accommodate a 32 bed long stay ward, 16 bed male treatment ward & 14 bed AAU ward. Provision of a new combined entrance to, & extension of, the existing 1980's building. Demolition of the 1970's block, Pine Cottage & Kimmeridge Court, repair to the west end of the Listed Building, replacement of existing metal staircase & alterations to existing reception counter. Associated car & cycle parking & landscape. Creation of new pedestrian access from Haven Road - Approved

12. **2011: APP/11/00155/L** – Listed Building application for demolition of 1970's block and to repair west end of the building, replacement of existing metal staircase & alterations to existing reception counter and demolition of Pine Cottage – Approved

13. **2016: APP/16/00031/F** - Extend existing 1980's block by adding two external balconies – Approved

14. **2020: APP/20/00088/F** - Demolish Chatterley Cottage and erect a part single and part two storey building comprising 10 care suites, consulting room, laundry, staff rooms and ancillary accommodation - Approved

15. **2021: APP/21/01313/F** - Non-material amendment following approval of APP/20/00088/F for Reduction in area of the entrance canopy, omission of the small canopy to the rear garden, addition of one new window to the first floor office and omission of one window to the first-floor accessible WC. Omission of one rooflight in the common corridor and reduce the size of the rooflight in the Nurse Base Area. Additional louvres to windows and increase in the acoustic louvres enclosure height - Approved

16. **2023: APP/23/00163/F** - Ward refurbishment involving the creation of a new external door in place of a current window opening, removal of courtyard screens, insertion of partitions to central internal corridor, and minor works to modern internal partitions at Grade II* listed St Anns hospital building – Approved

17. **2023: APP/23/00164/L** - Listed building application for ward refurbishment involving the creation of a new external door in place of a current window opening, removal of courtyard screens, insertion of partitions to central internal corridor, and minor works to modern internal partitions at Grade II* listed St. Anns Hospital building – Approved

18. **2023: APP/23/00165/F** - Ground floor Infill extension; new windows and doors; replacement windows to the 1980s building – Approved

19. **2023: APP/23/00166/F** - Crescent parking - Laying of hard surfacing, setting out of car parking bays and associated landscaping works for a temporary time period. Currently under consideration.

20. 2023 APP/23/00168/L - Listed building application for the demolition of existing buildings and erection of a hospital building comprising bedrooms with amenity space, communal, support and staff facilities, generator reconfiguration and associated works. Associated application to this scheme also on the September 2023 Planning Committee agenda.

Constraints

21. Following on-site constraints are noted:

- The setting of the Grade II* listed St. Ann's Hospital
- A Locally Listed Building opposite Harbour Court Chaddesley Glen Road
- Pine Cottage - Curtilage listed in association with the Grade II* listed St Anns Hospital

Public Sector Equalities Duty

22. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Other relevant duties

23. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.

24. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

25. In considering whether to grant planning permission or permission in principle for development which affects a listed building special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest - section 66 - Planning (Listed Buildings and Conservation Areas) Act 1990.

26. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.

Consultations

27. Tree Officer – No objection, subject to conditions. This consultee summarised that the scheme is generally positive. It was noted that eight trees are proposed for removal (apart from T210, the rest of the trees are generally poor specimens of limited merit) and 13 new trees are proposed to mitigate their loss, with the benefit of a comprehensive landscape plan.

Comments dated 17/08/2023:

'Arboricultural information has been prepared in accordance with British Standard 5837:2012 to support the development proposal. This has identified the constraints associated with the existing trees on and adjacent to the site. My comments relate to the most recent documents:

- *Tree survey and Arboricultural Impact Assessment, dated July 2023, V3.0*
- *Arboricultural Method Statement, dated July 2023, V5.0*
- *Tree Protection Plan, Ref; TPPPII, dated July 2023, V2.0*

The submitted Landscape Plan (New Building Planting Plan, STP2-UBU-XX-XX- DR-L-3000) is positive scheme showing 13 new trees to be planted.

Tree impacts

The site contains a number of mixed age/quality trees mainly around the boundary of the proposed development envelope. A row of 3 mature Scots Pines line the Haven Road frontage providing an important feature in the local landscape and add positively to the sylvan character of the area. The revised arboricultural information now shows the retention of all these Scots Pines, which is a positive outcome.

The revised arboricultural information shows 8 trees for removal. Five of the trees to be removed (T195, T211, T212, T213 & T214) are low quality poor specimens, that cannot be seen as a constraint to the development. Their loss will not have an impact on the amenity and character of the area. Two trees (T202 and T204) already have extant consent (APP/11/00154/F) for removal.

Of some stature and visual importance is T210, a mature Monterey Pine which is proposed for removal. T210 sits at the entrance to the proposed development site, in a slightly raised garden bed and is part of a group of low-quality trees, that are shown for removal. Whilst not clearly visible from Haven Road it is a noticeable specimen on entering the hospital and makes a positive contribution to the character of the local area. Justification for the tree's loss is given below by agent.

Having reviewed from a construction method and sequence point of view we do not believe it is possible to construct the building without material harm to this group of trees, particularly considering the need to strip 400mm from the existing tarmac level to facilitate a building which works with the existing road and perimeter levels (we believe the tree roots of T210 to be just below top of tarmac level), irrespective of the foundation solution.

Given the size of the tree and the poor rooting environment (roadway and parking) outside of the garden bed, roots have spread and caused large areas of displacement to the surrounding tarmac areas. The proposal would require the removal of a large proportion of these surface roots. This root loss to facilitate the development would significantly damage the tree to an extent it's health and stability would be compromised. It is therefore agreed that the tree would not be able to be retained given the current footprint of the hospital and only with a modification of the design, could the retention of this Pine be feasible.

Information received from the agent advised that the consequences of retaining T210 would make the hospital unviable.

'See RPAs overlaid with proposed building plan, which demonstrate that if we were required to keep the group of trees to the front of the building (including T210) we would lose approximately 100 sq mtr of floor space, including the staff accommodation at first floor and the seclusion suite at ground floor. This equates to 7 bedrooms of space (of the 27-bed unit) which would make the unit unviable.'

Conclusion

Whilst the purpose of the development is favourable to the public benefit, it is not in the Arboricultural Officer's remit to weigh up the planning balance. Therefore, given the important contribution T210 makes to the character of the area, its loss should be resisted, and the proposal re-designed to allow for its successful retention.

Notwithstanding the above, the overall proposal is positive in regard to trees, with a landscaping scheme that will enhance the future visual and environmental benefits and assist in softening the built form.

In the event that the Officer decides to approve the proposal it would be recommended that the conditions requiring Implementation of Details of Arboricultural Method Statement; Pre-commencement Meeting; and Implementation of the Landscape scheme are applied'.

28. Heritage Officer – Objection:

Summary:

'The demolition of Pine Cottage and replacement with a large, new building do not preserve the architectural style and the sylvan character of the streetscene and grounds of St. Ann's and while this development is considered to be less than substantially harmful to the significance and setting of the Grade II Listed hospital, the NPPF clearly states that great weight should be given to their conservation irrespective of this level of harm. The proposals are, therefore, not supported.'*

29. Environmental Health (Contamination) – No objection, subject to conditions

Comments dated 18/07/2023:

'The following documents were submitted to Mabbett. The BCP Council contaminated land consultants for technical review:

- *Savills Rebuttal Letter - New Build 2 - V2 Date 21 June 2023*
- *Ground Condition Consultants Ground Condition Desk Study Dated: June 2020, Report No.: J22-037-R01 Version 2.0 Date 26.05.23*
- *Ground Condition Consultants Ground Condition Assessment Dated: November 2022, Report No.: J22-037-R02 Version 4.0 Date 26.05.23*

Following their technical review, Mabbett have advised of the following recommendations:

The Phase I Report should be updated to address of the gaps identified in Section 3.1 of the technical review (Discussion - Phase I V2.0 Report)

The Phase II Report should be updated based on the comments made in Section 3.2 of the technical review (Discussion - Phase II V4.0 Report)

Consequently, Environmental Health would request a contaminated land condition be attached to any permission.

30. Environmental Health (Noise) – No objection, subject to conditions

31. Environmental Health (Air Quality) – No objection, subject to conditions

32. Highway – No objection, subject to conditions

33. Urban Design Officer – No objection and the fall-back position was noted by the consultee. However, some concerns were raised regarding the scale and massing of the proposed works.

Comments received on 11/05/2023:

'This is a sensitive site characterised by mature landscape and the listed St Ann's Hospital. I appreciate the need for additional beds and facilities meeting modern standards. However, it is regrettable that the development would result in parts of the site feeling cramped, a mismatch in architectural styles, the loss of the Pine Cottages and a number of trees.

Layout and massing

I understand that the layout and massing was established by planning consent granted for a similar scheme in 2011 which has been partly implemented (APP/11/00154/F).

Nevertheless, as mentioned at pre-app stage the scheme would result in a congested form of development. The New Build II would be squeezed rather uncomfortably between Haven Road and the 1980s building with pinch points to both.

Landscape

The development would result in the loss of several trees, with a negative impact on the character of the site and Haven Road Street scene.

Planting should be abundant and varied to soften the impact of the new building. The tree officer's comments on the trees to be lost and the proposed planting will be important.

Appearance and street scene

- *The site contains buildings of various roof forms and designs in close proximity to one another. This would be exacerbated by the introduction of the modern flat roofed New Build II, beside the pitched roof 1980s building with little breathing space between them.*
- *Various stretches of the elevations including the most public elevation to Haven Road include windowless areas of solid brickwork, although this would be somewhat broken up by brick detailing.*
- *The building's blocky form would be prominent from Haven Road given its proximity to the boundary and the limited screening provided by remaining trees and planting. This is particularly unfortunate given that there would be no entrance into the building from the street and the boundary would be formed by a tall, closed board fence.*
- *If the scheme is approved specification of a good quality brick will be key.*

Energy and resources

The demolition of Kimmeridge Court and Pine Cottages emphasises the need for the new build to make effective use of resources. I understand that the building is predicted to achieve a BREEAM 'excellent' rating which is positive.

Car and cycle parking

- *Cycle parking is located in various parts of the site. Some cycle stands beside the entrance to New Build II would probably be useful for staff.*

It is unfortunate that 3 car spaces would be located in front of the building entrance, rather than creating a more open approach.'

34. Historic England – Objection. Summary as following:

'Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 200 of the NPPF.

If determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess'.

35. Wessex Water – No objection, subject to conditions

36. Local Lead Flood Authority – No objection, subject to conditions

37. Poole Police Station – No objection

Ecologist – No objection

Comments dated 20/08/2023:

*"Ecological Impact Assessment Car Park at St Ann's Hospital" by Darwin Ecology section 6.9, has mention of annuals poppy (*Papaver rhoeas*), cornflower (*Centaurea cyanus*) and oregano (*Origanum vulgare*), for long term provision of biodiversity enhancement seeding/planting needs to be of mainly perennials and not annuals such as given common poppy (*Papaver rhoeas*) and cornflower (*Centaurea cyanus*), which are not readily maintained on site without regular input. It also says about planting oregano/wild marjoram (*Origanum vulgare*), this is a plant of*

calcareous soils while this site is mainly acidic River Terrace Deposits of sand and gravel, so this species is unsuitable for this site and should not be used.

Section 7 of report gives enhancement recommendations, but no specific details, these to be supplied. This could be by condition.

Also on web page for this application have 'Biodiversity Net Gain Assessment St Ann's Hospital July 2023' by Darwin Ecology this shows a biodiversity net gain being delivered, while there is some information more detail is required to demonstrate that this gain is achievable and maintainable, to this end a detailed Landscape and Environmental Plan is required, this to include who will supervise and carry out required work. This could be by condition.

If this application is granted permission the below should be secured by way of planning conditions:

- *Detailed biodiversity enhancement plan and Landscape and Environmental Management Plan (LEMP) to be produced and agreed with council, which then shall be implemented in full. – Reason: to be compliant with National Planning Policy Framework 174 "Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity" and Poole Plan Policy PP33 "enhance biodiversity".*
- *Vegetation clearance on this site should be carried outside the bird breeding season of 1st March to 31st August inclusive. Unless it can be sufficiently checked by an ecologist to show that nesting birds are not present. – Reason: prevention of disturbance to birds' nests as protected under Wildlife and Countryside Act 1981(as amended)'.*

Representations

38. Letters were sent to neighbouring properties and site notices displayed around the site.

39. 9 Letters in support, and 6 letters of objection have been received. All objections are from residents occupying Chaddesley Grange set towards north-east of the application site and the following grounds for objection were raised:

- Design out of keeping
- Scale, siting and massing of the proposed new building
- Loss of light and privacy
- Overbearing development
- Overshadowing
- Increased traffic and noise
- Lack of parking
- Neighbours of Chaddesley Grange were not consulted on a 2011 approval ref. APP/11/00154/FUL

Officer's note: The Council's records show that consultation letters were sent by post to residents of APP/11/00154/FUL on 21/02/2011..

Key Issue(s)

40. The main considerations involved with this application are:

- Principle of the proposed development and site history;
- Design and impact on character and appearance of the area
- Impact on Heritage Assets;

- Trees;
- Biodiversity;
- Neighbouring living conditions;
- Highway safety and Parking;
- Waste and Recycling;
- Drainage;
- Land Stability
- Sustainability

41. These issues will be considered along with other matters relevant to this proposal in the main body of the report below.

Policy Context

42. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises:

43. Poole Local Plan (Adopted 2018)

- PP1 Presumption in favour of sustainable development
- PP2 Amount and broad location of development
- PP26 Retention of existing community facilities
- PP27 Design
- PP30 Heritage Assets
- PP32 Poole's important sites
- PP33 Biodiversity and geodiversity
- PP35 A safe, connected and accessible transport network
- PP36 Safeguarding strategic transport schemes
- PP37 Building sustainable homes and businesses
- PP38 Managing flood risk
- PP39 Delivering Poole's infrastructure
- PP40 Viability

44. Supplementary Planning Document

- SPD Parking Standards (2021)
- SPD2 Heritage Assets
- SPD3 Dorset Heathlands Planning Framework (2020-2025)
- SPD5 Poole Harbour Recreation interim Scheme
- SPD Nitrogen Reduction in Poole Harbour (adopted February 2017)

45. Other material considerations

46. **The National Planning Policy Framework (2021)**

Paragraph 11 sets out the presumption in favour of sustainable development. Plans and policies should apply a presumption in favour of sustainable development. For decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

47. The following chapters of the NPPF are relevant to this proposal:

- Chapter 2 - Achieving sustainable development
- Chapter 6 - Building a strong and competitive economy
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 – Sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 - Achieving well-designed places
- Chapter 14 - Meeting change of climate change
- Chapter 15 - Conserving historic environment

Planning Assessment

Principle of the proposed works and site history

48. The proposed development responds to the objectives set out in the NHS 5 Year Forward View implementation plan for mental health and forms part of a wider site reconfiguration under the Trust's Capital Development Programme which seeks to modernise its Estate's stock in order to improve the privacy, dignity and security of the service users, to improve working conditions for Trust staff, to adjust the bed configuration in line with the Acute Care Pathway ('ACP'), and to meet the standards expected by service commissioners. The elements of the Capital Development Programme being delivered at St Ann's include:

- Transfer all inpatient accommodation out of the 1910 Grade II* listed building at St Ann's Hospital to meet Care Quality Commission directives.
- Complete the Phase 2 development of the St Ann's Hospital site (the current application)
- Refurbish Haven ward (1980's Building ground Floor) to provide minimum of 8 adult mental health beds and health based place of safety ('HBPoS') Unit
- Car parking reconfiguration works (separate planning proposal)

49. There is noted a significant public benefit to the proposed works within the site due to a great demand for mental health services, which continue to rise. A strategic objective of the Poole Local Plan is to enhance and better connect Poole's network of strong, healthy and active communities, including improvements to accessing health care. The principle of the proposed extension is in line with the Council's strategic objectives and is therefore supported.

50. A similar layout and massing was established by a planning consent granted for a scheme in 2011, which has been partly implemented (ref. APP/11/00154/F). This particular permission included two 2-storey buildings (Building 1 and Building 2) on site to accommodate a 32-bed long stay ward, 16-bed male treatment ward and 14-bed Acute Assessment Unit (AAU) ward. This permission also consisted of provision of a new combined entrance to, and extension of, the existing 1980's building; demolition of the 1970's block, Pine Cottage and Kimmeridge Court; repair to the west end of the Listed Building; replacement of existing metal staircase and alterations to existing reception counter; associated car and cycle parking and landscape; as well as creation of new pedestrian access from Haven Road.

51. Furthermore, a listed building consent ref. APP/11/00155/L was granted for demolition of a 1970's block and to repair the west end of the building, replacement of existing metal staircase, alterations to existing reception counter and demolition of Pine Cottage. This Listed Building Application comprised in part the same works as were previously permitted by application APP/09/01213/L, approved on 11 December 2009. As in that consent, the creation of a gap between the Grade II* Hospital listed building and the 1980s building was considered beneficial and sought as an enhancement of the setting of the Listed Building. The consent APP/11/00155/L included demolition of the curtilage building Pine Cottage. No objection was raised to the demolition of Pine Cottage by English Heritage (now Historic England) or the Council's Conservation Officer at the time. A listed building consent ref. APP/11/00155/L was partly implemented (e.g. demolition of 1970s block and alterations to existing reception counter), therefore this consent is considered a material planning fall-back position due to being an extant permission.

52. Phase 1 of APP/11/00154/F permission included the erection of New Build 1 for treatment and AAU and thereby similar uses to the current proposal. APP/11/00154/F permission also included changes to the 1980s building to provide a combined entrance and this has been implemented. Phase 2 included 'New Build 2' of a similar scale and massing as currently proposed as well as demolition of both Pine Cottage and Kimmeridge Court.

53. Significant weight is attached to the extant 2011 permission ref. APP/11/00154/FUL, particularly as regards the location, siting (footprint), mass (floor space) and general design (including roof-scape) of an additional building on the site. The current scheme differences are predominantly dictated by the latest technical and clinical standards as regards the layout and configuration of the internal floor arrangements. However, there are numerous similarities with the partly implemented permission from 2011, such as the following:

- The current application shows a building in the same location for the same use as the consented and implemented scheme in 2011;
- There would be a very similar footprint (including not being materially closer to Chaddesley Grange);
- The new building would have a similar floor space and roof-scape;
- The entrance to the building is in a very similar position;
- The same car parking provision (3 spaces adjacent the entrance to the building);
- An architectural corner (northwest) tower feature to the design of the building;
- Both buildings with predominantly the same primary external cladding material (brick); and
- Windows to the bedrooms being of almost identical configuration (two side-by-side vertical glass panes with horizontally aligned panels above and below).

54. As noted already, a building of similar scale and massing, in the exact same location is subject to a partly implemented planning permission APP/11/00154/FUL, as well as another extant permission - listed building consent APP/11/00155/L. The proposed design changes are mandated by various standards and constraints of the NHS programme. This predominantly relates to the internal configuration of the building, which as a result, affects the exterior of the

building. Nevertheless, the scale and appearance (e.g. flat roof and number of floors) remains the same as this shown within the extant permission.

55. There are essentially two elements that need to be established for a potential fallback to be given weight in the assessment of the planning merits;

(1) the nature and content of the alternative uses or operations; and

(2) the likelihood of the alternative use or operations being carried on or out.

Officers can confirm that the current proposal is for the same uses and operations with the current hospital site. Furthermore, there is no likely acceptable alternative to the proposed sitting of a new building given the site constraints such as the presence of the Grade II* Listed main building and its direct setting, an effective 'no building zone' between the main building and the coastline, the presence of the other buildings on the site, the presence and location of numerous trees, and the need to retain adequate car parking. Officers agree that a practical example of these constraints was provided via the refusal of planning permission in 2009 (ref APP/09/01085/F), and reinforced by the local planning authority's response to pre-application enquiries by the Applicant in October 2021 (ref PREA/21/00125) and May 2022 (ref PREA/22/00070).

56. In support of the public benefits of the current scheme, the applicant has provided following information:

'The public benefits delivered by the proposals at St Ann's come under the banner of improved mental healthcare facilities for Dorset which are part of a modern, sustainable NHS that represent value to the HM Treasury and the UK taxpayer. Specific public benefits include:

According to the Office of National Statistics data the suicide rates in Dorset has seen in 2019 41 deaths, 2020 33 deaths and in 2021 45 deaths. Access to the right mental health services at the right time can only help to reduce these numbers.

