



Derbyshire Healthcare NHS Foundation Trust

New Mental Health Facility at Kingsway Hospital, Derby

Planning Statement



Derbyshire Healthcare NHS Foundation Trust

New Mental Health Facility at Kingsway Hospital, Derby

Planning Statement

Type of document (version) Public

Project no. 70087651

Date: November 2021

WSP

Three White Rose Office Park
Millshaw Park Lane
Leeds
LS11 0DL

Phone: +44 113 395 6200

Fax: +44 113 395 6201

WSP.com

Contents

1	Introduction	1
2	The Site	3
2.2	Site Context	3
2.3	Relevant Planning History	3
2.4	Pre-Application Advice	4
3	Proposed Development	5
3.1	The Proposed Works	5
4	Planning Policy Background	7
4.2	The Development Plan	7
4.3	The National Planning Policy Framework (NPPF, 2021)	9
5	Planning Considerations	12
5.2	Principle of Development	12
5.3	Design, Scale and Massing	13
5.4	Amenity	13
5.5	Highways	15
5.6	Contamination	16
5.7	Trees, Ecology and Biodiversity	17
5.8	Flood risk and Drainage	19
5.9	Sustainability	19
5.10	Heritage and Archaeology	20
5.11	Benefits of the Proposal	21
6	The Planning Balance and Conclusions	22

1 Introduction

- 1.1.1. This Planning Statement has been prepared on behalf of Derbyshire Healthcare NHS Foundation Trust (herein 'The Trust'), to support a full application for the construction of a new mental health facility at Kingsway Hospital, Derby.
- 1.1.2. The planning application seeks consent for the following development:

“Demolition of existing warehouse and storage yard and construction of a new mental health facility and energy centre, associated landscaping, groundworks, parking and access arrangements.”
- 1.1.3. The need for the development stems from multiple factors. Firstly, the Care Quality Commission (CQC) has formally required The Trust, under Regulation 15(1) C, to end the practice of service users sharing rooms within wards. As such, Acute Service users will no longer be permitted to stay in dormitory accommodation from March 2024 onwards. Subject to business case approval, funding has been secured from the central NHS England and Improvement Dormitory Eradication capital programme to support this change.
- 1.1.4. This affects the existing Radbourne Unit at Derby Royal Hospital, which accommodates 90 of the 142 Adult Acute Inpatient Service beds which The Trust deliver across Derbyshire.
- 1.1.5. Due to the constraints of the existing facility, it is not feasible to refurbish the Radbourne Unit to meet the new requirements. As such, a new 54-bed acute mental health facility is required. The proposed scheme will therefore effectively replace the Hartington Unit.
- 1.1.6. Secondly, there is no Psychiatric Intensive Care Unit (PICU) located within Derbyshire, and it is no longer permitted to send service users to a PICU outside of The Trust's authoritative area. This creates a need to develop a local facility to serve the area.
- 1.1.7. The CQC policy change also impacts the Hartington Unit at Chesterfield Royal Hospital, and a similar application for a new mental health facility at the hospital is also being submitted by The Trust to Chesterfield Borough Council, concurrently to this application.
- 1.1.8. Ultimately, the proposed development (and the proposed scheme in Chesterfield) will expand the capacity of The Trust to deliver much needed mental health care and services across Derbyshire.
- 1.1.9. This site has been chosen to deliver the much-needed facilities as it is owned by The Trust and the land falls within the existing hospital campus, which is already used to predominantly deliver mental health care. Moreover, the site's existing warehouse, storage yard and gardener's facilities are no longer needed as The Trust will outsource the landscaping and maintenance services for this campus. The waste facility will be relocated elsewhere on the wider Kingsway campus and consent for this will be sought via a separate full planning application which will be submitted in the coming weeks
- 1.1.10. The purpose of this Statement is to identify and address the main planning issues associated with the proposed development and includes the following sections:
 - Section 2, which sets out the context and planning history of the site;
 - Section 3, which outlines the proposed development;
 - Section 4, which provides a summary of the relevant national and local planning policy;



- Section 5, which addresses other key considerations of the scheme; and
- Section 6, which sets out our conclusions.

2 The Site

- 2.1.1. The following section provides some background to the proposal, including a factual description of the site, a review of its planning history, as well as details of pre-application engagement with the Council undertaken prior to the submission of this application.

2.2 Site Context

- 2.2.1. The application site is located in the northern part of the Kingsway Hospital campus, approximately 2.5km to the west of Derby City Centre. Made up of several individual clinic units, Kingsway Hospital provides a range of services and care, primarily for mental health. The Hospital has a long history of providing mental health care and became part of the NHS in 1948.
- 2.2.2. The site is accessed off Cherry Tree Close from Kingsway Boulevard and extends to approximately 1.56ha. The application site comprises both greenfield and brownfield land. The south eastern part of the application site comprises part of an existing staff car park, an energy centre and a warehouse and adjoining storage yard used by the Trust's grounds staff. The north western part of the site comprises undeveloped greenfield land, including a former bowling green which hasn't been used in over 25 years, and some trees.
- 2.2.3. The site is bound to the north and north east by further dense tree belt and Kingsway (A5111). Residential uses are located to the east and south east on land which was formerly owned by The Trust. Further hospital facilities and car parking are located to the south and south west, with a footpath and cycle path running along the southern boundary. Cherry Tree Close borders the north western boundary and is a single lane circular highway running throughout the wider Hospital site and connects Kingsway (A5111) and Kingsway Boulevard.
- 2.2.4. The site is not located within a conservation area and there are no listed buildings nearby. The locally listed Kingsway Hospital Former Nurses Home is located to the south of Kingsway Boulevard approximately 165m to the south east of the site. However, permission was granted in December 2020 to demolish this non-designated heritage asset and construct a care home in its place (ref: 20/00072/FUL).
- 2.2.5. There are no trees on the site or to the boundary that are subject to Tree Preservation Orders (TPOs). The Phase 1 ecology survey has not identified any protected species, habitats or significant concerns.
- 2.2.6. The site lies within Flood Zone 1 of the Environment Agency's Flood Risk for Planning Map, and is therefore at the lowest risk of flooding. The site is not located within an Air Quality Management Area (AQMA). The nearest AQMA is located approximately 200m to the south east of the site on Kingsway (A5111). It is not in a coal mining reporting area or a groundwater source protection zone. A review of historical information and site investigations carried out to date have not identified a likely source for the generation of potential contamination.

