



## **23/01857/S73 – Land South Of Robinson Way, Addenbrookes Hospital**

### **Application details**

**Report to:** Joint Development Control Committee

**Lead Officer:** Joint Director of Planning and Economic Development

**Ward/parish:** Queen Ediths

**Proposal:** S73 to vary Conditions 3 (Approved Plans), 8 (Hard and Soft Landscape Works), 9 (Landscape Implementation) of planning ref: 22/02591/FUL (Retention, change of use and extension of Regional Surge Centre 40 (RSC 40) to Provide Orthopaedic Theatres, Orthopaedic Wards, new and realigned vehicular access, and associated infrastructure for a temporary period of 10 years) to take account of changes to the layout, landscape and elevations resulting from detailed design and neighbouring proposals.

**Applicant:** Cambridge University Hospital NHS Foundation Trust

**Presenting officer:** James Truett, Senior Planner, Strategic Sites Team

**Reason presented to committee:** Major Development – Non residential buildings where the floor space to be created by the development is 1,000 square metres or more.

**Member site visit date:** N/A

**Key issues:** 1. Design, Layout, scale and landscaping

2. Biodiversity

**Recommendation:** Approve subject to conditions and informatives as detailed in this report, with delegated authority to officers to carry through minor amendments to those conditions and informatives.

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### 1. Executive summary

- 1.1 The application is a section 73 planning application which seeks to vary Conditions 3 (Approved Plans), 8 (Hard and Soft Landscape Works), 9 (Landscape Implementation) of planning ref: 22/02591/FUL (Retention,

change of use and extension of Regional Surge Centre 40 (RSC 40) to Provide Orthopaedic Theatres, Orthopaedic Wards, new and realigned vehicular access, and associated infrastructure for a temporary period of 10 years) to take account of changes to the layout, landscape and elevations resulting from detailed design and neighbouring proposals.

- 1.2 The original planning permission related to a temporary building which was constructed for use during the coronavirus pandemic (Regional Surge Centre 40), and now is proposed to provide Orthopaedic Theatres and Wards which would meet an identified local and regional healthcare need on the Addenbrookes Campus. It offers a suitable 'meanwhile use' which would help to increase capacity, addressing the backlog of elective surgeries as a result of the coronavirus pandemic.
- 1.3 The variations include the relocation and rationalisation of the ancillary structures, the removal of the proposed area of wildflower planting to the west of the service road to enable the creation of a temporary car park under a separate application (23/01779/FUL), the inclusion of ducting to the internal courtyard elevations, and replacing the "man-safe" safety rail system with a handrail system.
- 1.4 The proposals will provide an essential facility to help deal with the backlog of elective surgeries as a result of impacts of the coronavirus pandemic. Whilst the removal of the wildflower meadow on to the west of the site results in a reduced Biodiversity Net Gain, the scheme would still see a Net Gain of over 20% which exceeds the emerging joint local plan objective..
- 1.5 Officers recommend that the Joint Development Control Committee **approve planning permission for application 23/01857/S73, subject to the conditions and informatives set out in Section 22 of this report**

## **2. Site description and context**

- 2.1 The site is located within the Addenbrooke's Hospital Campus, on the southern edge of Cambridge. The site occupies land located off Robinsons Way and Dame Mary Archer Way which is approximately 1.4ha. It lies to the South East of the multi-storey car park 2 and to the North of the Addenbrooke's Hospital Helipad.
- 2.2 The existing site comprises of the 2no. 20 bed wards which formed the regional surge centre 40 along with the orthopaedic theatre wing which is currently under construction. The site also contains ancillary plant buildings, hard surfacing with parking spaces, and grass/scrubland. The

majority is under construction for the approved Orthopaedic Wards (22/02591/FUL).

- 2.3 The site is within the Cambridge Biomedical Campus (including Addenbrooke's Hospital) Area of Major Change covered by Cambridge Local Plan (2018) policy 17.