A net increase in Adult Mental Health beds at St Ann's site; supporting BCP located patients being treated close to home, enabling them to be supported by family, carers and local professionals. Patients who are sent out of area have documented longer lengths of stay and overall recovery times, this treatment is also more expensive than delivery locally. There are network effects to recovery. Not only are patients directly impacted, but it is known that this also affects their families and friends, requiring additional service needs in the system.

Private and dignified spaces would be created for patients, supporting clinical interventions and conversations;

Visits from family and carers would be able to take place in confidence within a space that is comfortable, relaxed and personalised for the patient and supportive of their recovery. Current arrangements are sub-optimal in this respect.

New PICUs located within the NB2 would support the treatment of people with serious mental illness as individuals, providing a range of clinically supportive spaces not presently available which would improve clinical outcomes.

New facilities, including single rooms, would provide a greater level of care for patients, which would support a shorter length of stay and aid patient recovery. This would reduce costs to the NHS in the long-term. Health Based Place of Safety expansion (Section 136 suite) which allows seriously distressed people to be transferred St Ann's in an environment that provides a greater level of care and supports a shorter length of patient stay. It would also reduce the amount of time that Police Officers are required to spend with patients before they can be treated. This will free up Police Officer time to deal with other matters and will represent a cost saving to Dorset Police, that becomes available for other public need.

The refurbishment of the listed building ward to provide dedicated individual and family therapy, and activities of daily living kitchen, treatment and clinic spaces alongside clinical offices would provide the Eating Disorders Outpatients service with the capacity to meet the present and

growing needs of the community within a fit for purpose and welcoming environment. Reducing waiting lists and providing reduced referral times and earlier interventions.

Staff would have a full range of facilities allowing them to provide the flexibility of care needed in a safe environment, whilst providing them with spaces away from the ward for personal time and wellbeing. This supports staff satisfaction, retention and recruitment and is important to an efficient and reliable NHS mental healthcare in Dorset.

The new facilities would ensure staff have space for structured and ad-hoc clinical supervision making the best use of time between therapy sessions to discuss client progress. This provides opportunities for team bonding and cohesion, ensuring community based staff can work alongside their hospital based colleagues, sharing experience and knowledge and enabling care co-ordinators to regularly liaise with their patients in the day programme or on the ward, to provide a joined-up approach between these services. This will improve the overall healthcare service locally.

By developing the St Anns site the Trust is able to continue to provide services from a site which has been established within its community for generations, where they will not only have their own therapeutic benefit, but with improved facilities are able to strike a balance between sustainability, modernisation and reverence to the historical context that are really important to the people of Dorset.'

57. It should be noted that following the 2011 permission, the NPPF has been published and a new Local Plan for Poole was adopted in 2018. However, so far as the relevant heritage and urban design policies are concerned, the policy focus and underlying legislative basis e.g. Section 66 of the Planning (Listed Buildings and Conservations Areas) Act 1990 remains the same.

58. Finally, some consultees questioned how the current application and a separate application for Car Park Crescent works (APP/23/00166/F) would interact with each other to provide acceptable parking provision on site. Having considered those two applications, it seems to be possible and appropriate to deal with the requirements for additional car parking spaces for the new build application by way of condition attached to that permission subject to the Crescent Parking proposal ref. APP/23/00166/F being granted prior to the committee's decision on APP/23/00167/F.

Design and Impact on the character and appearance of the area

59. Paragraph 126 of the NPPF states that good design is a key aspect of sustainable development, and that planning decisions should ensure that developments are sympathetic to local character and establish or maintain a strong sense of place. The National Design Guide continues that well-designed development should be integrated into their surroundings creating a coherent pattern of development. Policy PP27 relates to design quality and seeks to ensure that all development and spaces are well designed and of a high quality. Development which by its design would be detrimental to the built environment, amenity or character will not be permitted.

60. The design of proposed building, although dictated by the medical requirements of its future uses, would utilise the topography of the site to minimise its impact upon the wider setting of the site and street scene. The proposed new building would be located in the north-eastern corner of the hospital site. The area is currently occupied by a car park and two buildings (Kimmeridge Court and Pine Cottage), which will be demolished to facilitate the construction of the new building.

61. The Council's Heritage Office and Historic England raised concerns regarding the proposed design, which in their view has no reference and is stylistically challenging to the curtilage listed Pine Cottage and to the 1980s complex set within a listed curtilage. As such, both consultees concluded that the proposal does not preserve the setting and or make a positive contribution to the asset or better reveal its significance as required in NPPF 197. Proposed external facing materials would be discussed below. However, as already noted in this report the current application very closely follows the extant Planning Permission for Build 2 granted in 2011 (APP/11/00154/F). The Permission was granted for two similar sized

contemporary buildings, one attached to the existing building and the other close to but detached.

62. The current proposal appears to match the 2011 approval, which permitted the erection of a building of a similar scale, bulk and massing on a similar footprint. The applicant also responded to the comments received at Pre-App stage. To address those concerns, the building has been reconfigured slightly since the Pre-Application advice by creating an offset in the building footprint on the western flank to increase the separation distance from the 1980s building at one of the pinch-points. The design tries to balance competing requirements of remaining as close as possible to the existing permitted footprint whilst fulfilling the clinical accommodation requirements in compliance with the NHS briefing guidance for the service.

63. The flat roof enables electrical energy generation towards net zero carbon, as well as help to achieve a BREEAM 'excellent' rating through photo voltaic arrays and air source heat pumps which are out of sight from the ground level. These can be safely maintained on a walkable roof and would not be feasible on a pitched roofed building. The extant permission was also granted for a flat roofed building. To achieve the accommodation capacity required, a suggested two storey pitched roof building as suggested by the Council's Heritage Officer would have increased the overall height of the building significantly above the height of the previous permitted scheme.

64. As stated already in this report, the design of the replacement building is dictated by the medical requirements of its future users although the building itself would have a very similar scale, massing and sitting as this shown on the extant permission. The current application follows the most recent pre-application advice request ref. PREA/22/00070 where officers noted a fallback position in form of partially implemented permission from 2011. However, it was noted that *'careful consideration will need to be given to the design of the proposals and a thorough historic assessment will need to be undertaken'*. Following this pre-application advice, the applicant decided to explore a greater use of feature brickwork.

65. Although the scale and massing of the proposed building is fairly similar to that granted in 2011, there are some design differences, which are dictated by internal layout re-arrangement due to the latest medical requirements for its future use. Nevertheless, the Building 2 permitted in 2011 used stone cladding rather than brick and larger units of curtain walling with no direct references to the listed building and its brick detailing. However, the current proposal introduces warm red brick in references to the main hospital building that is listed. The building would feature panels to break up massing. The submitted details indicate 3 types of brick, which have colours of a similar palette used for New Build 1 granted in 2011, New Eating Disorders unit, the Grade II* Listed Building, as well as the 1980s Building design.

66. There would be 3 types of brick details used as following:

- Brick Type 1 – red brick with light colour mortar, horizontal. It would be used between the windows to highlight the vertical elements of the elevations.
- Brick Type 2 – red brick with dark colours mortar, vertical. This brick would be recessed by 20-30mm and will be located above windows.
- Brick Type 3 will feature red brick pattern with dark colour mortar, vertical. It will be used on each side of the window and would continue the vertical pattern above each window.

Overall, the rhythm of the windows and shadows created by recessed elements of the elevation would add interest to each elevation.

67. The proposed works would give St Anns Hospital a new public presence on Haven Road. The visual impact of the scheme on Haven Road street scene is noted as at the moment, only a minimal glimpses of the cottage roof can be afforded and the main vista is one of a sylvan and verdant setting. The proposed building would noticeably change to this part of the Haven Road street scene although not materially so to that granted under 2011 permission. When comparing to the 2011 extant consent, the proposed building would be approximately 1.3 metres taller due to clinical ceiling height standards and services requirements. The plant is also

taller but is offset from the building perimeter where possible to reduce its visual impact. There is a prominent corner of the building facing Haven Road with the intention to accentuate the verticality of window pairing. There is a clear reference in the façade design to the proportions of the pierced balconies on square brick piers in the centre of the Grade II* hospital building. This was achieved by reproducing the proportions of the square brick piers between the windows and adding the feature brickwork on each side with similar proportions of the pierced balconies and parapets.

68. The Urban Design Officer noted that cycle parking besides the entrance could be beneficial. As a result of that, revised plans show four Sheffield stands to be provided adjacent to the building entrance to address this comment and those made by BCP Highways. In regard to the initial consultee comments on proposed car parking at the entrance, this is considered beneficial to allow access for less able-bodied people and for patients arriving and departing via vehicular (ambulance/police) transport.

69. For the above reasons, the proposed works would comply with Policies PP27 and PP30 which seeks to promote that all development and spaces are well designed and of a high quality, as well as require protection of heritage assets.

Impact on Heritage Assets

70. As stated already in this report, this site is constrained by various heritage assets, including those on site – Grade II* listed building St. Ann’s Hospital and Pine Cottage, a curtilage listed building. The NPPF places ‘great weight’ on the conservation of heritage assets. Where less than substantial harm is identified, the NPPF at Paragraph 202 requires this harm to be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. As stated already in this report, the application site is constrained by various Heritage Assets.

71. The application is objected to by both the Council’s Heritage Officer, as well as Historic England. The concerns raised are around the proposed demolition of the Pine Cottage, the design and scale of the proposed building, as well as concerns regarding the proposed arrangement for car parking across the site and travel plan. The Conservation officer notes that the loss of Pine Cottage is ‘detrimental’ to the Listed Building’s setting and the removal of trees along Haven Road makes a bland site elevation. What amounts to “substantial harm” or “less than substantial harm” in a particular case will always depend on the circumstances. Whether there will be such “harm”, and, if so, whether it will be “substantial”, are matters of fact and planning judgment.

72. Any planning application for development which will affect a listed building or its setting must be assessed in accordance with the requirements of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires a local planning authority to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses.

73. The term preserving, used in section 66, has been defined as doing no harm. This does not mean that there are no circumstances where development may be permitted where it is agreed that some harm will be caused. Further guidance on this is given in section 16 of the NPPF and also in the Historic Environment chapter of the Planning Practice Guidance (PPG). Paragraph 199 of the NPPF emphasises that when considering the impact of proposed development on what the PPG calls “heritage assets”, great weight should be given to the conservation (or preservation) of those assets. and the more important an asset (i.e. the higher its listing grade) then the greater the weight that should be attached to its conservation.