2.3 Relevant Planning History

- 2.3.1. The wider hospital site has an extensive planning history, however of most relevance to this proposal, the *"Erection of Storage Building, Associated Equipment Facilities and Formation of Access Road"* was granted planning permission in July 2009 (ref: 12/08/01791) and the installation of solar panels to the roof of the energy centre was permitted in June 2011 (ref: 04/11/00465).

- 2.3.2. To the west of the application site, permission was granted in June 2007 for the *“Erection Of 3 Ward Buildings (58 Bedrooms in Total) And Support Services/Education and Training Centre”* (ref: 11/06/01776).
- 2.3.2.1 A small part of the site falls within the Manor Kingsway Regeneration Area (allocated under Policy AC19 and guided by a supplementary planning document (SPD) published by the Council in 2007). To the south east of the application site, permission was granted in July 2014 for outline consent for *“Residential Development (580 Dwellings), Erection of Offices (Use Class B1), Retail Units (Use Classes A1, A2 And A3), Business Units And Associated Infrastructure (Roads, Footpaths, Open Space And Allotments)”* (ref: 07/08/01081 and amended by 20/00422/VAR).
- 2.3.3. A number of subsequent reserved matters applications have since been approved and housing delivery has been brought forward in part on the allocation, and is continuing to be delivered across the wider allocation.
- 2.3.3.1 The planning history at the Hospital and adjacent sites indicates the Council is supportive of developing additional healthcare facilities on the Kingsway Campus and regenerating the area.

2.4 Pre-Application Advice

- 2.4.1. Prior to the submission of this planning application, pre-application advice was sought from Derby City Council (ref: 21/00050/PREAPP).
- 2.4.2. Initial written feedback was provided, and on 10 September 2021 a subsequent pre-application meeting took place with The Trust, WSP, Integrated Health Projects, Ryder Architecture and the Council (including the case officer Sara John and Environmental Health, Highways, Planning Policy and Flood Risk and Drainage officers).
- 2.4.3. Feedback received and details of the meeting with Council officers is detailed further in the supporting Statement of Community Engagement.

3 Proposed Development

3.1 The Proposed Works

3.1.1. This application seeks full planning permission for the following development:

“Demolition of existing warehouse and storage yard and construction of a new mental health facility and energy centre, associated landscaping, groundworks, parking and access arrangements.”

- 3.1.2. The proposal firstly comprises the demolition of the existing warehouse and storage structures present on part of the site. The Trust now outsource landscaping and maintenance works across the campus and the existing warehouse and yard, primarily used for gardening and maintenance equipment storage, is no longer needed. The waste facility will be relocated elsewhere on the campus and addressed via a separate planning application which will also include some additional car parking provision. The existing energy centre will be retained, and a new energy centre will also be constructed.
- 3.1.3. The proposed hospital building is a part one, two and three storey purpose built facility comprising a 54-bed acute mental health ward, a 14-bed psychiatric intensive care unit (PICU) and Section 136 (place of safety) unit, as well as a various other functional and service rooms for service users, staff and visitors. The acute unit will effectively replace the Radbourne unit at Derby Royal Hospital in response to CQC policy changes.
- 3.1.4. The building will be a brick construction with a metal roof, large areas of glazing and timber cladding features on the façade to break up the mass of the building. Photovoltaic panels will be located on parts of the roof. It will comprise a main entrance fronting Cherry Tree Close, entrances to the PICU and Section 136 unit, and a discreet entrance to the PICU. The footprint is driven by functional and regulatory requirements which are detailed further in the supporting Design and Access Statement. As explained in the supporting Statement of Community Engagement, the scheme has also been informed by extensive feedback and input from ex-service users. The aim is to create a welcoming facility for service users.
- 3.1.5. External areas include visual amenity gardens and gardens accessible to service users, staff and visitors on the ground floor, and a sky garden on the first floor. Plant will be installed within a secured rooms on the ground floor and first floor, and in the roof voids.
- 3.1.6. An extensive landscaping scheme is proposed which will surround the majority of the new building. The scheme proposes seeded grass and artificial grass areas, wildflower and ornamental planting, raised planters and new tree planting. There is extensive planting proposed along the site boundary with the adjacent residential area to the south at Somerset Close, including pleached tree planting and screening planting (as identified on the supporting Landscape Masterplan).
- 3.1.7. External seating will be provided to the front elevation of the building.
- 3.1.8. The north, north west and south eastern boundaries will be secured by a retaining wall and security fences.
- 3.1.9. Vehicular access will remain off Cherry Tree Close via a reconfigured access to the existing staff car park. Pedestrian and cycling access will remain off Cherry Tree Close.

- 3.1.10. The scheme will result in the loss of approximately 72 car parking spaces, however, as explained in the accompanying Transport Statement, existing parking across the campus will be adequate to serve the needs of the development and the wider campus. The scheme also proposes the inclusion of three disabled parking spaces (one including an electric vehicle charging point), three car share parking spaces, two drop off points and a police and ambulance access point to the Section 136 unit, all on or off Cherry Tree Close. Four electric vehicle charging spaces will be incorporated into a reconfigured layout of the existing staff car park, as will refuse facilities. Six cycle parking spaces will be provided within a secure shelter.
- 3.1.11. The proposal is required to meet Key Performance Indicators (KPI) to secure funding. These include targeting BREEAM 'Excellent', Net Zero Carbon and modern methods of construction.
- 3.1.12. Design, landscaping, amenity and highways matters are assessed further in Section 5 of this Planning Statement.
- 3.1.13. Please see the supporting Design and Access Statement and planning and landscape drawings for further details of the layout and functions of the proposal.

4 Planning Policy Background

- 4.1.1. In accordance with the Planning and Compulsory Purchase Act (2004) Section 38(6), the determination of planning applications must be made in accordance with the local development plan unless material considerations indicate otherwise. Other material considerations to take into account include the National Planning Policy Framework (NPPF) and the associated Planning Practice Guidance (PPG).