### **3. The proposal**

- 3.1 This is a section 73 planning application which seeks to vary Conditions 3 (Approved Plans), 8 (Hard and Soft Landscape Works), 9 (Landscape Implementation) of planning ref: 22/02591/FUL (Retention, change of use and extension of Regional Surge Centre 40 (RSC 40) to Provide Orthopaedic Theatres, Orthopaedic Wards, new and realigned vehicular access, and associated infrastructure for a temporary period of 10 years) to take account of changes to the layout, landscape and elevations resulting from detailed design and neighbouring proposals.
- 3.2 The application proposes to remove an area of proposed wildflower planting to the west of the service road to enable the creation of a car park under a separate application (23/01779/FUL). Further to this the proposals seeks to relocate the fuel tank to the south of the site (east of the service road) and the reconfiguration of some of the ancillary buildings at the south of the scheme.
- 3.3 The application seeks to vary condition 3 (approved plans) however, as the original condition does not list the approved plans it is not necessary to amend this condition.
- 3.4 The application also seeks to vary Condition 8 relating to Hard and Soft Landscape Works of planning ref: 22/02591/FUL to read as follows:
- Prior to the first use of the building for the purposes hereby approved for the RSC 40 extension details of the minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features), the boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected, and any screening utilised for the ancillary buildings, shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

3.5 Condition 8 of planning ref: 22/02591/FUL was originally worded:

- No hard or soft landscape works, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports), where relevant;

b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;

If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.

d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

3.6 These changes are to reflect the details which have been submitted as part of this application.

3.7 Additionally, the application seeks to vary the wording of condition 9 (landscape implementation) to read as follows:

- All hard and soft landscape works shall be carried out and maintained in accordance with the details hereby approved, for the lifetime of the permission. The works shall be carried out in the first planting season after first occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

3.8 Condition 9 of planning ref: 22/02591/FUL was originally worded:

- All hard and soft landscape works shall be carried out and maintained in accordance with the approved details. The works shall be carried out in the first planting season after first occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

3.9 This application has undergone some post submission amendments including the inclusion of ducting to the internal courtyard elevations, and replacing the “man-safe” safety rail system with a handrail system.

#### 4. Relevant site history

Reference	Description	Outcome
06/0796/OUT	Up to 215,000sqm floor space (excluding plant areas) comprising 60,000sqm of clinical research and	Granted permission – 15 October 2009

	<p>treatment (D1 and/or clinical in-patient treatment), 115,000sqm of biomedical and biotech research and development (B1(b)), 15,000sqm of biomedical and biotech research and development (B1(b)) or clinical research and treatment (D1 and/or clinical in-patient treatment), and 25,000sqm of either clinical research and treatment (D1 and/or clinical in-patient treatment) or higher education or sui generis medical research institute uses, and including related support activities within use classes A1, A3, B1, D1 (crèches/nurseries) or sui generis uses, with no individual premises used for support activities to exceed 500sqm; new areas of public realm; landscaping; parking areas; highway works; drainage works and all other associated infrastructure</p>	
21/02526/S73	<p>Retention and continued use of Regional Surge Centre 40 (RSC 40), ancillary buildings and infrastructure constructed pursuant to planning permission granted under Schedule 2, Part 12 A, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) without compliance with conditions A.2. (b) (time period) and condition A.2(c) (use of land) of that planning permission</p>	<p>Granted Permission – 13 October 2021</p>
21/04336/REM	<p>Reserved Matters application pursuant to 06/0796/OUT (as amended by 21/01584/S73) for a new Cambridge Children's Hospital (CCH), hard and soft landscaping, internal roads, and ancillary infrastructure. Discharge of Condition 14 (Amenity Space Strategy) pursuant to outline approval 06/0796/OUT</p>	<p>Granted Permission – 18 March 2022</p>

21/04337/FUL	Construction of an underground service corridor to serve the proposed new Cambridge Childrens Hospital (CCH)	Granted Permission – 17 March 2022
22/02591/FUL	Retention, change of use and extension of Regional Surge Centre 40 (RSC 40) to Provide Orthopaedic Theatres, Orthopaedic Wards, new and realigned vehicular access, and associated infrastructure for a temporary period of 10 years.	Granted Permission – 25 August 2022
20/05291/FUL	Retention of Addenbrooke's Hospital helicopter landing pad following the expiration of temporary permission granted under application ref:10/0094/FUL and replacement lighting at land South of Dame Mary Archer Way, Cambridge.	Granted Permission – 20 May 2021