74. Paragraph 200 states that any harm to the significance of a designated heritage asset whether from its alteration, destruction or from development within its setting, should require clear and convincing justification. The NPPF identifies two levels of harm: substantial harm and less than substantial harm. The courts have made it clear that there is no spectrum of degree of harm within the less than substantial harm category but, as explained above, the more important a heritage asset is, the greater the weight to be attached to its preservation or the

preservation of its setting, irrespective of whether the harm caused is substantial or less than substantial.

75. The NPPF gives separate guidance on the approach that should be taken when determining an application where the harm is assessed as substantial and where it is assessed as less than substantial. In this case, the degree of harm to the setting of the Grade II* St Anns Hospital Building has been assessed as less than substantial. Paragraph 202 of the NPPF applies where the harm is assessed as less than substantial. This requires that in determining the planning application the less than substantial harm must be weighed against the public benefits of the proposal.

76. The NPPF itself does not define what public benefits are for this purpose. Further guidance is given in the Historic Environment Chapter of the PPG. This refers to anything which delivers the economic, social or environmental objectives of sustainable development described in paragraph 8 of the NPPF. Those objectives are defined in paragraph 8 of the NPPF as follows:-

(a) Economic - to help build a strong, responsive and competitive economy

(b) Social - to support, vibrant and healthy communities

(c) Environmental - to contribute to protecting and enhancing the natural, built and historic environment.

The PPG makes clear that the public benefits must flow from the development and must be of a nature or scale that would benefit the public at large but these benefits do not always have to be visible or accessible to the public or to all sections of the public to be genuine public benefits.

The Balancing Exercise Between Harm and Public Benefit.

The courts have held that the duty imposed by section 66, referred to above, is complied with if the harm caused to the listed buildings or their setting is assessed as being not as significant as the benefits which the proposed development will bring. This is the balancing exercise which paragraph 202 of the NPPF requires is carried out when deciding whether or not planning permission should be granted.

77. Trees and planting (no objection by the Council's Arboriculturist) will be discussed later in this report (the proposed development will now retain the third pine on this elevation T206 as per the updated tree removals plan). The landscaping to the centre of the site has been adapted to remove the majority of the car parking and to respond to how the setting of the original building would have been laid out to take advantage of spaces and landscape as part of the design concept.

78. The Applicant has vacated Pine Cottage, and the building is now empty (saved for some gym equipment). Under the scope of the extant 2011 permission, the LPA accepted the demolition of Pine Cottage and as explored above, the implemented extant permission is considered to be a material fallback position and this carries significant weight in the planning balance.

79. The Council's Heritage Officers also commented that the applicant has failed to follow the 5 Step Guidance of The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning Noted 3 (Second Edition) publicised by Historic England. This particular Guidance suggests following steps to be taken while assessing developments within proximity to the heritage assets:

- Step 1: Identify which heritage assets and their settings are affected.
- Step 2: Assess the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated.
- Step 3: Assess the effects of the proposed development, whether beneficial or harmful on the significance or on ability to appreciate it.
- Step 4: Explore ways to maximise enhancement and avoid or minimise harm.
- Step 5: Make and document the decision and monitor outcomes.

80. The statutory consultee especially raised concerns regarding Step 4. In response to that, it should be noted that following a recent pre-application advice response, the applicant introduced an offset in the building footprint on the western flank to increase the separation distance from the 1980s building at one of the pinch-points. Also, the third pine tree (T206) as per update tree removals plan ref. STP2-UBU-XX-XX-DR-L-1003-P5 would be retained. Additionally, the proposed building will be built of warm red brickwork with references to the main Grade II* Hospital Building, as well as feature panels will be introduced to break up the overall massing of the building. Finally, it should be noted that the proposed building has a very similar footprint and sitting as the permitted footprint under the 2001 approval that is considered as a material fallback position. Furthermore, the proposed new building would be set approximately 80 metres away from the Grade II* listed Hospital Building and effectively screened from it by the 1980s block, which was recently redeveloped.

81. The applicant confirmed that the Guidance would not result in a substantially different scheme that would meet the needs of the NHS Trust and their patients, nor the applicable current technical and clinical standards as already noted in this report. There is no reasonable likelihood of any alternate development scheme emerging due to existing site constraints.

82. Furthermore, comments from English Heritage on the 2011 planning application (APP/11/00154/FUL) should be noted, as summarised in the case officer's report at the time:

"In the previous advice English Heritage stated that they would prefer to have the new buildings located closer to the properties in Haven Road than in the car parking area..." and "The siting of the new facility in the proposed location is seen as preferable to other options within the site, which were judged to detract from the setting of the principal Listed Building. In terms of mass, scale and bulk they consider the new building to be appropriate. The quality of the final design of any new building is recognised as being very dependent on the materials used, particularly the choice of brick and the skill in construction." Additionally, English Heritage did not object the loss of Pine Cottage in 2011 contrary to the current advice from Historic England.

83. The harm identified by both the Council's Heritage Officer and Historic England would be 'less than substantial'; however; there is a clear public benefit to the proposal in the provision of healthcare facilities, as well as being set away from the main hospital building. It is considered that the proposed new building, which fronts Haven Road, would have little impact on the setting of the Listed Building since it is effectively screened from it by the 1980s block.

84. There was a duty to consult with Historic England on this application because the proposed development had the potential to affect the setting of the Grade II* listed hospital building. However, although its assessment of the effect of the proposed development and the degree of harm caused is noted (and in this case it also assessed the harm as less than substantial), the final decision whether planning permission should be granted is for the Local Planning Authority in exercising its planning judgement in respect of the merits of the scheme as a whole.

85. It is your Officer's view that the level of harm of 'less than substantial harm' raised by the Heritage Officer will not significantly and demonstrably outweigh the benefits provided through the provision of a new facility where there is in high demand for such mental health service with a new facility. Although there is identified conflict with Policy PP30, assessed against paragraph 202 of the NPPF, it is officer's view that identified public benefit of a new health care unit in support of the extant use of the site would outweigh the harm. Also, the existing fallback position in the form of the 2011 permission is given significant weight.

Impact on Trees

86. Planning policy PP27 of the adopted Poole Local Plan states that "*Development will be permitted provided that, where relevant, it responds to natural features on the site and does not result in the loss of trees that make a significant contribution, either individually or cumulatively, to the character and local climate of the area. Any scheme that requires the removal of trees should, where appropriate, include replacement trees to mitigate their loss.*"

87. The Council's Tree Officer confirms that the submitted revised Landscape Plan (New Building Planting Plan, STP2-UBU-XX-XX- DR-L-3000) is a positive scheme showing 13 new trees to be planted. The revised arboricultural information shows 8 trees for removal. Five of the trees to be removed (T195, T211, T212, T213 & T214) are low quality poor specimens, that are not considered a constraint to the development as their loss will not have an impact on the amenity and character of the area. Two trees (T202 and T204) already have extant consent (APP/11/00154/F) for removal.

88. The Council's Tree Officer noted that T210, a mature Monterey Pine which is proposed for removal is of some stature and visual importance. The size of the tree and the poor rooting environment (roadway and parking) outside of the garden bed means roots have spread and caused large areas of displacement to the surrounding tarmac areas. The proposal would require the removal of a large proportion of these surface roots. This root loss to facilitate the development would significantly damage the tree to an extent it's health and stability would be compromised. It is therefore agreed that the tree would not be able to be retained given the current proposal and only with a modification of the design, could the retention of this Pine be feasible.

89. The Council's Tree Officer noted that given the important contribution T210 makes to the character of the area and its loss should be resisted. Notwithstanding the views of the Tree Officer the extant approval ref. APP/11/00154/F is a material consideration, as well as T210 not directly contributing to the street scene, its value being to the site's internal setting. When comparing the location of the approved building and the current proposal, the siting is very similar. However, when comparing to the current (removal of T201) and extant permission (retention of T210), impact on T210 cannot be quantified, given the increased root growth in the car park area over the last 12 years and a slightly different design. In the 2011 application the part of the building closest to the tree was single storey and it had the benefit of a cantilevered foundation design.

90. Despite a level of conflict with Policy PP27(1)(b), as agreed by the Council's Arboriculturist, the current proposal is positive regarding trees, with a landscaping scheme that will enhance the future visual and environmental benefits and assist in softening the built form. Conditions requiring implementation of the Arboricultural Method Statement, a pre-commencement tree meeting and implementation of the landscape scheme are recommended as mitigation. As such, there is moderate harm from the loss of T210 which will be weighed in the Planning Balance

Biodiversity

91. The Council's Ecologist initially raised no objection in principle; however, the consultee placed a holding objection until the results of the phase 2 bat survey had been provided. The supplied report 'Ecological Impact Assessment St Ann's Hospital 69 Haven Road Poole BH13 7LN Phase 2: Alternative New Build 2 June 2023' by Darwin Ecology Ltd, was re-consulted with the Council's Ecologist and shows that current buildings do not support bat roosts.

92. However, the officer further raised a query regarding the Biodiversity Net Gain Assessment which references offsite woodland within the metric. The applicant clarified that despite the woodland being referenced as off site, it is within the same land registry ownership and within the red line boundary and as such would not require any additional permissions. The Biodiversity Net Gain report has been updated to reflect this and is appended to this submission. The Net Gain amount has now increased to 43.79% from the 14.46% previously submitted. In overall, the proposed works would be in accordance with Policy PP33 and guidance contained within Section 15 of the NPPF subject to conditioning compliance with the approved Ecological Impact Assessment, as well as introduction of Biodiversity Enhancements.

Residential Amenity (neighbouring occupiers)

93. Policy PP27 (Design) permits development where it would not result in a harmful impact upon amenity for both residents and future occupiers considering levels of sunlight and daylight, privacy, noise and vibration, emissions, artificial light intrusion and whether the development is overbearing or oppressive.

94. Most neighbouring properties are set away from the application site apart from a neighbouring block of flats at Chaddesley Grange that is located approximately 4.5 metres away from the application site's north-east boundary and would be set around 7.3 metres from the proposed building. The existing Kimmeridge Court fronts the Haven Road boundary, its eastern elevation fronts the residential property's location within Chaddesley Grange, on Chaddesley Pines Road.