4.2 The Development Plan

- 4.2.1. The Development Plan for Derby comprises the adopted Derby City Local Plan Part 1 (LPP1): Core Strategy (2017), saved policies of the City of Derby Local Plan Review (DLPR, 2006), and saved policies of the Derby and Derbyshire Minerals and Waste Local Plans.
- 4.2.2. The emerging Derby City Local Plan Part 2 is in the early stages of preparation, but once adopted will form part of the Development Plan. Due to its early stages of progression and the anticipated timescales for submission, we do not anticipate the emerging development plan document will have progressed to an extent to be of relevance to the proposal.

DERBY CITY LOCAL PLAN PART 1: CORE STRATEGY (2017)

- 4.2.3. The following policies and designations are of relevance to the proposed mental health facility and the Kingsway Hospital Site.
- 4.2.4. Policy CP1(a) sets out the Council's position approach and presumption in favour of development in accordance with the National Planning Policy Framework. This ensures the Council will approve proposals for development provided there are no material considerations which would indicate otherwise. Further, the Council expects pre-application discussions and community consultation at an early stage.
- 4.2.5. Policy CP2 sets out response to climate change. Paragraph (a) states the development should be located in *"the most sustainable locations where it is well related to complementary uses."*
- 4.2.6. Policy CP3 relates to place-making, including the requirement for appropriate densities, high quality architecture, local character and safety and security. This policy aims to create practical and meaningful places, and highlights design standards for developments, and encourages collaborative working with the Council in the design of new development.
- 4.2.7. Policy CP4 relates to character and context and seeks to ensure development achieves good design. The Policy confirms that the Council expect all new development to *"make a positive contribution towards the character distinctiveness and identity in our neighbourhoods."*
- 4.2.8. Policy CP18 seeks to maintain links between the city and countryside through green wedges, aiming to *"ensure development does not endanger the open and undeveloped character of the Wedge."*
- 4.2.9. Policy CP19 states that biodiversity and geodiversity assets will be *"protected, enhanced, managed, restored, strengthened and created in a manner appropriate to their significance"*, and that the Council will seek to achieve a net gain in biodiversity over the plan period.
- 4.2.10. Policy CP20 seeks to protect the historic environment and confirms that the Council will resist proposals which would detrimentally impact upon the significance of a heritage asset.

- 4.2.11. Policy CP21 relates to community facilities and confirms that the Council will work with strategic partners and developers to provide new community facilities to meet an identified need. It states that new facilities will benefit from a choice of travel options and should ideally *“exploit opportunities for the co-location of facilities where opportunities arise”*. The Policy also states that new facilities will:
- Be in keeping with the scale, character and levels of activity in surrounding area;
 - Provide suitable levels of amenity for both users of the development and neighbours;
 - Make a positive contribution to creating and safeguarding sustainable communities; and
 - Reduce deprivation and promote social inclusion.
- 4.2.12. Policy CP23 states that the Council will support proposals which promote a greater travel choice, provide suitable levels of parking and contribute to tackling climate change, including through provision of electric vehicle charging infrastructure. The Policy also states that development will not be permitted where it would cause or worsen severe transport impacts, including cumulatively on Air Quality Management Areas (AQMAs).
- 4.2.13. Policy AC19 relates to the ‘Regeneration Allocation’ of Manor Kingsway. A small part of the application site lies within the allocated area which deliver a sustainable extension to the suburbs of Littleover and Mickleover. The regeneration allocation will deliver 700 new homes and associated local facilities, amenities and job opportunities.

CITY OF DERBY LOCAL PLAN REVIEW (2006) SAVED POLICIES

- 4.2.14. Saved Policy GD5 confirms that permission will only be granted where proposals provide satisfactory levels of amenity for users and adversely impact the amenity of the surrounding area. In particular, the Council will assess the application with regard to the following:
- Air, water, noise and light pollution;
 - Loss of privacy;
 - Noise, smells, vibration, fumes, smoke, grit etc;
 - Overbearing (massing) effect; and
 - Traffic generation, access and car parking.
- 4.2.15. Saved Policy E12 confirms that:
- “Planning permission will not be granted for development which would generate pollutants that would be unacceptably detrimental to the health and amenity of users of the development, users of adjoining land or the environment; or where the level of existing pollutants would be unacceptably detrimental to the health and amenity of users of the proposed development.”*
- 4.2.16. Saved Policy E13 seeks to control development on contaminated land, subject to suitable remedial works being undertaken and that there will be no hazardous effects.
- 4.2.17. Saved Policy E24 seeks to ensure new development achieves a safe and secure environment, accounting for community safety and crime prevention measures with regard to design and layout, lighting and landscaping etc.
- 4.2.18. Saved Policy T10 seeks to ensure non-domestic development *“includes practical, appropriate and environmentally pleasant provision for the additional reasonable needs of disabled people, as customers, visitors and employees.”*

Other material considerations

Development of the Manor / Kingsway Hospital Site Supplementary Planning Document (SPD, 2007)

- 4.2.19. The site lies within Manor / Kingsway Hospital Site, for which the SPD has been published by the Council to guide development within this area. This document is therefore a material consideration of this planning application.
- 4.2.20. The SPD and sets out the aim for the allocation to deliver a minimum of 500 new homes, 200 key worker units, 6.9ha of business development and a park and ride interchange and states the SPD wants to support *“Integrating new development with proposed extensions to existing healthcare uses and car parking provision, a nursery and ancillary facilities related to these uses.”*

4.3 The National Planning Policy Framework (NPPF, 2021)

- 4.3.1. National planning policy is set out within the NPPF, which is supplemented by the PPG. Paragraph 7 confirms that the purpose of the planning system is to *“contribute to the achievement of sustainable development,”* which can be summarised as *“meeting the needs of the present without compromising the ability of future generations to meet their own needs.”*
- 4.3.2. Paragraph 10 confirms that at the heart of the NPPF is a presumption in favour of sustainable development, to ensure that sustainable development is pursued in a positive way. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay (paragraph 11).
- 4.3.3. Section 8 of the NPPF promotes the creation of healthy and safe communities. Paragraph 92(c) confirms that planning decisions should aim to achieve healthy, safe, inclusive places which *“enable and support healthy lifestyles, especially where this would address identified local health and well-being needs”*.
- 4.3.4. To provide the services communities need, paragraph 93 states that planning decisions should plan positively for the provision of local facilities which will enhance the sustainability of communities.
- 4.3.5. Paragraph 96 states:

“To ensure faster delivery of other public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted.”
- 4.3.6. Section 9 relates to promoting sustainable transport, and paragraph 110 seeks to ensure that:
 - Safe, suitable access can be achieved for all users;
 - Opportunities to promote sustainable transport modes can be taken up;
 - The design of car parking meets national guidance; and
 - Any adverse significant impacts on the transport network or highway safety can be appropriately mitigated.
- 4.3.7. Paragraph 111 concludes that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

- 4.3.8. Paragraph 112 confirms that development should:
- Give priority to pedestrian any cyclist movements;
 - Address the needs of people with reduced mobility or disabilities;
 - Create safe and secure places which minimise the potential for conflict between pedestrians;
 - Allow for the efficient servicing and deliveries, and access by emergency vehicles;
 - Enable the charging of electric and other ultra-low emission vehicles in safe, convenient locations.
- 4.3.9. Paragraph 113 confirms that proposals which will generate significant amounts of movement should be supported by a transport assessment and travel plan.
- 4.3.10. Section 11 supports making effective use of land. Paragraph 119 states that planning decisions should promote the effective use of land for meeting the need for certain uses, with paragraph 120 confirming that planning decision should give substantial weight to the value of utilising brownfield land to meet identified needs.
- 4.3.11. Section 12 sets the approach to ensure good design. Great importance is attached to the design of the built environment. To achieve this planning policies and decisions should ensure that developments:
- Function well and add to the quality of the area over the lifetime of the development;
 - Are visually attractive due to good architecture;
 - Are sympathetic to local character whilst not preventing innovation or change; and
 - Maintain a strong sense of place by utilising spaces, materials, building types, and streets to create distinctive, attractive and welcoming places to visit, work and live.
- 4.3.12. Paragraph 134 stipulates that *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design”*.
- 4.3.13. Section 14 relates to meeting the challenge of climate change and flooding. Paragraph 152 states that the planning system should support a low carbon future in order to tackle climate change.
- 4.3.14. Paragraph 154 states that *“New development should be planned for in ways that:*
- a) avoid increased vulnerability to the range of impacts arising from climate change...*
 - ...*
 - b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design.”*
- 4.3.15. Paragraph 167 states that *“where appropriate, applications should be supported by site specific flood-risk assessment”* and that development should not increase flood risk elsewhere.
- 4.3.16. Paragraph 169 stipulates that major developments should incorporate SUDs, unless it can be clearly evidenced that this would be inappropriate.
- 4.3.17. Section 15 seeks to protect and enhance the natural and local environment. Paragraph 174 states planning decisions should achieve this by:
- minimising impacts on biodiversity and providing biodiversity net gain;
 - preventing new development from contributing to or being adversely affected/put at risk of unacceptable levels of soil, water, noise or air pollution or land instability; and
 - protecting and enhancing soils and sites of biodiversity or geological value.

- 4.3.18. Paragraph 183 seeks to ensure new development is situated on appropriate land, in terms of ground conditions, contamination and land instability.
- 4.3.19. Paragraph 185 states that planning decisions should ensure that new development takes into account the impacts that could arise for the wider area, and that development should minimise potential adverse noise impacts.
- 4.3.20. Paragraph 186 states that planning decisions should:

“sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.”
- 4.3.21. Section 16 seeks to preserve and enhance the historic environment, including non-designated heritage assets, with paragraph 203 stating:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

5 Planning Considerations

- 5.1.1. The following section highlights and assesses the relevant planning considerations relating to the site, the proposal and planning policy.

5.2 Principle of Development

- 5.2.1. This application seeks planning permission for a new mental health facility at Kingsway Hospital, Derby. The Trust provides mental health services ranging from acute to community services in Derby and Derbyshire.
- 5.2.2. NPPF Paragraph 93 states that planning decisions should plan positively for the provision of local facilities which will enhance the sustainability of communities, in order to provide the services communities need. Approximately 20 months ago, a formal request from the Care Quality Commission (CQC) was received by The Trust which meant that Acute Service users will not be permitted to stay in dormitory accommodation from March 2024 onwards. This affects the Radbourne unit at Derby Royal Hospital and the Hartington unit at Chesterfield Royal Hospital. The Trust checked whether existing dormitory accommodation could be changed to individual studios, but this is not possible due to the constraints of existing facilities and the requirement for outdoor space provision. This means that new build proposals at Kingsway and Chesterfield are required. As such, in addition to this application, The Trust is also submitting an application for a similar mental health facility at Chesterfield Royal Hospital.
- 5.2.3. The second driver for the Kingsway scheme is providing the psychiatric intensive care unit (PICU), as there isn't one in Derbyshire. It is no longer permitted to send service users from Derbyshire for treatment to a PICU outside The Trust's area. The Trust are funding the PICU facility, and the other facilities will be funded by the central NHS England and Improvement Dormitory Eradication capital if The Trust is successful in their bid.
- 5.2.4. The proposed development is therefore required to comply with CQC policy changes, and to provide much-needed mental health facilities in Derbyshire, which are not currently available. The proposal will provide healthcare facilities to address an identified need, and ultimately make a positive contribution to creating and safeguarding sustainable communities, which is supported by Policy CP21 and by paragraph 92(c) of the NPPF.
- 5.2.5. The co-location of the facility beside Kingsway Hospital also complies with Policy CP21, in addition to Policy CP2, which supports development in *"the most sustainable locations where it is well related to complementary uses."*
- 5.2.6. The proposed development will be predominantly located upon brownfield land. The majority of the brownfield part of the site is no longer required (due to the hospital now outsourcing gardening and maintenance services), therefore the land has become redundant. The effective use of land is encouraged by national planning policy, and paragraph 120 of the NPPF specifically encourages local planning authorities to place significant weight to the value of utilising brownfield land to meet identified needs.
- 5.2.7. The proposed development will be predominantly located on unallocated land. A small part of the site falls within the Manor Kingsway Regeneration Area under Core Strategy: Part 1 Policy AC19.