Table 2 Relevant site history

## **5. Policy**

### **5.1 National policy**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010



## **5.2 Cambridge Local Plan (2018)**

- Policy 1: The presumption in favour of sustainable development
- Policy 2: Spatial strategy for the location of employment development
- Policy 3: Spatial strategy for the location of residential development
- Policy 17: Cambridge Biomedical Campus (including Addenbrooke's Hospital) Area of Major Change
- Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use
- Policy 29: Renewable and low carbon energy generation
- Policy 30: Energy-efficiency improvements in existing dwellings
- Policy 31: Integrated water management and the water cycle
- Policy 32: Flood risk
- Policy 33: Contaminated land
- Policy 34: Light pollution control
- Policy 35: Protection of human health from noise and vibration
- Policy 36: Air quality, odour and dust
- Policy 38: Hazardous installations
- Policy 55: Responding to context
- Policy 56: Creating successful places
- Policy 57: Designing new buildings
- Policy 58: Altering and extending existing buildings
- Policy 59: Designing landscape and the public realm
- Policy 71: Trees
- Policy 75: Healthcare facilities
- Policy 80: Supporting sustainable access to development
- Policy 81: Mitigating the transport impact of development
- Policy 82: Parking management

## **5.3 Supplementary Planning Documents (SPD)**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

## **5.4 Other guidance**

Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (2010)

Greater Cambridge Sustainable Design and Construction SPD (2020)

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste

Cycle Parking Guide for New Residential Developments (2010)

## **6. Consultations**

### **County Highways**

- 6.1 No objection. The proposed alterations do not change the Highway Authority's original comments and it is requested that the condition sought by the Highway Authority and required by the Planning Authority under application 22/02591/FUL be reapplied.

### **Health and Safety Executive Construction Division**

- 6.2 No objection. The information you have provided for this planning application does not appear to fall under the remit of planning gateway one because it does not meet the height or purpose of a relevant building.

### **Sustainability Officer**

- 6.3 No objection. The proposed amendments identified through the S73 in relation to conditions 3 (approved plans), 8 (hard and soft landscape works) and 9 (landscape implementation) are considered acceptable in sustainable construction terms.

### **Lead Local Flood Authority**

- 6.4 No objection. The application does not appear to have any surface water flood risk or drainage implications.

### **Urban Design Team**

- 6.5 No objection. The proposed changes identified through the S73 application to vary Condition 3 (Approved Plans) and Condition 8 (Hard and Soft Landscape Works) are considered acceptable in urban design terms.

### **Landscape Officer**

- 6.6 No objection. The change will reduce the area of amenity space for staff at the rear of the site but does not affect the landscape proposals for the main public facing and public realm areas and so we have no objection. A minor change to the site boundary in the northeast of the site is also proposed and this also has no impact on the landscape proposals.

## **Ecology Officer**

6.7 No formal comments received.

## **Cambridge Airport**

6.8 No objection. The proposed variations to the above conditions have been examined from an aerodrome safeguarding perspective and do not conflict with safeguarding criteria. We, therefore, have no objection to the S73 variations. A comment was also raised regarding the requirement to consult the airport should a crane be required.

## **Environmental Health**

6.9 No objection. The development proposed is acceptable subject to the imposition of the conditions and informatives outlined and already recommended in our planning consultation response memo dated the 20-07-2022 (Tascomi Ref No:3208/22) in relation to approved planning ref: 22/02591/FUL.

## **Cambridgeshire Constabulary (Designing out Crime Officer)**

6.10 No Objection. No comment in relation to the above variations

## **7. Third party representations**

7.1 No third party representations have been received.

## **8. Planning background**

8.1 The existing RSC 40 buildings were built on the Cambridge University Hospital (CUH) Addenbrooke's site as permitted development, under Schedule 2, Part 12 A, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as inserted by the Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020 ('the GPDO'). The RSC 40 buildings, along with 2no. other surge centres built on the CUH campus (RSC20 and RSC56) were built as regional specialist centres to respond to the Coronavirus pandemic.