95. The proposed building is designed to follow the existing building line of Kimmeridge Court and the permitted building line of a new hospital building approved in 2011 (APP/11/00154/F). The current proposal shows a comparable footprint to this granted in 2011 with the exception of the side boundary facing the adjacent neighbours at Chaddesley Grange as the proposed building would be set approximately 0.25 metre closer to this neighbouring building. The current proposal also shows a building approximately 1 metre taller than this permitted in 2011 due to latest requirements for 3 metres ceiling heights to reduce ligature risk.

96. Objections were raised from residents at Chaddesley Grange regarding the proximity of the proposed development to residential properties and potential adverse impacts on light and privacy. As noted already, the proposed footprint is similar to this consented in 2011. Also, a recent pre-application advice response ref. PREA/22/00070 did not object such siting. Given the consented building in 2011 and the proposed increased proximity of 0.25 metres closer to the boundary shared with Chaddesley Grange, impact on those neighbours in terms of loss of light or overbearing impact is on balance acceptable. Furthermore, the applicant has provided sunlight and daylight diagrams showing a satisfactory outcome in terms of potential overshadowing of the neighbouring properties.

97. In terms of potential overlooking of Chaddesley Grange, the applicant confirmed that the proposed building would not feature any patient bedrooms facing Chaddesley Grange. The windows of rooms facing neighbours set north-east would not be openable with the bottom panels to be obscure glazed and the central panels will have translucent / fritted glazing. The top window panels would be clear glazed at 2.3 metres above the finished floor level of the ground floor and at 2.6 metres above the finished floor level of the first floor of these rooms. There would be three windows on the elevation facing Chaddesley Grange that are clear and openable, and these would be located on staff rooms which lie adjacent to the Chaddesley Grange garage building i.e. furthest away from the Grange itself. Exact details of obscure window treatments would be secured via condition.

98. With regard to noise, the proposed building has been designed to minimise potential noise impacts of use through inclusion of suitable insulation and where possible non-opening windows to all rooms outside of staff use. However, the Council's preference would be that the top floor glass panels serving non-staff rooms would be openable to allow fresh air to those rooms. This can be dealt via a condition requiring details of obscure glazed windows. Furthermore, bedroom windows on the ground floor of the Haven Road elevation would be partially openable to allow patients access to fresh air, a mandated clinical requirement. All internal courtyard spaces have four walls and open roofs, patients using these spaces will be supervised and as such it is not considered that they would result in unacceptable impact. As such, it is not considered that there would be any adverse noise impact to the residents of Chaddesley Grange or other neighbouring properties.

99. In terms of noise generated from plant space, the provided air source heat pump ('ASHP') report by Ian Sharland Limited (May 2023), concluded that if installed with the Allaway Acoustics enclosure and the compound screening as described, noise emissions from the new ASHP will avoid disturbance for the neighbouring residents. It is noted that exact details could be controlled via condition as noted by the report. Additionally, it was confirmed by the Council's Environmental Health Officer (Noise) that there is no evidence in the Council's records to indicate there has ever been a noise complaint regarding patients at the St Anns Hospital site. The consultee also confirmed that the Environmental Health Department will respond to any complaints of this nature and would work with the hospital to resolve any issues if required. However, this would be dealt with on a case-by-case basis and not something that is considered at the planning stage.

100. The noise impact assessment covered all commercial plant units proposed to be installed on the facade facing Chaddesley Grange as the nearest noise sensitive receptor. There was a kitchen mentioned on the plans however this is more of a domestic type of kitchen as opposed to a commercial one and as such no plant is required. The ASHP's are a known source of noise and attenuation specifications were detailed in the report to mitigate any impact on the nearby residents. The mitigation specifications are to be conditioned as part of the planning permission.

101. Impact on the wider setting of the site was also assessed by the Council's Environmental Health Officer in terms of air quality. Further information regarding the proposed standby generators was requested on 6 April, but no further information in response to the following was received by the Council. Therefore, a condition requiring the technical specification of the proposed generator including the likely emissions; details of proposed maintenance/testing schedules for the generator; and an assessment of whether there are likely to be significant impacts on local air quality during operation or maintenance/testing of the generator to ensure that local air quality is not impacted is recommended. The applicant must also consider whether the requirements of Medium combustion plant: when you need a permit - GOV.UK (www.gov.uk) will apply.

102. In overall, the site access, parking re-arrangements on site, as well as siting of the proposed building would be acceptable in terms of potential overlooking, nuisance and overshadowing of immediate neighbouring amenities and residential units. On this basis, there would be no adverse impact in residential amenity, and the proposal would comply with planning Policy PP27.

Parking/Traffic/Highway Safety

103. The proposals form part of a wider overall redevelopment of the site including reconfiguration of car parking which has been submitted under separate planning application reference APP/23/00166. The proposal contains a comprehensive Transport Assessment (TA) which outlines traffic flow and parking analysis. The scheme will result in an additional 10-bedroom increase on the site. Based on the development's layout and likely staffing numbers the TA outlines that the Council's Parking Standards SPD guidance seeks an additional 11 car parking spaces for the 10 bedroom increase on the site. The current parking provision on site is 113 car parking spaces and this will raise to 127 parking spaces as part of the overall site redevelopment including APP/23/00166/F parking reconfiguration proposals. This is an increase in 14 parking spaces and therefore the overall site proposals comply with the Parking Standards SPD. The proposals for the reconfiguration of the parking are under a separate planning application APP/23/00166 and as discussed in a 'principle of the proposed works' section of this report, those two permissions would be tied via a planning condition.

104. There will be 5 parking spaces which will have electric vehicle charge capabilities, this is considered acceptable given that much of the car parking is existing and therefore the Highway Officer did not insist on electric vehicle charging for this existing parking. The Parking Standards SPD seeks a provision of 8 cycle spaces for the 10-bed increase. Following consultation with the Local Highway Authority (LHA) a further eight cycle parking spaces are provided, which can be secured via condition. As per Table 5.9. of the submitted Transport Assessment produced by AECOM, the cycle parking provision need generated by the wider proposed development on the site is eight spaces. The application as submitted proposes six additional cycle spaces and as such the Trust agree to provide 4 Sheffield stands at the entrance of the new building. These additional cycle stands are shown on the New Building Landscape GA Layout plan ref: STP2-UBU-XX-XX-DR-L-1000 (1) R9. Such additional provision would result in an over provision for the new development and as such is considered to comply with the SPD standards.

Drainage

105. In accordance with the recommendations of the National Planning Policy Framework (NPPF) all development proposals are to be supported by a strategy of surface water management that is both viable and deliverable, and which demonstrates that the proposed development and any adjoining property or infrastructure are not to be placed at increased risk, or worsening. Accordingly, the Council's Drainage Engineer acknowledges that the current

application is supported by a site-specific Flood Risk Assessment (FRA) and a comprehensive Drainage Strategy Statement (DSS) document (Version 1), both compiled by Calcinotto (ref: 114356 - dated 9th January 2023). These FRA & DSS documents are seen to be relevant to all three of the applications listed above. A related Drainage Management and Maintenance Statement (DMMS – Calcinotto ref: 114356) has additionally been supplied, but only appears to be listed in respect of APP/23/00166/F, in respect of the associated parking scheme.

106. The supporting FRA document offers a wider consideration of potential flood risk from all sources, whilst the DSS provides an assessment of the site, the prevailing ground conditions and constraints, and sets out a conceptual drainage strategy based upon attenuated discharge to an available surface water sewer, via existing connections. Justification for the proposed drainage strategy, rather than a reliance upon infiltration-based methodologies, is provided within the Executive Summary, Section 6 and Appendix C of the DSS document; *limited space & testing, proposed reuse of existing connection & discharge to a surface water sewer, agreed by Wessex Water*. This conceptual drainage strategy is considered acceptable and compliant with guidance / best practice based upon the nature of the site, together with an acknowledgement of the relevant constraints and proposed configuration of the scheme, subject to final assessment and preparation of a detailed scheme. However, the Local Lead Flood Authority (LFFA) consider the proposed maximum discharge rate of 10l/s to be higher than is ordinarily required for a redevelopment of this type and size. Whilst the LLFA acknowledge the response and in-principal acceptance provided by Wessex Water (DSS Appendix C – 13/05/2022) to a rate of 10l/s, it is encouraged that the applicant revisit this to reduce this rate within the necessary detailed design, if viable to do so.

107. On the basis of the supporting Flood Risk Assessment (FRA) and Drainage Strategy Statement (DSS) documents (Version 1), both compiled by Calcinotto (ref: 114356 - dated 9th January 2023) the Council (BCP/iFRM) have no in-principal objection to the proposed scheme of redevelopment on flood risk or surface water management grounds, subject to the attachment of the following pre-commencement planning conditions in respect of detailed design and maintenance requirements, to any permission granted. The LLFA would like to highlight however that pending the subsequent submission and approval of the necessary detailed design, the preliminary calculations and figures presented to date, specifically the proposed discharge rate of 10l/s and associated storage volumes, are considered conceptual and are not specifically agreed at this stage. Further assessment and substantiation of the detailed design will be made at the discharge of condition stage.

108. The provisional maximum discharge rate of 10l/s shall be revisited and substantiated within the necessary detailed design. This position of a statutory consultee for surface water management is considered reasonable, given that the operator of the receiving system (Wessex Water) have offered an agreement to this arrangement and rate. Overall, the proposed works would comply with Policy PP38 of the Poole Local Plan (November 2018).

Waste and Recycling

109. The existing hospital has a working recycling and waste management plan in place, and once adjusted to meet the additional capacity needs the Council's Waste & Recycling Officer will have no objection. A waste management plan (WMP) will be conditioned. On this basis, the proposal would accord with Policy PP27.

Sustainability

110. BCP Council declared a Climate and Ecological Emergency in July 2019, setting carbon neutral targets for the Council and the BCP conurbation. To meet these targets, significant and immediate cuts in carbon emissions are required. Every new build presents an opportunity to reduce carbon emissions through sustainable construction and design. New developments provide a chance to make a positive impact in an economically sound way rather than continuing with the status quo and the increased costs of making positive environmental changes once a building has been completed.

111. Policy PP37 of the Poole Local Plan identifies that proposals for new residential and commercial development must contribute to tackling climate change and they are required to

meet the latest Building Regulations, therefore achieving a high level of energy efficiency and sustainability. Furthermore, in line with the provisions of Policy PP37, proposals for commercial development would also be required to meet a 'very good' BREEAM rating.