The Policy envisions this allocation delivering at least 700 new dwellings, and complementary local facilities, amenities and job opportunities.

- 5.2.8. The proposed development complies with the overall objectives of the Policy and the Manor / Kingsway Hospital Site SPD created in 2007 to support the regeneration of the area. Both the Policy and the SPD acknowledge that some land will be required to deliver healthcare facilities, and this type of development is not precluded in the SPD or Policy AC19. The regeneration of the wider site is currently coming forward, with housing already having been delivered (and more housing coming forward), and the proposed development does not conflict with this.
- 5.2.9. The proposed development is therefore acceptable in principle.

5.3 Design, Scale and Massing

- 5.3.1. The new building is in keeping with the scale, height and mass of other buildings on the Kingsway Campus, such as Kingsway House and Cubley Court. The design and proposed materials have been carefully considered to break up the mass of the facility. The aim is to create an attractive, welcoming but functional building which will complement the award winning adjacent housing scheme.
- 5.3.2. The proposed materials, in particular the use of brick, is reflective of the local character, and has been used on other buildings across the campus and wider allocation (such as the adjacent dwellings at Somerset Close), in line with Policy CP3. Materials will also help define functions in the building. Moreover, the materials and building layout aim to create a welcoming environment where service users feel safe and comfortable upon arrival, and throughout their stay. The timber façades and large areas of glazing seek to soften the elevations and create a relaxed, calm environment for users, staff and visitors alike.
- 5.3.3. The proposed landscaping further ‘softens’ the visual impact of the scheme and creates amenity areas for staff and service users, as well as providing screening from adjacent development. Landscaping is detailed in the relevant section below.
- 5.3.4. The proposal will create a new building which reflects the local character in terms of high quality materials and also scale and density. It has been carefully designed to function well in respect of its proposed use, and be accessible to people of all mobilities. The proposal therefore achieves ‘good design’ and accords with Policies CP3, CP4, saved Policy T10 and Section 12 of the NPPF.

5.4 Amenity

Privacy

- 5.4.1. Configuration of the proposal has been designed to ensure service users are provided with safe, comfortable and private rooms. Each bedroom comprises views onto landscaped external amenity areas, and traditional T-shape layouts are utilised to create progressive privacy through design. ‘T’ and ‘Y-shaped’ layouts are common in mental health facilities due to adjacencies between therapy rooms and bedrooms, and these layouts are used elsewhere on the site. They ensure that private rooms are not overlooked. Public services and facilities are located in proximity to the main entrance, ie towards the front of the building, allowing the residential elements of the proposal to be located to the rear of the building, ie towards / overlooking areas of private external amenity space.

- 5.4.2. Regarding nearby residential properties at Somerset Close, there are no windows at first floor level or above on the elevations facing these properties to ensure the residential amenity of the occupiers is protected. Pleached trees and screening planting is proposed along the south eastern boundary to further protect the amenity of these dwellings.
- 5.4.3. Based on the above, there will be no loss of privacy as a result of the proposed development, in line with saved Policy GD5.

Safety and Security

- 5.4.4. A security fence will be installed along the north, north west and south eastern building boundaries to ensure site security for the service users. The rest of the site will not be fenced off, however the primary access points to external areas for service users are located centrally within the building, away from the perimeter of the building. This approach helps to protect residential amenity and secure these external amenity areas.
- 5.4.5. Further measures which will be implemented to ensure the development is a safe and secure destination for service users, staff, visitors and nearby residents include:
- staff training;
 - sufficient staff numbers;
 - CCTV;
 - Appropriate external lighting;
 - staff accompanied trips out of the facility for service users; and
 - a unit co-ordinator on site 24 hours a day to support the facility.
- 5.4.6. The above demonstrates that design, layout, lighting and landscaping will together create a safe and secure environment for service users, staff, visitors and neighbouring residents, in line with saved Policy E24.

Noise

- 5.4.7. With regard to general noise associated with the proposed use, the site and surrounding area is already accustomed to the general noise associated with a hospital and its visitors, in addition to deliveries, servicing and maintenance noise. The proposed development and subsequent noise generation is therefore not inappropriate in this setting.
- 5.4.8. Nevertheless, a Noise Impact Assessment (NIA) prepared by Apex Acoustics is submitted to support this application. The NIA was undertaken to determine suitable noise limits for fixed mechanical plant associated with the development at the nearest noise sensitive receptors. The nearest noise sensitive receptors are residential dwellings at Kingsway Boulevard to the southeast of the site and other non-residential buildings at Kingsway Hospital to the west / south west of the site.
- 5.4.9. The NIA also considers noise impact on the occupiers of the proposed development, with regard to plant noise and noise from Kingsway (A5111).
- 5.4.10. The NIA concludes that suitable internal noise level can be achieved within the development through the proposed ventilation strategy.

- 5.4.11. With regard to the impact of plant noise upon the nearest noise sensitive receptors, as plant specification is yet to be confirmed, the NIA proposes plant noise limits for the cumulative impact of all proposed plant to reduce the risk of any adverse impact.
- 5.4.12. The proposed ventilation strategy and plant noise limits will ensure the proposed development will not have an adverse impact upon the residential amenity of nearby dwellings, nor residents and staff occupying the new facility and nearby existing hospital buildings. The proposal therefore complies with Saved Policy GD5, Saved Policy E12 and paragraph 185 of the NPPF.