8.2 In September 2021 a section 73 planning application (21/02526/S73) was approved seeking to vary relevant conditions attached to a planning permission which was granted by a Development Order - namely Schedule 2, Part 12 A, Class A of the GPDO. The approved variation extended the temporary nature of the RSC 40 to enable its use up to the

31 December 2024, with the removal and restoration of land required by 31 December 2025.

- 8.3 In August 2022 full planning permission was granted for the retention, change of use and extension of Regional Surge Centre 40 (RSC 40) to Provide Orthopaedic Theatres, Orthopaedic Wards, new and realigned vehicular access, and associated infrastructure for a temporary period of 10 years.

## **9. Assessment**

- 9.1 Planning Practice Guidance states that new issues may arise after planning permission has been granted, which require modification of the approved proposals. [Paragraph: 001 Reference ID: 17a-001-20140306].
- 9.2 The applicant has sought to amend the conditions 3 (Approved Plans), 8 (Hard and Soft Landscape Works), 9 (Landscape Implementation) attached to the planning permission 22/02591/FUL by seeking to make a minor material amendment. Planning Practice Guidance advises that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development that is not substantially different from the one which has been approved. [Paragraph: 017 Reference ID: 17a-017-20140306] Case law has established the test which governs section 73 cases is to be found in R v Coventry City Council, ex p. Arrowcroft Group plc [2001] PLCR 7, in which Sullivan J held that, under that section, a local planning authority: "is able to impose different conditions upon a new planning permission, but only if they are conditions which the council could lawfully have imposed on the original planning permission in the sense that they do not amount to a fundamental alteration of the proposal put forward in the original application." (para. 33).
- 9.3 Where an application under section 73 is granted, the effect is the issue of new planning permission, sitting alongside the original permission, which remains intact and unamended [Paragraph: 015 Reference ID: 17a-015-20140306].
- 9.4 From the consultation responses and representations received and from an inspection of the site and the surroundings, the key issues are:
- Principle of development
  - Design, layout, scale and landscaping
  - Trees
  - Carbon reduction and sustainable design

- Biodiversity
- Water management and flood risk
- Highway safety and transport impacts
- Car and cycle parking
- Amenity/ Environmental Considerations
- Planning balance
- Recommendation
- Planning conditions

## **10. Principle of Development**

- 10.1 The principle of the development has been established through the existing planning permission, 22/02591/FUL, granted 25 August 2022. There have been no material changes in circumstances or relevant policies since the original decision was taken.

### **Environmental Impact Assessment**

- 10.2 Where a planning application is likely to result in significant environmental effect, the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) require the application to be accompanied by an Environmental Statement which includes an assessment of likely effects and identifies appropriate mitigation.
- 10.3 An EIA Screening Report was submitted as part of the original application which this application seeks to amend (22/02591/FUL) and it was concluded that the scheme was not considered to constitute EIA development. Officer views on this remain the same.
- 10.4 The principle of the development is therefore acceptable.

## **11. Design, layout, scale and landscaping**

- 11.1 The revised submission remains similar to the approved scheme but includes the relocation and rationalisation of the ancillary structures, the removal of the area of wildflower planting to the west of the service road to enable the creation of a car park under a separate application (23/01779/FUL), the inclusion of ducting to the internal courtyard elevations, and replacing the “man-safe” safety rail system with a handrail system.
- 11.2 The amendments to the safety rail system comes as a result of the hospital estates team and facilities team who are not trained to use the

“man-safe” system. Given the temporary nature of the scheme, it is considered that the alternative safety rail system is acceptable and would not cause a significant permanent negative impact on the roof scape of the building.