112. The demolition of Kimmeridge Court and Pine Cottages emphasises the need for the new build to make effective use of resources. The proposed building is predicted to achieve a BREEAM 'excellent' rating which is positive. Despite of that, it would be reasonable to condition details of measures to provide 20% of the predicted future energy use of the residential development from on-site renewable sources prior first occupation of the building to in the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply, and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

Contamination

113. The Council's Environmental Health Officer raised no objection to the proposed works subject to conditioning Preliminary Contamination Risk Assessment (Phase I), Site Investigation, as well as Remediation Scheme.

Planning Balance

114. In accordance with paragraph 38 of the revised NPPF the Council, as Local Planning Authority, takes a positive and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this instance the applicant discussed development option through pre-application advice discussions and was advised of issues identified following submission and provided a revised scheme which was considered acceptable.

115. The application would extend an existing health care provision site which would help facilitate improvements in patient care and will provide much needed inpatient care for adults. The proposed unit would complement the existing use of the site and is considered most viable option for already established healthcare facilities on site. Provision of improved healthcare facilities weighs heavily in favour of the application as a public benefit in the form of helping patients to recover from mental health crisis faster and closer to the home. Economically, the scheme would provide new jobs and will reduce the cost to the NHS. Paragraph 92 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which, in part, enable and support healthy lifestyles, especially where this would help address identified local health and wellbeing needs.

116. The design of proposed building is dictated by the medical requirements of its future uses and although the scale of the proposed works would result in some level of harm in wider views, a strong public benefit and extant 2011 planning and listed building consent permissions are recognised. It is considered that the positive changes secured as a part of the planning process, the imposition of conditions in respect of the detailing and materials will add further visual interest.

117. The balancing exercise under the policies in paragraphs 201 and 202 of the NPPF is not the whole decision-making process on an application for planning permission, only part of it. The whole process must be carried out within the parameters set by the statutory scheme, including those under section 38(6) of the Planning and Compulsory Purchase Act 2004 ("the 2004 Act") and section 70(2) of the 1990 Act, as well as the duty under section 66(1) of the Listed Buildings Act. Every element of harm and benefit must be given due weight by the decision-maker as material considerations and the decision made in accordance with the development plan unless material considerations indicate otherwise. Within that statutory process, and under NPPF policy, the decision-maker must adopt a reasoned approach to assessing likely harm to a listed building and weighing that harm against benefits, in this case public benefits as a result of a new mental health facility.

118. The NPPF places 'great weight' on the conservation of heritage assets. The Heritage Officer has identified that in their opinion there would less than substantial harm arising from proposals. Where less than substantial harm is identified the NPPF at Paragraph 202 requires

this harm to be weighed against the public benefits that would occur from the development. Paragraph 202 requires a balanced judgment to be applied for applications that impact on designated heritage assets. In this case, the merits of the scheme found within the improved healthcare provision in a sustainable location, along with the social and economic benefits are considered sufficient mitigators to outweigh the less than substantial harm to the setting of the Grade II* hospital building on site and the loss of the curtilage listed Pine Cottage.

119. The NPPF does not direct the decision-maker to adopt any specific approach to identifying “harm” or gauging its extent. It distinguishes the approach required in cases of “substantial harm ... (or total loss of significance ...)” (paragraph 201) from that required in cases of “less than substantial harm” (paragraph 202). But the decision maker is not told how to assess what the “harm” to the heritage asset will be, or what should be taken into account in that exercise or excluded. The policy is in general terms. There is no one approach, suitable for every proposal affecting a designated heritage asset or its setting.

120. Identifying and assessing any “benefits” to weigh against harm to a heritage asset are also matters for the decision-maker. Paragraph 201 refers to the concept of “substantial public benefits” outweighing “substantial harm” or “total loss of significance”; paragraph 202 refers to “less than substantial harm” being weighed against “the public benefits of the proposal”. What amounts to a relevant “public benefit” in a particular case is, again, a matter for the decision-maker. So is the weight to be given to such benefits as material considerations.

121. The proposal would not fully comply with policy PP30 or PP27 in respect of the loss of the tree, however the public benefits identified are considered to be a significant material consideration in the identification of the exceptional circumstances required by this policy. Therefore, having considered the appropriate development plan policy and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in general accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring and proposed occupiers and would be acceptable in terms of traffic safety and convenience. The public benefits identified consider to be sufficient to outweigh the less than substantial harm to heritage assets and the loss of the tree T210 arising from proposals.

122. The proposed new development has been justified in the Design and Access and Heritage Statements, and the proposals are the result of extensive pre-application discussions. A significant weight needs to be given to a partly implemented permission APP/11/00154/FUL granted in 2011 where a similar scale and massing building was approved in almost the exact same location. There is also existing listed building consent ref. APP/11/00155/L for a demolition of the curtilage listed Pine Cottage. It is considered that the loss of trees is adequately mitigated by the proposed landscaping strategy. No objection is raised to the parking provision and the scheme demonstrates energy efficiency benefits of the proposal. The extent and quality of these proposals is wholly appropriate to this extremely sensitive site and the scheme demonstrates improvements to the sustainability of the hospital use on the site.

123. The proposals now take the opportunities available for improving the character and quality of the area and respond appropriately to their surroundings, they make this space better for people, both patients, visitors and hospital staff. It is also considered that taken as a whole this application enhances and better reveals the significance of St Ann’s Hospital and its setting in accordance with PP30. The proposal results in benefits to healthcare provision and is in accordance with the Council's support for and commitment to the improvement of healthcare services within the Borough and this application is therefore recommended for approval.

Recommendation

124. Grant permission subject to:

(a) the following conditions (with the power delegated to the Head of Planning or other relevant officer to make any necessary amendments as long as they don’t go to the heart of the decision):

CONDITIONS

Condition 1: Time Conditions

The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

Condition 2: Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

- STP2-MAA-V1-XX-PL-A-9009-P1 - Planning - Location Plan
- STP2-MAA-V1-XX-PL-A-9002-P2 - Planning - Existing Site Plan
- STP2-MAA-V1-XX-PL-A-9003-P2 - Planning - Demolition Plan
- STP2-MAA-V1-XX-PL-A-9004-P2 - Planning - Proposed Site Plan
- STP2-MAA-V1-XX-PL-A-9007-P2 - Planning - Site Access - Vehicles and Pedestrians
- STP2-MAA-V1-XX-PL-A-9005-P2 - Planning - Parking Plan
- STP2-MAA-V1-XX-PL-A-9006-P2 - Planning - Fire Strategy Site Plan
- STP2-UBU-XX-XX-DR-L-1000-P9 – Planning - New Building Landscape General Arrangement Layout
- STP2-UBU-XX-XX-DR-L-1002-P1 - Landscape General Layout Plan Podium Courtyard and Planting Proposal
- STP2-UBU-XX-XX-DR-L-1003-P5 - Tree Removal and Proposals Plan
- STP2-UBU-XX-XX-DR-L-3000 – Planting Plan
- STP2-UBU-XX-XX-DR-L-3005 – Planting Plan – Additional Tree Planting to Boundary
- STP2-MAA-V1-00-PL-A-0101-P3 - Planning - Proposed General Arrangement Plan - Ground Floor
- STP2-MAA-V1-01-PL-A-0102-P3 - Proposed General Arrangement Plan - First Plan
- STP2-MAA-V1-02-PL-A-0103-P3 - Planning - Proposed General Arrangement Plan – Roof
- STP2-MAA-V1-XX-PL-A-0202-P3 - Planning - Proposed General Arrangement Elevation
- STP2-MAA-V1-XX-PL-A-0302-P3 - Planning - Proposed General Arrangement Section
- Tree Constrains Plan ref. TCPPII
- STP2-MAA-V1-XX-PL-A-0301-P3 – Planning – Existing GA Sections
- STP2-MAA-V1-XX-PL-A-0201-P3 - Planning – Existing GA Elevation

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

Condition 3: Sample of Materials

Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of superstructure works. The development shall thereafter be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the building(s) is satisfactory and in accordance with Policies PP27 and PP30 of the Poole Local Plan (November 2018).

Condition 4: Screen Fencing / Walling

No part of the development hereby permitted shall be constructed above damp course level unless details as to the position(s), design(s), material(s) and type(s) of boundary treatment to be

provided in respect of the development including the amount of screening it will provide, together with a timetable for its delivery, have first been submitted to and approved in writing by the local planning authority. No part of the development shall be used unless the boundary treatment has been fully provided in accordance with the approved details and the approved boundary treatment shall at all times thereafter be retained, and also maintained in a manner that ensures that the boundary treatment continues to provide the same level of screening.

Reason - In the interests of amenity and privacy and in accordance with Policy PP27 the Poole Local Plan (November 2018).

Condition 5: Storage of Refuse

During the construction period, provision shall be made within the application site for storage of refuse, crates and packing cases, etc. prior to disposal, in which respect a scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of development; implemented prior to the first occupation and thereafter retained.

Reason - In the interests of amenity and to ensure that no obstruction is caused on the adjoining highway and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

Condition 6: CEMP

(a) No part of the development [including any demolition] hereby permitted shall be commenced unless a Demolition and Construction Environmental Management Plan ("DCEMP") has first been submitted to and approved in writing by the local planning authority. The DCEMP shall in particular include:

(i) the qualifications and experience of the person(s) who undertook the plan sufficient to demonstrate their competence; and

(ii) an emissions management plan that identifies the steps and procedures which will be implemented to control the creation and impact of dust and other air emissions resulting from the demolition, site preparation, groundwork and construction phases of the development, and which also includes twenty four hour contact details by which the local planning authority can provide notice of any potential emission ("the Emission Contact"); and

(iii) a construction environmental management plan that identifies the steps and procedures which will be implemented to minimise the creation and impact of noise, vibration, potential ground and/or water pollution resulting from the demolition, site preparation, groundwork and construction phases of the development; and

(iv) a construction logistics plan that identifies the steps which will be taken to minimise the impacts of all vehicles (including construction, delivery and waste transport) entering or leaving the site and parking on or off the site including in that respect measures to ensure the use by building operatives of the parking shown for such purposes on approved plan STP2-MAA-V1-XX-PL-A-9005-P2;

Subject to paragraph (b) below, the development including demolition shall only be demolished and constructed in accordance with the approved DCEMP and the approved DCEMP shall at all times be accorded with.