Air Quality

- 5.4.13. The site does not lie within, but lies in proximity to an Air Quality Management Area (AQMA). Pre-application engagement with the Council confirmed that air quality would need to be considered as part of this planning application. Therefore, an Air Quality Assessment (AQA) has been prepared by Apex and is submitted to support the proposal.
- 5.4.14. The AQA highlights potential air quality impacts which may arise during the construction stage as a result of demolition, earthworks, construction and trackout activities. These potential impacts were assessed and the AQA concludes that assuming good practice dust control measures are implemented, that the dust generated by these activities is predicted to be 'not significant'.
- 5.4.15. The AQA also confirms that due to the low number of vehicle movements generated by the proposal, that the air quality impacts during the operational phase of development are predicted to be 'not significant'.
- 5.4.16. The AQA therefore concludes that *"Based on the assessment results, air quality factors are not considered a constraint to planning consent for the development."*
- 5.4.17. The proposal therefore accords with Saved Policy GD5, Saved Policy E12 and paragraphs 174 and 186 of the NPPF.

5.5 Highways

- 5.5.1. A Transport Statement (TS) and an Interim Travel Plan prepared by Curtins are submitted to support this application.
- 5.5.2. The TS confirms that vehicular access to the site will remain via the existing staff car park, through a reconfigured access point off Cherry Tree Road. Part of the existing staff car park will be removed to accommodate the proposed development. This will result in the loss of approximately 72 parking spaces. The remaining parking area will be reconfigured to provide a turning head to enable a fire tender to enter and exit the area in first gear, in addition to providing refuse storage and parking spaces, including four spaces equipped with electric vehicle charging points.
- 5.5.3. Three disabled parking spaces (including once with electric vehicle charging infrastructure) and three car share parking spaces are proposed adjacent to the proposed building on Cherry Tree Road to address BREEAM requirements, in addition to two drop off areas which will accommodate servicing vehicles.
- 5.5.4. Two additional entrances are proposed to enable discreet access to the PICU and Section 136 facilities, plus occasional vehicular access to the existing energy centre. Vehicles will reverse into these entrances and exit in forward gear, to minimise any potential highway safety issues.
- 5.5.5. Vehicular tracking information is provided in the supporting TS.

- 5.5.6. No additional standard car parking spaces are proposed, however the TS confirms that there will be 67 free car parking spaces available across the hospital campus during peak times, which is more than sufficient to accommodate the 49 spaces the TS calculates that the proposed development requires. Some further car parking will be proposed in an application to re-locate the waste facility which will be submitted in the coming weeks.
- 5.5.7. There are also existing cycle parking facilities across the hospital campus, however in accordance with BREEAM guidance, six staff cycle parking spaces (10%) within a covered, secure unit will be provided. Showers, lockers and changing facilities will be provided within the new building.
- 5.5.8. Pedestrian access will be linked to the existing pathway on Cherry Tree Close. The TS confirms that this internal road is also suitable for cyclists.
- 5.5.9. The TS confirms that the site is considered accessible by sustainable modes of transport, with good pedestrian and cycle infrastructure nearby and some public transport opportunities within walking distance of the site.
- 5.5.10. With regard to trip generation, the TS confirms that the proposal could generate 13 vehicular trips in the AM peak (all arrivals) and 22 two-way vehicular trips in the PM peak (nine arrivals and 13 departures), which equates to one vehicular trip every two to three minutes. The TS states that many of these trips will be transferred from trips to the Radbourne Unit at Derby Royal Hospital, which the proposal will replace, and is therefore predominantly a reassignment of traffic with a slight uplift at various junctions. Thus, the TS concludes that the proposed development would not result in a significant or severe impact on the local highway network, and that the current application for improvement works to the A38 will likely accommodate this slight uplift.
- 5.5.11. The TS and Interim Travel Plan demonstrate that the proposal is accessible by sustainable modes of transport and includes measures to promote sustainable modes of transport, ie through the provision of EVCPs and car sharing parking spaces and provision of cycle parking spaces, in accordance with Policy CP2 and CP23.
- 5.5.12. Additionally, it has been demonstrated that sufficient car and cycle parking will be provided for service users, visitors and staff and that safe, suitable access can be achieved for all users, in line with paragraph 110 of the NPPF.
- 5.5.13. The design allows for efficient servicing and deliveries, and access by emergency vehicles in accordance with paragraph 112 of the NPPF.
- 5.5.14. The proposal will not have any adverse highway impact in terms of congestion or safety and therefore accords with NPPF paragraph 111.
- 5.5.15. The proposed development is therefore acceptable in terms of highway considerations. Please see the supporting TS an Interim Travel Plan for further details.

5.6 Contamination

- 5.6.1. A Phase 1 Report and Phase 2 Ground Investigation report prepared by Curtins are submitted to support this application, to ensure the development will have no hazardous effects, in accordance with saved Policy E13 and paragraphs 174 and 183 of the NPPF.
- 5.6.2. The phase 2 works were undertaken to addresses recommendations of the Phase 1 report.
- 5.6.3. The Phase 2 report recommends the following:

- That construction workers are provided with appropriate PPE and sanitary facilities (in reference to the environmental testing results presented in the report);
- That geotechnical designs are considered carefully, in particular regarding where trees are to be removed within the proposed building footprint and that further in-situ testing for hardstanding designs will likely be required once proposed site levels have been determined; and
- That machine excavated trial pits are completed in position CP04 to determine what was obstructing the borehole from advancing further.

5.6.4. It is requested that further any further details sought by the Council are secured via planning condition.

5.7 Trees, Ecology and Biodiversity

Trees

- 5.7.1. The proposal seeks to retain as many trees as possible. In particular, the scheme has sought to retain as many trees as possible aligning Cherry Tree Close, in order to protect the openness of the Green Wedge located to the north of Cherry Tree Close, in line with Policy CP10.
- 5.7.2. However, some tree removal is required to facilitate the development. As such, an Arboricultural Impact Assessment (AIA) prepared by Arbeco is submitted to support this application.
- 5.7.3. The AIA confirms that no trees on site are subject to a Tree Preservation Order (TPO). The AIA confirms that the following will need to be removed to facilitate the development:
- one Category A tree;
 - eight trees, two tree groups, one hedge and the partial removal of one woodland of moderate quality (Category B); and
 - five trees and three hedges of low quality (Category C).
- 5.7.4. The AIA confirms that four trees were of poor quality (Category U) and are unsuitable for retention, and that three trees will require minor pruning to facilitate access.
- 5.7.5. The proposed building will encroach into the RPA of two trees, as such, it is recommended that the excavation of these areas should be undertaken under the direct supervision of an Arboricultural Clerk of Works, and that temporary ground protection measures alongside fencing and scaffolding are used to protect the trees during construction.
- 5.7.6. The AIA further recommends that all retained trees are subject to soil amelioration works inside the soft landscaped areas of their RPAs once construction works cease, and that utilities routes are carefully planned with the Arboricultural Consultant to seek to avoid the PRAs of any retained trees.