- 11.3 The inclusion of ducting to the internal courtyard elevations are considered acceptable as they help enable the facility to operate, and would only be visible from internally and would not be visible on an external public facing elevation.
- 11.4 The relocation and rationalisation of the ancillary structures is considered positive as it groups the smaller ancillary structures in one location on the site, additionally this is not visible from the public entrance to the building. This alteration would reduce the landscaping around the amenity space for staff, however, this does not impact the main public facing landscaping and so is considered acceptable. The council’s landscape officer has no objections to the proposed landscaping.
- 11.5 The removal of the area of wildflower planting to the west of the service road to enable the creation of a temporary car park under a separate application (23/01779/FUL) is accepted. Though the scheme has a reduction in soft landscaping this area would be covered by the neighbouring site for a temporary car parking (23/01779/FUL) which is coming forward as a result of the relocation of the existing parking displaced by the Cancer Hospital (23/00240/FUL) and to accommodate the temporary Cambridge University Hospital need. These are determined under separate applications. Although, the loss of this wildflower planting has a negative impact on the approved scheme, in terms of landscaping and Biodiversity net gain provision (BNG) (assessed below), it is considered acceptable as there would still be a BNG of over 20%.
- 11.6 The scheme, considered in isolation, is acceptable in planning terms. The acceptability of this scheme is not dependant on delivery of the temporary carpark car park (23/01779/FUL), though this does provide supporting justification for some of the proposed amendments.
- 11.7 Overall, the proposed development still provides a suitable ‘meanwhile use’ which has an appropriate design, layout and scale considering the temporary nature of the development. Subject to the conditions as recommended the proposals would accord with the Cambridge Local Plan (2018) policies 17, 55, and 56. The scheme is supported by the councils Urban design and Landscape officers.

## **12. Trees**

- 12.1 The proposed changes to the scheme do not alter the impact on trees from the existing permission (22/02591/FUL). There are no existing trees on the site, and the existing structural planting to the south will be retained. The proposal accords with policy 71 of the Cambridge Local Plan (2018).

## **13. Carbon reduction and sustainable design**

- 13.1 The proposed alterations to the scheme do not impact the carbon reduction and sustainable design of the existing permission (22/02591/FUL). The proposals are supported by the councils Sustainability Officer and are considered to accord with Local Plan policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

## **14. Biodiversity**

- 14.1 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 14.2 The application is accompanied by a Biodiversity Baseline Report which sets out the estimated net gain on the site would be 20.3% which marginally exceeds the 20% goal of the emerging joint local plan. This is achieved through the creation of shrub planting, a green wall, and wildflower planting. This application sees a reduction from the original scheme which proposed 74.38% BNG. The proposals represent a temporary net gain for the development, whilst the future redevelopment of the site will address the need for a long-term biodiversity net gain (BNG).
- 14.3 Officers acknowledge that the site has a very low BNG baseline. The proposed gain will be easily achievable with the proposed landscaping. It is also noted that proposed 20.3% is above the proposed mandatory 10% BNG which will be required from November 2023 and is therefore considered acceptable in this regard the proposed reduction in BNG is acceptable given the overall proposed gain,

- 14.4 The proposals have been discussed with the Council's Ecology Officer, and officers are satisfied that the proposed development complies with policies 69 and 70, the Biodiversity SPD 2022.

## **15. Water management and flood risk**

- 15.1 The proposed changes do not have any surface water flood risk or drainage implications which differ from the existing permission (22/02591/FUL). The scheme is considered acceptable by the Lead Local Flood Authority and the scheme has suitably addressed the issues of water management and flood risk in accordance with the Cambridge Local Plan (2018) policies 31 and 32, and NPPF advice.

## **16. Highway safety and transport impacts**

- 16.1 The proposed scheme does not alter from the existing permission (22/02591/FUL) in regard to Highway safety and transport impacts. The scheme is supported by the Local Highway Authority and considered to accord with the objectives of policies 17, 80 and 81 of the Local Plan and is compliant with NPPF advice, and is not considered to cause a significant adverse impact upon the highway safety.

## **17. Car and cycle provision**

- 17.1 The proposed alterations do not change the car and cycle provision agreed through the existing permission (22/02591/FUL).

## **18. Amenity/Environmental Considerations**

- 18.1 The proposals seeks to relocate and rationalise the ancillary buildings and storage in one location on the eastern side of the service road. Further to this ducting to an internal courtyard is proposed. Following consultation with the Environmental health team no new or substantively different Environmental Health related material planning considerations are raised as part of this application.
- 18.2 Therefore, the proposal is considered to remain in accordance with policies 33, 34, 35, and 36 of the Local Plan, and is supported by the Council's Environmental Health Team.