(b) In the event of the local planning authority receiving a complaint or other notification that an emission may have escaped from the application site during any demolition or construction associated with the development that might adversely affect any residential property (including any actual or potential occupier) or any other emission sensitive receptor, then within one hour (or such longer period as the local planning authority may otherwise agree), from the local planning authority providing notice of the potential emission to the Emission Contact or directly to any person on the application site (whichever is the sooner), no demolition or construction shall

thereafter take place on any part of the application site (or as otherwise may be agreed in writing by the local planning authority) unless either:

- (i) a revised emissions management plan that takes account of the emission has been submitted to and approved in writing by the local planning authority in which event thereafter the development shall only be demolished and constructed in accordance with that revised plan; or
- (ii) the local planning authority has confirmed in writing that demolition and construction can continue in accordance with the last approved details emissions management plan.

Reason - In the interests of highway safety and convenience and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

Condition 7: Permeable Surfacing

All ground hard surfaces shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site. The hard surface shall thereafter be retained as such.

Reason - In the interests of delivering development which does not result in unacceptable levels of run-off and in accordance with Policy PP38 of the Poole Local Plan (November 2018).

Condition 8 – Landscaping

Notwithstanding any information submitted as part of the application, no part of the development hereby permitted shall be constructed above damp proof course level unless details of both hard and soft landscaping works have first been submitted to and approved in writing by the local planning authority. The details of the landscaping works shall include:

- (a) proposed finished levels and contours;
- (b) surfacing materials;
- (c) means of enclosure including boundary treatments and any other landscape associated structures and features;
- (d) lighting;
- (e) planting plans;
- (f) written specifications (including cultivation and other operations) associated with plant and grass establishment;
- (g) schedules of plants noting species, plant sizes and proposed numbers/densities, including tree planting to frontage area;
- (h) vehicle parking layouts;
- (i) access and circulation areas;
- (j) a programme of implementation incorporating a timetable for planting; and
- (k) a maintenance plan for a minimum period of 5 years from the date of planting, including details securing the replacement of any planting which dies, is removed, uprooted, destroyed or becomes seriously damaged or defective during the plan period,

The development and landscaping shall thereafter be carried out, retained and maintained in accordance with the Approved Landscaping Details.

Reason - To secure the proper development of the site and in the interests of the establishment and long term management of the landscaped areas in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

Condition 9: Architectural Details

Prior to the commencement of superstructure works, detailed drawings at a scale of 1:50 showing sections through the new build elevations showing details of fenestration in reveal shall be

submitted to, and approved in writing by, the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason - To enable a record to be made of this building of historic and/or architectural interest and in accordance with Policy PP30 of the Poole Local Plan (November 2018).

Condition 10: Energy Use

No part of the development hereby permitted shall be commenced unless measures to secure that a minimum of 20% of the predicted energy use of the development hereby permitted will be from on-site renewable sources have first been submitted to and approved in writing by the local planning authority. Such details shall include identification of responsibility and arrangements for the future maintenance of such measures. No part of the development hereby permitted shall be occupied or used unless the approved measures have been fully carried and thereafter such measures shall at all times be retained and maintained in accordance with the approved details.

Reason - In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply, and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

Condition 11: Full contaminated land condition

(a) No part of the development hereby permitted shall be commenced including any demolition other than as provided for in this condition unless the following paragraphs (i) to (iii) (inclusive) have all fully been complied with:

(i) a Preliminary Contamination Risk Assessment (Phase 1) ("PCRA") shall be submitted to and approved in writing by the local planning authority. The PCRA should in particular:

(A) be produced in accordance with "Land Contamination Risk Management" published by the Environment Agency (or any equivalent replacement document); and

(B) develop a preliminary conceptual site model that includes a comprehensive risk assessment of the risks from contamination to all receptors including in particular human health, controlled waters, the built environment and sensitive ecology having regard to both the site condition and the development ("Conceptual Site Model").

(ii) If the approved PCRA identifies any potential or actual contamination risks to be unacceptable then a further detailed Contamination Assessment (Phase 2) ("CAP2") shall be submitted to and approved in writing by the local planning authority. The CAP2 should in particular:

(A) be produced in accordance with "Land Contamination Risk Management" published by the Environment Agency (or any equivalent replacement document); and

(B) provide details of all the outcomes of an intrusive site investigation, that shall have been undertaken in accordance with details that have first been submitted to and approved in writing by the local planning authority prior to any such investigation having commenced, to assess soil, groundwater and ground gases / vapours and establish the extent, scale and nature of contamination on the application site irrespective of whether the contamination originates on the application site; and

(C) incorporate an updated conceptual site model that includes a comprehensive risk assessment of the risks from contamination to all receptors taking account of the intrusive site investigation.

(iii) If the approved CAP2 identifies any potential or actual contamination risks as unacceptable then a remediation strategy shall be submitted to and approved in writing by the local planning authority. The remediation strategy shall in particular include:

(A) details of all works and measures to be undertaken to remediate the unacceptable contamination risks identified in the approved CAP2; and

(B) required target level(s) of remediation that as a minimum should be at a level such as to ensure that the application site is not capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

(C) a timetable for the delivery of all works and measures taking account of the carrying out of any part of the development including any demolition hereby permitted; and

(D) identification of any works and measures to be retained and any future management and maintenance requirements relating to such works and measures; and

(E) arrangements for longer term monitoring of contamination linkages and details of any associated contingency action,

("Remediation Strategy").

(b) Where a Remediation Strategy has been approved by the local planning authority for the purposes of this condition:

(i) no part of the development hereby permitted shall be commenced including any demolition unless the local planning authority has received a written notification of the intended date of commencement of the remediation works and measures at least fourteen calendar days prior to the intended start date; and

(ii) the development including any demolition shall only be carried out in accordance with the approved Remediation Strategy; and

(iii) following the completion of all the works and measures identified in the approved Remediation Strategy or within five working days of the local planning authority requesting production (whichever is the sooner), a verification report shall have been submitted to and approved in writing by the local planning authority. The verification report shall in particular demonstrate the effectiveness of the completed works and measures against the remediation target levels contained in the approved Remediation Strategy and include any further monitoring, management and maintenance requirements not already identified in the approved Remediation Strategy,

("Verification Report"); and

(iv) in the event that the approved Verification Report identifies any contamination that has not been effectively remedied then no further work shall be carried out on the application site and no part of the development hereby permitted shall be used (except as may be previously agreed in writing by the local planning authority) unless:

(A) an updated remediation strategy incorporating in particular works, measures, targets, required retention, management, maintenance and monitoring to address the unremediated contamination has been submitted to and approved in writing by the local planning authority and thereafter fully carried out in accordance with the approved updated remediation strategy; and

(B) an updated verification report which in particular demonstrates that all unacceptable contamination has been effectively remediated against targets in the approved remediation strategy has been submitted to and approved in writing by the local planning authority; and

(v) all management, maintenance, monitoring and the retention of works and measures identified in the Remediation Strategy, Verification Report and any approved updated versions of such documents (as the case may be) shall at all times be accorded with.

(c) All assessments, strategies, investigation proposals, reports and any other document required for the purposes of this condition shall include the qualifications and experience of the person(s) who produced them sufficient to demonstrate their competence.

Reason – In order to minimise the risk of contamination polluting the environment and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

Condition 12: Unforeseen contamination

a) In the event that any contamination which has not previously been reported to the local planning authority as part of the application to which this permission relates is encountered during the carrying out of any part of the development hereby permitted then:

(i) this shall be reported without any unreasonable delay (and in any event within 7 calendar days) to the local planning authority and a plan for the proposed Contamination Assessment (Phase 2) investigation should be submitted and approved by the LPA prior to any site investigation works starting; and

(ii) at no time after the encountering of the contamination shall any further work be carried out on any part of the application site without the prior written approval of the local planning authority and then only in accordance with any requirements contained in such approval; and

(iii) if required by the local planning authority (whether as part of any approval as provided for in paragraph (a) (ii) above or otherwise), details of:

(A) a risk assessment; and

(B) any proposed investigations; and

(C) the outcome of any approved investigations together with a remediation scheme which shall as part of it include remediation targets (that as a minimum should be at a level such as to ensure that the application site is not capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990) together with a timetable for delivery of any works, measures and all other matters identified within it, shall be submitted to and approved in writing by the local planning authority prior to any work recommencing on site (or as otherwise agreed in writing by the local planning authority in accordance with paragraph (a) (ii) above).

(b) In the event of a remediation scheme being required to be submitted to and approved in writing by the local planning authority pursuant to this condition then:

(i) the development hereby permitted shall only be carried out in accordance with the approved remediation scheme and the requirements of the approved remediation strategy shall at all times be complied with; and

(ii) no further work shall be carried out on any part of the application site at any time later than 7 calendar days from the completion of the works and measures identified in the approved scheme or within 5 working days of the local planning authority requiring the submission of a report (whichever is the sooner) unless a verification report which demonstrates that all contamination to which this condition relates has been remediated to the required target levels identified in the approved remediation scheme has first been submitted to and approved in writing by the local planning authority.

(c) All assessments, investigation proposals, scheme, reports and any document required for the purposes of this condition shall include the qualifications and experience of the person(s) who produced it sufficient to demonstrate their suitability."

Reason – In order to minimise the risk of contamination polluting the environment and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

Condition 13: Construction Management Plan

No development shall take place on site until a construction management plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan shall provide details of the measures that will be implemented to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. The plan shall include details of the following;

- The movement of construction vehicles;
- Parking of vehicles of site operatives and visitors;

- The cutting or other processing of building materials on site;
- Wheel washing and vehicle wash down facilities;
- The transportation and storage of waste and building materials;
- The recycling of waste materials (if any)
- The loading and unloading of equipment and materials
- The location and use of generators and temporary site accommodation
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Where piling is required this must be Continuous flight auger piling wherever practicable to minimise impacts.

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

Reason - In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, in accordance with Policy PP27 of the Poole Local Plan adopted 2018.

Condition 14: Construction/Demolition hours

All on-site working, including demolition and deliveries to and from the site, associated with the implementation of this planning permission shall only be carried out between the hours of 8 a.m. and 6 p.m. Monday - Friday, 8 a.m. and 1 p.m. Saturday and not at all on Sunday, Public and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason - To protect the amenity of nearby residential properties and/or in the interest of highway safety and in accordance with Policies PP27 and PP35 of the Poole Local Plan (November 2018).