Mitigation

- 5.7.7. Regarding mitigation, the AIA recommends that a soft landscaping scheme is submitted to support the proposal and tree planting to address the potential loss of visual public amenity where removal is unavoidable.
- 5.7.8. A landscaping proposal is submitted to support this application. In respect of mitigation, significant replacement tree planting will be incorporated into the landscaping scheme to provide screening and visual amenity value across the site. Other elements of planting are proposed throughout the site.
- 5.7.9. Please see the supporting Landscape Masterplan for further details.

Ecology

- 5.7.10. A Preliminary Ecological Appraisal (PEA) prepared by The Ecology Consultancy is submitted to support this planning application. The PEA comprises a Phase 1 habitat survey, protected species assessment and an ecological evaluation. A Bat Survey Report has also been prepared, following the undertaking of Preliminary Roost Assessments (PRA) of structures and Ground Level Roost Assessments (GLRA) of trees on the site, which was a recommendation of the PEA.
- 5.7.11. The PEA confirms that the site contains habitats which are suitable for breeding birds and hedgehogs, have low potential for reptiles, moderate potential to support a badger sett and habitats with potential to be used by small numbers of foraging and commuting bats. The PEA confirms that these habitats are considered of importance at site level only.
- 5.7.12. The PEA recommends the following:
- Measures should be taken to avoid impacts from artificial lighting on potential bat habitats;
 - Emergence surveys should be undertaken to confirm if bats are using the warehouse building or trees for roosting;
 - Potential reptile habitats should be cleared in accordance with approved methodologies which seek to dissuade reptiles from using the site during the construction period;
 - A further survey should be undertaken to ascertain whether any badger setts are present on the site;
 - A plan to enable connectivity of habitats around the site should be implemented, taking into account the mitigation of lost hedgehog and other small mammal habitats;
 - Vegetation clearance should be undertaken outside of the bird nesting season, or otherwise be overseen by a suitable qualified Ecological Clerk of Works.
 - A nesting bird check should be undertaken within 48 hours of any vegetation clearance or building demolition and any active nests should be protected in line with guidance set out in the PEA; and
 - Biodiversity enhancements, including for Biodiversity Net Gain, such as wildlife planting, wildlife-friendly fencing, a biodiverse roof, the provision of bird nesting opportunities and bat boxes.
- 5.7.13. Please see the PEA for further details.
- 5.7.14. As confirmed in the PEA, one building and four trees on the site were assessed as being of low suitability for roosting bats. However, the Bat Survey Report confirms that no evidence of roosting bats was recorded during the survey work, and that the site is considered to be of negligible importance for roosting bats.
- 5.7.15. The Report confirms that very low levels of foraging and commuting bats were recorded during the emergence survey (nine passes only).
- 5.7.16. As such, no further surveys are recommended. However, the Report recommends that a precautionary approach is undertaken when felling trees which have low suitability for roosting bats, in accordance with the methodology set out within the Report itself.
- 5.7.17. The Report also recommends that artificial lighting should only be directed where necessary for health and safety, and should not illuminate any trees or shrubs on the site. For more details, please refer to the supporting Bat Survey Report.
- 5.7.18. It is requested that lighting details and further survey works are secured via planning condition.

Biodiversity Net Gain

- 5.7.19. A Biodiversity Net Gain Assessment prepared by Temple is submitted to support this application.
- 5.7.20. The Assessment confirms that through the proposed landscaping scheme, and through conversion of additional land identified across the wider hospital site to neutral grassland and a large pond, the proposed development is predicted to result in a net gain in area habitat biodiversity of 1no. habitat unit and achieve a net gain in biodiversity of 9.8%.
- 5.7.21. The proposal therefore complies with Policy CP19 and paragraph 174 of the NPPF.

5.8 Flood risk and Drainage

- 5.8.1. A Flood Risk Assessment (FRA) prepared by Curtins is submitted to support this planning application, in accordance with NPPF paragraph 167. The FRA confirms that the site is located in Flood Zone 1 and is therefore considered at the lowest risk of flooding from all types of flood risk. Nevertheless, regarding national and local planning policy, hospitals and similar developments are considered a 'more vulnerable' use, with regard to flooding.
- 5.8.2. The FRA recommends that a detailed drainage scheme should be developed to ensure the proposal's drainage does not increase flood risk to the site or elsewhere. The FRA confirms that the drainage scheme should accord with the principles of the Drainage Strategy Report prepared by Curtins which is also submitted to support this application.
- 5.8.3. The supporting Drainage Strategy Report concludes the following:
 - *"Foul water will discharge into the wider hospital site foul drainage network which is understood to eventually discharge into the Severn Trent Water public sewer system. A Pre-Development Enquiry response is awaited from Severn Trent Water to confirm capacity and connection point..."*
 - *In the absence of soakaway tests, it is assessed that surface water will discharge to the wider hospital site surface water network. Soakaway test results will be assessed at the next design stage and incorporated if feasible.*
 - *The proposed surface water discharge rate from site was calculated to be 36.2 l/s based on the existing greenfield runoff rate. The required storage volume was calculated as a range between 313 - 470m³.*
 - *Sustainable drainage features have been incorporated based on the available information and will be reviewed at the detailed design stage", in accordance with NPPF paragraph 169.*
- 5.8.4. It is therefore requested that agreement of the final drainage strategy is secured via planning condition.

5.9 Sustainability

- 5.9.1. The proposed development has been carefully considered to meet The Trust's aspirations for a reduced carbon footprint and in-use building energy. In particular, the BREEAM aspiration for the proposal is 'Excellent' rating (BREEAM 2018).
- 5.9.2. The evaluation of energy can only be determined at each design stage, as such a BREEAM 2018 NC Pre-Assessment Report prepared by RPS and an Operational Energy Strategy prepared by Cad 21 are submitted to support this application.