## **19. Fire Strategy**

- 19.1 Whilst amendments propose alterations to the area of land to the west of the service road, the service road and fire hydrant will not be affected.

## **20. Planning balance**

- 20.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 20.2 The principle of the proposed development is established the existing planning permission, 22/02591/FUL, granted 25 August 2022.
- 20.3 The proposed alterations to the extension, retention and change of use of the RSC 40 buildings to provide Orthopaedic Theatres, Orthopaedic Wards, new and realigned vehicular access, and associated infrastructure for a temporary period of 10 years, are considered acceptable and are not considered to materially negatively impact the existing planning permission. These amendments include; the relocation and rationalisation of the ancillary structures, the removal of the area of wildflower meadow to the west of the service road to enable the creation of a car park under a separate application (23/01779/FUL), the inclusion of ducting to the internal courtyard elevations, and replacing the “man-safe” safety rail system with a handrail system.
- 20.4 The proposed amendments reduce the BNG for the site, however, considering that the scheme would still provide over 20% BNG, therefore the amendments are considered acceptable.
- 20.5 A linking condition (19) is recommended to ensure that the previous conditions which have been discharged as part of the existing planning permission (22/02591/FUL) to remain discharged for this application.
- 20.6 Considering the comments received and the above assessment it is appropriate to vary conditions 8, and 9 of the approved application 22/02591/FUL. The scheme, which is temporary in nature, is considered acceptable and remains to provide a suitable “meanwhile-use” which will provide an essential facility to help deal with the backlog of elective surgeries as a result of impacts of the coronavirus pandemic. It is appropriate to approve the proposed amendments subject to conditions.

## **21. Recommendation**

- 21.1 **Approve** subject to:  
-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.
- 21.2 In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development.

## **22. Planning conditions**

### **1. Time Limits**

The development hereby permitted shall be begun before the expiration of three years from the date of the planning permission 22/02591/FUL (on or before 25 August 2025).

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

### **2. Temporary Time Period**

The use of the development hereby approved shall cease on or before the 31<sup>st</sup> December 2032.

The development hereby approved shall be removed and the land restored to a serviced development plot with underground services and connections retained, within 12 months from cessation of the use, in accordance with a scheme of work that has been submitted to and approved in writing by the local planning authority prior to the commencement of restoration works.

Reason: In the interests of the character and amenity of the area, and to ensure the development does not impact the delivery of the wider masterplan for the Cambridge Biomedical Campus (Cambridge Local Plan policies 1, 55 and 57).

### **3. Plans Compliance**

The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

### **4. Travel Plan**

No occupation of the RSC 40 extension shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify: the methods to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking how the provisions of the Plan will be monitored and reported to the local planning authority The Travel Plan shall be implemented and monitored as approved upon the occupation of the development.

Reason: In the interests of encouraging sustainable travel to and from the site (Cambridge Local Plan 2018, policies 80 and 81).

### **5. Surface Water Drainage scheme**

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment prepared by Rossi Long Consulting (221042, Rev 02) dated June 2022 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to first use of the building for the purposes hereby approved. Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

### **6. BREEAM Design Stage Certification**

Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning

Authority demonstrating that BREEAM 'very good' as a minimum will be met, with at least 3 credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted justifying the shortfall. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

#### **7. BREEAM Post Construction Certification**

Within six months of first use of the building for the purposes hereby approved a BRE issued post Construction Certificate shall be submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

#### **8. Hard Landscaping scheme**

Prior to the first use of the building for the purposes hereby approved for the RSC 40 extension details of the minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features), the boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected, and any screening utilised for the ancillary buildings, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

#### **9. Hard and Soft Landscaping Implementation and Maintenance**

All hard and soft landscape works shall be carried out and maintained, for the lifetime of the permission, in accordance with the details hereby approved. The works shall be carried out in the first planting season after first occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

#### **10. Construction and Demolition hours**

No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

#### **11. Demolition and Construction deliveries**

There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank

or Public Holidays unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

## **12. Piling**

No piling shall be carried out until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall be assessed in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites.

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

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

## **13. Unexpected Contamination**

If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination.