Condition 15: Stone crushing

(a) No stone cutting shall be carried out on any part of the application site to which this permission relates unless a detailed emissions management plan for the control of dust and emissions (including noise) arising from such stone cutting that will prevent any adverse affect to any emission sensitive receptor in the locality and that also includes:

- (i) details of the location of any stone cutting to be carried out; and
- (ii) twenty four hour contact details by which the local planning authority can provide notice of any potential emission escape ("the Emission Contact"); and
- (iii) the qualifications and experience of the person(s) who produced them sufficient to demonstrate their competence,

has first been submitted to and approved in writing by the local planning authority. Subject to paragraph (b) below, stone cutting shall only be carried out on the application site in accordance with the approved detailed emissions management plan, as well as be carried out only between the hours of 8 a.m. and 6 p.m. Monday - Friday, 8 a.m. and 1 p.m.

(b) In the event of the local planning authority receiving a complaint or other notification that an emission may have escaped from the application site during any stone cutting then within one hour (or such longer period as the local planning authority may otherwise agree), from the local planning authority providing notice of the potential emission to the Emission Contact or directly to any person on the application site (whichever is the sooner), no stone cutting shall thereafter take place on any part of the application site (or as otherwise may be agreed in writing by the local planning authority) unless either:

- (i) a revised detailed emissions management plan that takes account of the emission has been submitted to and approved in writing by the local planning authority in which event thereafter the stone cutting shall only take place in accordance with that revised plan; or

(ii) the local planning authority has confirmed in writing that stone cutting can continue in accordance with the last approved detailed emissions management plan.

Reason - To protect the amenity of nearby residential properties and/or in the interest of highway safety and in accordance with Policies PP27 and PP35 of the Poole Local Plan (November 2018).

Condition 16: Surface water management scheme

No development shall take place until a detailed surface water management scheme for the site (including the conceptual nature of the 10l/s figure or necessary return to this element of the scheme in the detailed design), based upon the hydrological and hydrogeological context of the development, available capacity of receiving systems and providing clarification of how drainage is to be managed during demolition / construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

Reason – To prevent the increased risk of flooding and to protect available receiving systems in accordance with Policy PP38 of the Poole Local Plan (November 2018).

Condition 17: Maintenance and management of the surface water

No development shall take place until finalised details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason – To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding in accordance with Policy PP38 of the Poole Local Plan (November 2018).

Condition 18: Vegetation clearance

No vegetation clearance shall occur on any part of the application site to which this permission relates unless either:

- a) it is carried out outside the bird breeding season of 1st March to 31st August inclusive; or
- b) details have been submitted to and approved in writing by the local planning authority which will ensure that no nesting birds are present during any vegetation clearance time, such details to include methods and timings of supervision and inspection by an identified ecologist for this purpose. In the event of such details being approved vegetation clearance shall only take place in accordance with those approved details.

Reason – Prevention of disturbance to birds' nests as protected under Wildlife and Countryside Act 1981(as amended).

Condition 19: Toolbox talk

Prior to the commencement of construction or site preparation works, a toolbox talk shall be given by an ecologist to provide contractors with information on the protection of species of animal that may occur on site. It should cover:

(a) how all contractors will be made aware of protected species on the site prior to the commencement of development ;

(b) details as to the information to be provided to them;

c) arrangements to demonstrate to the LPA that this has been complied with.

Reason – Compliance with National Planning Policy Framework 174 “Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

Condition 20: Ecological report

No part of the development hereby permitted shall be occupied or used unless all the biodiversity measures identified in approved document considering biodiversity enhancement as outlined in 7. Enhancement Recommendations of ‘Ecological Impact Assessment Phase 2: Alternative New Build 2 at St Ann’s Hospital, 69 Haven Road, Poole’ and ‘Biodiversity Net Gain Assessment St Ann’s Hospital’ by Darwin Ecology Ltd and management scheme to maintain it have first been fully provided as approved and thereafter those measures shall at all times be retained.

Reason – Compliance with National Planning Policy Framework 174 “Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity” and Poole Plan Policy PP33 “enhance biodiversity.

Condition 21: Noise

No air source heat pump shall be used in association with any part of the development hereby permitted unless a scheme identifying measures to minimise the transmission of sound has first been submitted to and approved in writing by the local planning authority; the measures shall in particular include details of any on-going maintenance necessary in order to ensure their continuing effectiveness. No air source heat pump shall be operated in association with any part of the development hereby permitted unless the measures identified in the approved scheme have been fully complied with and at all times thereafter the measures shall be retained and maintained in accordance with the approved scheme.

Reason - To protect the amenity of nearby residential properties and/or in the interest of highway safety and in accordance with Policies PP27 and PP35 of the Poole Local Plan (November 2018).

Condition 22: Carpark Crescent Application

No part of the development hereby permitted shall be used or occupied unless the Crescent parking area approved under planning reference APP/23/00166/F has first both:

a) been fully constructed and laid out in accordance with plan STP2-UBU-XX-XX-DR-L-1001 dated 21.01.2023 approved for the purposes of that permission; and

b) been made available for use without restriction by all staff, visitors and patients of the development hereby permitted.

No part of the development hereby permitted shall be used or occupied if at any time the Crescent parking area ceases to be available for unrestricted use by all such staff, visitors and patients unless there has first been submitted to and approved in writing by the local planning authority alternative parking arrangements for such persons in which event no part of the development shall be used or occupied unless those approved alternative parking arrangements have first been made available for unrestricted use by those staff, visitors and patients and the approved alternative parking arrangements are being fully complied with.

Reason - To protect the amenity of nearby residential properties and/or in the interest of highway safety and in accordance with Policies PP27 and PP35 of the Poole Local Plan (November 2018).

Condition 23: Travel Plan Implementation

No later than 12 months before the expiry of planning permission APP/23/00166/F an assessment of the effectiveness of the travel plan contained at Appendix A of St Ann's Hospital, Poole Site Wide Transport Statement prepared by AECOM (dated January 2023) shall be submitted to the Local Planning Authority. If this assessment does not demonstrate that the travel plan measures have overcome the need for the parking spaces approved under APP/23/00166/F and/or that the parking spaces are no longer required, an appropriate parking solution and/or that modified sustainable travel measures to address the residual parking demand shall be agreed with the Local Planning Authority and thereafter brought into use and retained in accordance with a timetable to be agreed with the Local Planning Authority.

Reason - To protect the amenity of nearby residential properties and/or in the interest of highway safety and in accordance with Policies PP27 and PP35 of the Poole Local Plan (November 2018).

Condition 24: Implementation of Details of Arboricultural Method Statement

All works relating to the ground clearance, tree works, demolition and development with implications for trees shall be carried out as specified in the approved arboricultural method statement, and shall be supervised by an arboricultural consultant holding a nationally recognised arboricultural qualification.

Reason – To prevent trees on site from being damaged during construction works and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

Condition 25: Pre-commencement Meeting

No part of the development hereby permitted shall be commenced, including any site clearance, the digging of any trenches and the bringing on to site of any equipment, materials or machinery for use in connection with the implementation of the development unless:

(a) a site meeting involving a representative of the local planning authority and an Arboricultural Consultant has first taken place to identify any supplemental requirements, for protecting trees during the carrying out of the development on and adjacent to the application site, to the details identified in the approved Arboricultural Method Statement July 2023 V5.0; and Tree Constraints Plan ref. TCPPII; STP2-UBU-XX-XX-DR-L-1003-P5 - Tree Removal and Proposals Plan; STP2-UBU-XX-XX-DR-L-3000 – Planting Plan; and STP2-UBU-XX-XX-DR-L-3005 – Planting Plan – Additional Tree Planting to Boundary.

(b) there has been submitted to and agreed in writing by the local planning authority details of supplemental requirements confirmed at the meeting ("the Supplemental Requirements"); and

(c) all tree protection has been provided in accordance with both the Approved Tree Details and the Supplemental Requirements ("the Approved Tree Protection Measures").

Once provided, the Approved Tree Protection Measures shall thereafter at all times be retained until the development has been completed and all equipment, machinery and surplus materials relating to the construction of the development have been removed from the site unless an alternative time is otherwise agreed in writing by the local planning authority.

Until such time as the Approved Tree Protection Measures have all been removed, nothing shall be stored or placed in any area secured by any part of the Approved Tree Protection Measures

nor shall the ground levels within those areas be altered or any excavation made without the written consent of the local planning authority.

Reason - In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

Condition 26: Obscure Glazing of Windows (TBC)

No part of the development hereby permitted shall be *used* unless the non-staff and office window(s) should on elevation 1 as shown on approved plan STP2-MAA-V1-XX-PL-A-0202 rev. P3 dated 16.01.2023 have first been fitted with obscured glazing which conforms with or exceeds Pilkington Texture Glass Privacy Level 3 (or an equivalent level in any replacement standard) and every such window is either a fixed light or hung in such a way as to ensure that the full benefit of the obscured glazing in inhibiting overlooking is at all time maintained. Every obscured glazed window shall thereafter at all times be retained in a manner that fully accords with the specifications of this condition.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that order with or without modification no further windows, dormer windows or doors other than those expressly authorised by this permission shall be constructed on any part of the development hereby permitted.

Reason - To protect the amenity and privacy of the adjoining properties and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

Condition 27: Air Quality

No part of the development hereby permitted shall be used or occupied unless until following details are approved to and confirmed in writing by the Local Planning Authority:

Technical specification of the proposed generator including the likely emissions

Details of proposed maintenance/testing schedules for the generator

An assessment of whether there are likely to be significant impacts on local air quality during operation or maintenance/testing of the generator

The applicant must also consider whether the requirements of Medium combustion plant: when you need a permit - GOV.UK (www.gov.uk) will apply.

The agreed measures shall be retained and maintained in accordance with the approved scheme.

Reason - To protect the amenity of nearby residential properties and/or in the interest of highway safety and in accordance with Policies PP27 and PP35 of the Poole Local Plan (November 2018).

Informatives

1. Working with the Applicant

In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.
- in this case the application was acceptable as submitted and no modification or further assistance was required.

2. Bats

If bats are found during demolition that all work to cease and if possible, part of structure that was removed and exposed bats put back into place. A bat ecologist employed to address situation and Natural England contacted.

Background Documents:

Case Officer Report Completed
Officer: Piotr Kulik
Date: 21/09/2023