- 5.9.3. The Strategy confirms that the proposal will seek to reduce carbon production through implementation of the following:
- electrification of new systems;
 - building form and construction measures;
 - efficient building services, efficient unregulated;
 - equipment, and with efficient management and usage of the services and spaces; and
 - incorporation of renewable energy solutions to offset primary energy usage.
- 5.9.4. The renewable energy solutions to be incorporated include heat pump technology and Photovoltaic systems. The Hospital's heating and hot water demand will be derived from these green electrical primary energy sources.
- 5.9.5. Other low carbon strategies incorporated into the proposal include the inclusion of electric vehicle charging points, car share parking spaces and cycle parking spaces, in addition to co-location with other healthcare facilities. These measures support a low carbon future through encouraging travel to and from the site via sustainable modes of transport, and encouraging linked trips with other healthcare services.
- 5.9.6. The Operational Energy Strategy concludes:
- "The buildings carbon footprint will be under review through the design development and into post occupancy to strive towards a low carbon hospital building."*
- 5.9.7. However the Pre-Assessment confirms that at this stage:
- "it is currently predicted that the proposed development will achieve a BREEAM 'Excellent' rating of 71.11%. However, the proposed development has to the potential to achieve a BREEAM 'Outstanding' rating of 81.18%."*
- 5.9.8. The low carbon strategies and aspiration to achieve BREEAM 'Excellent' demonstrates the aim of The Trust to reduce greenhouse gas emissions and minimise the impact of climate change, in line with NPPF paragraph 152 and 154.

5.10 Heritage and Archaeology

- 5.10.1. The site is not located within a conservation area nor is it located in proximity to any listed buildings. However, the Council requested during pre-application engagement that impact upon non-designated heritage assets, in particular Kingsway House, are addressed.
- 5.10.2. Kingsway House is a locally listed building located to the west of the site, in the northernmost part of the hospital campus. The building is occupied for healthcare uses associated with the hospital.
- 5.10.3. Additionally, the Manor Kingsway SPD identified part of the site as an 'Area of Potential Archaeological Interest'.
- 5.10.4. Based on the above, a Heritage Assessment prepared by Prospect Archaeology is submitted to support this application. The Heritage Assessment concludes that there is *"very low potential for the presence of archaeological remains of any period."* Therefore any archaeological impact is highly unlikely.
- 5.10.5. The Heritage Assessment also confirms that the impact of the proposal upon any designated heritage assets will be nil. With regard to non-designated heritage assets, the Assessment confirms

that the proposed development will not harm the setting of Kingsway House, in accordance with Policy CP20.

- 5.10.6. In particular, the new buildings have been carefully designed to complement existing buildings on the hospital site. Moreover, the proposal and redevelopment of the gardener's compound / storage yard and warehouse will improve the aesthetic of this area and therefore enhance the setting of Kingsway House. However, of most importance, any minimal impact is greatly outweighed by the public benefits of the scheme, detailed below.
- 5.10.7. The proposed development therefore complies with Section 16 of the NPPF, in particular paragraph 203.

5.11 Benefits of the Proposal

- 5.11.1. This planning application seeks consent for new mental health facility through the delivery of a purpose-built, specialised resource, for which a great need has been identified. The proposal is a direct response to CQC policy changes and in particular will assist The Trust to provide acute ward bedspaces to replace the Radbourne unit at Derby Royal Hospital, which will soon no longer meet requirements, and to provide a PICU which is required to meet a local demand, as service users can no longer undertake treatment outside of Derbyshire.
- 5.11.2. There are significant social benefits which will result from the proposed facilities, most obviously relating to the mental health and wellbeing of local residents in need of these services.
- 5.11.3. Other benefits include enhancing the social infrastructure of the local area and improving facilities of Kingsway Hospital, the new jobs which will be created during the construction and operational phases, the efficient reuse of brownfield land the delivery of a new building which seeks to minimise greenhouse gas emissions and generate energy from renewable sources.

6 The Planning Balance and Conclusions

- 6.1.1. This application seeks full planning permission for the following development:
- “Demolition of existing warehouse and storage yard and construction of a new mental health facility and energy centre, associated landscaping, groundworks, parking and access arrangements.”*
- 6.1.2. This Planning Statement has demonstrated the suitability of the site to accommodate the proposed new mental health facilities
- 6.1.3. Overall, the proposal offers significant social benefits, in line with the one of the overarching objectives of the NPPF, which seeks sustainable development.
- 6.1.4. In assessing the proposal and when all material considerations are weighed in the balance, there are significant benefits to the proposals. This Statement has considered the proposals against the adopted Development Plan and other material considerations, including the NPPF, and concludes the following:
- The proposal will provide new mental health facilities within Derby, for which there is an identified need;
 - The site is suitably located adjacent to an existing hospital;
 - The proposed development will not have a detrimental impact on residential amenity;
 - The proposed development will not have a detrimental impact on air quality;
 - The proposed development will not adversely impact the setting or significance of any heritage assets;
 - The proposed development will not have any adverse ecological or biodiversity impacts which cannot be suitably mitigated and will achieve Biodiversity Net Gain;
 - The scheme has been designed to reduce carbon emissions and mitigate the impacts of climate change;
 - The proposed development will seek to achieve BREEAM ‘excellent’ rating;
 - The proposed development will not materially impact highway safety or the operation of the local highway network;
 - The proposal represents sustainable development that contributes to the social and healthcare infrastructure of Derby.
- 6.1.5. The NPPF highlights a presumption in favour of sustainable development, as is supported by Policy CP1(a). It has been demonstrated that the development proposal complies with local and national planning policy and that the significant benefits of the scheme clearly outweigh the limited impact of the development when all material considerations are weighed in the planning balance. The application should, therefore, be approved without delay.



Three White Rose Office Park
Millshaw Park Lane
Leeds
LS11 0DL

wsp.com

WSP UK Limited makes no warranties or guarantees, actual or implied, in relation to this report, or the ultimate commercial, technical, economic, or financial effect on the project to which it relates, and bears no responsibility or liability related to its use other than as set out in the contract under which it was supplied.