The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

## **14. Operational Noise Compliance - Plant and Equipment**

The external building façade noise insulation standard and all operational plant and equipment of the development hereby approved shall be constructed / installed, operated, and maintained at all times in accordance with the noise mitigation recommendations and cumulative operational noise emission limits as detailed in the submitted Hoare Lea report titled “Addenbrooke's Hospital RSC40 & Theatre Extension. Cambridge. ACOUSTICS NOISE CONTROL STRATEGY REVISION 02 – 25 MAY 2022 by Hoare Lea’ or such other noise control strategy as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of safeguarding amenity/quality of life at nearby properties and local areas in accordance with Cambridge Local Plan 2018 policy 35.

**15. Noise Insulation Scheme - Post Construction / Installation Verification & Completion Report**

Within six months of first operation of any plant/equipment, a noise insulation/attenuation scheme post construction/installation verification and completion report for plant/equipment installed, with measured / predicted noise levels to demonstrate compliance with the submitted Hoare Lea report titled “Addenbrooke's Hospital RSC40 & Theatre Extension. Cambridge. ACOUSTICS NOISE CONTROL STRATEGY REVISION 02 – 25 MAY 2022 by Hoare Lea’, or such other noise control strategy as may be agreed in writing by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

The noise insulation/attenuation scheme verification and completion report shall include details of the mitigation of noise emissions from all plant / equipment including any emergency standby generators and HV substation. The noise insulation/attenuation scheme as approved shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of safeguarding amenity/quality of life at nearby properties and local areas in accordance with Cambridge Local Plan 2018 policy 35.

**16. Standby Emergency Backup Generator Operation**

Any emergency backup generator shall only operate as follows:

(i) Emergency Use Only

Any emergency backup generator shall only be used in the event of standard mains electricity supply interruption / failure or in accordance with (ii) below. It shall not be used to supplement general energy demand, to feed electricity into the utility grid or as an alternative supply in the event of disconnection from the mains supply following for example non-payment or similar.

(ii) Hours of Running for Testing, Maintenance & Repair

Running of any backup generator as part of routine periodic testing, maintenance and repair shall only take place for the length of time specified by the manufacturer between the hours of 8am – 6pm Monday to Friday, 9am –1pm Saturday and at no time on Sunday or Public Holidays. Periodic testing, maintenance and repair shall only occur for a maximum duration of 25 hours in any calendar year. Accurate records of any testing shall be kept on site and shall be available for inspection at the request of the local planning authority.

Reason: In the interests of safeguarding amenity in accordance with Policies 35 and 36 of the Cambridge Local Plan 2018.

**17. Servicing Collections and Deliveries Times**

Servicing dispatches from / collections and deliveries to the development as approved including to service yards/compounds, waste collection points and the Vacuum Insulated Evaporator (VIE) compound are only permitted between 0700 to 1900 hrs. For avoidance of doubt this does not include the arrival and departure of emergency vehicles or related activities.

Reason: In the interests of safeguarding amenity/quality of life at nearby properties and local areas in accordance with Cambridge Local Plan 2018 policy 35.

**18. Fire Hydrants**



Prior to the first use of the building for the purposes hereby approved of the RSC 40 extension a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

Reason: To ensure an adequate water supply is available for emergency use.

#### **19. Linking Condition**

Conditions 2, 4 – 7, and 10 – 18 of planning permission 22/02591/FUL (as set out above) shall continue to apply to this permission. Where such conditions pertaining to 22/02591/FUL (conditions 4, 5, and 18) have been discharged, the development of planning permission 23/01857/S73 shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also.

Reason: To define the terms of the application.

### **Informatives**

#### **Pollution Control**

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

#### **Food safety informative**

If the proposed building includes the preparation and provision of food to staff / patients / the public, the applicant is reminded that under the Food Safety Act 1990 (as amended) such premises will need to register with Cambridge City Council as food businesses. In order to avoid additional costs, it is recommended that the applicant ensure that the kitchen, food preparation and foods storage areas comply

with food hygiene legislation before construction / fit out starts. Contact the Commercial Team at Cambridge City Council on telephone number (01223) 457890 email: [commercial@cambridge.gov.uk](mailto:commercial@cambridge.gov.uk) for further advice and information.