

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 11 February 2009**

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<b>APPLICATION REF. NO:</b>	<b>08/00971/FUL</b>
<b>STATUTORY DECISION DATE:</b>	<b>11 March 2009</b>
<b>WARD/PARISH:</b>	<b>Northgate</b>
<b>LOCATION:</b>	<b>Darlington Memorial Hospital, Hollyhurst Road</b>
<b>DESCRIPTION:</b>	<b>Erection of energy centre; sub station; roof top plant rooms; additional parking at the Marrison Centre, and other ancillary operations</b>
<b>APPLICANT:</b>	<b>County Durham and Darlington NHS Foundation Trust</b>

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**APPLICATION AND SITE DESCRIPTION**

This is a detailed planning application for various alterations and buildings within the curtilage of the Memorial Hospital in order to renew the existing services that now show signs ageing and to ensure that the new systems will be more reliable and energy efficient with an improved environmental performance.

The principle component of the development is the establishment of a new energy centre that will upon commissioning replace the existing energy centre. This new centre would consist of a 14 – 15m high “engine hall” building and a 50m high chimney. Once this new centre is fully operational, the existing centre would be demolished, along with the existing 46m high chimney currently on site. As a result of the position of the new energy centre, new associated buildings such as a VIE compound; bottle storage building; an electricity sub station and gas governor house would need to be erected. The proposed VIE compound and bottle storage building no longer form part of this application, however as their impact on trees remains under consideration. Three trees would be removed as a result of the proposed centre. These buildings would be located in the northeast corner of the hospital site.

The second major element is the erection of additional plant onto the top of the Ward and Podium buildings and an additional plant room to service the kitchens. The new plant on the Ward and Podium buildings would sit on top of the existing plant rooms and service the wards and operating theatres.

Two further gas governor houses would be sited within the grounds of the residential flat development to the south of the hospital buildings and within the Memorial Hall. The Hall is a

Grade II listed building, and a separate application for listed building consent has been submitted and also appears on this Agenda.

Also, within the submission is the additional provision of car parking spaces to the front of the Marion Centre, which front Hollyhurst Road. Eight additional spaces would be provided in this area.

The application site contains the hospital and associated buildings. It is bounded to the west by Hollyhurst Road; by Woodland Road/Elms Road and West Crescent to the south; east by Greenbank Road and north by Reid Street and Reid Street Primary School. The whole site is covered in part by two tree preservation orders dated 1952 and 2007.

The applicant carried out a Public Consultation Event in December 2008 in accordance with the Council's Statement of Community Involvement document. The event was attended by 25 residents and four responses were received. These included letters of support and the concerns related to emissions from the chimney, outlook, lorries visiting the site and impact upon dwellings (light and safety).

## **PLANNING HISTORY**

The application has a long planning history and the most recent are listed below:

02/00141/FUL In June 2002 planning permission was GRANTED for the erection of a new VIE tank and replacement of existing tank with larger unit

02/00877/FUL In January 2003 planning permission was GRANTED for the erection of a new VIE facility

07/00905/FUL In December 2007 planning permission was GRANTED for the creation of 40 additional parking spaces

## **PLANNING POLICY BACKGROUND**

The following policies within the Borough of Darlington Local Plan are relevant:

- E2 Development Limits
- E11 Conservation of Trees, Woodlands and Hedgerows
- E12 Trees and Development
- E14 Landscaping of Development
- E16 Appearance from Main Travel Routes
- E29 The Setting of New Development
- E48 Noise Generating /Polluting Development
- H15 The Amenity of Residential Areas
- T24 Parking and Servicing Requirements for New Development

Government guidance on listed buildings is contained within Planning Policy Guidance Note 15 – Planning and the Historic Environment

## **RESULTS OF CONSULTATION AND PUBLICITY**

Eleven letters of objection have been received raising the following concerns:

- *Noise levels from the plant room, exhaust vents and chiller units 24 hours a day. There is already a substantial level of noise both day and night from the rear of the hospital due to deliveries and the fact the morgue access is at the rear.*
- *Plans to remove some of the trees and replace them with more suitable species! Some of the trees have recently had a preservation order placed on them. Most of the trees are of some considerable age and new trees will take years to mature;*
- *The proposed building is two stories in height and will only be approx 25m from the rear of some of the properties in Greenbank Road. This will cause a reduction in light to the rear of the properties. In addition to this relocation of the new oxygen compound to the perimeter wall will also bring another structure of height close to the back of the properties obstructing more light*
- *The proposal to build chimney next to the energy centre identical to the one situated at Roseberry Street end of the hospital. This chimney is of considerable height (100ft) which will obscure the view and will obstruct light to the rear of the properties*
- *Concerns over increased parking congestion in Greenbank Road, which are already considerable.*
- *A more suitable site would be to the area in the vicinity of the existing chimney and utilise that.*
- *It appears to be a much taller building than two storeys*
- *Four properties affected by the proposal are empty and owned by the NHS Trust, who are hardly going to object*
- *How can we assess the noise impact until the building and plant are up and running, by which time it will be too late;*
- *It should be remembered that the houses were here long before the hospital and anything which, in my opinion, will further reduce the quality of life, should be rejected*
- *This is an industrial building and chimney and therefore is unsuitable in a built up residential area. The NHS Trust is using up a green area when it could use the already industrial area near Reid Street*
- *Instead of looking out onto beautiful trees we will be facing a high oxygen compound and two storey buildings and a huge chimney;*
- *The noise level at night time is substantial now, trollies trundling along during the night, the gates screeching as they are dragged along the ground with bolts trailing on the ground. The additional noise of exhausts and chiller units 24 hours a day will be unbearable;*
- *The trees have a preservation order on them. Does this mean they can be pulled down or damaged and replaced with other trees which don't nature in our lifetime*
- *Vibrations from the construction could damage work our properties*

### **English Heritage**

English Heritage consider that they need not have been notified on the application and raise no objections

### **PLANNING ISSUES**

The main issues to be considered here are whether or not the proposed development is acceptable in the following terms:

- Planning Policy
- Visual Appearance and Character of the Area
- Residential Amenity
- Noise
- Highway Matters
- Trees
- Other Matters

### **Planning Policy**

The application site falls within the development limits for the urban area as defined by Policy E2 of the Local Plan. The remainder of the report will consider each aspect of the proposed development in general development control terms.

### **Visual Appearance of the Area**

The site is surrounded by residential properties consisting of a mixture of terraced and semi detached dwellings. Reid Street Primary School forms the northern boundary.

Darlington Memorial Hospital site contains a number of buildings. The northern part of the site is dominated by the existing energy centre complex comprising a boiler house, meter house, oil storage tanks and a 46m high chimney. The mortuary, estates department, redundant laundry, nursery and social club. The western section of the site is predominately set out as car parking, with the Marion Centre and the listed Memorial Hall and war memorial fronting Hollyhurst Road. The remainder of the site contains the main functional elements of the of hospital namely the Accident and Emergency, the podium blocks housing the theatres, the ward blocks, anti natal section and administrative block, the former psychiatric building and recreational hall.

The Trust initially identified a number of potential locations for the new energy centre facility. The existing centre would have to remain operational whilst the new facility is under construction and consequently this site was discounted. The formal garden area to the Memorial Hall is a listed building and therefore this site was also discounted. The areas currently used for car parking were discounted as the provision of car parking spaces within the site has been of concern to local residents in the past. The laundry site was considered too small to house the new energy centre and it would have been closer to residential properties than the proposed site and there is also the location of the school to take into consideration.

The proposed energy centre lies within the service area of the hospital site. The site is located to the rear of the former psychiatric building and to the north of the podium block and is roughly triangular. There is a green area containing two trees and a car parking area. The hospital site is separated from the dwellings on Greenbank Road by a brick wall approximately 2.5m high. Along the boundary and within the site there is a row of trees covered by the 2007 tree preservation order, on a grassed mounded area. The topography of the application site is such that it rises significantly from the rear of the psychiatric building to the car parking area and the dwellings beyond.

The energy centre has been designed in such a manner to follow the topography of the site. The main part of the building, which has an overall height of 15m, would be built at the lower ground level. This would mean that this section of the centre would remain lower than the former psychiatric building directly behind it. The scale of the building is broken down into a series of steps from the main part of the building to the ancillary building at the front, which has an overall height of 5.5m. The proposed new chimney, which measures 50m high sits in the centre

of a landscaped adjacent to but set slightly behind the ancillary building. The centre would be predominately constructed from cladding with an expressed modular panelling system to allow for relatively easy dismantling if items of plant need to be replaced. Notwithstanding the details in the application, a planning condition would be imposed to secure appropriate materials. It is considered that the design of the energy centre building would integrate into its surroundings and the main hospital buildings.

The application has been accompanied by a "Landscape and Visual Appraisal", which assesses the impact of the development on the surrounding wider area. The Assessment concludes, amongst other issues, that the chimney stack will be the most visible element of the development. The applicant has stated that the long-term plan for the site would be to demolish the existing 46m high chimney stack once the new energy centre is operational. They have agreed to the imposition of a condition requesting the submission of a decommissioning plan for the existing centre within six months of the new centre being fully commissioned. This would secure that the existing stack will be eventually dismantled.

It is considered that the proposed chimney stack would integrate within the built form of the hospital site, both in the short term alongside the existing chimney and in the long term once the existing structure has been dismantled.

As a result of the position of the new energy centre, new associated buildings such as a VIE compound; bottle storage building; a electricity sub station and gas governor house would need to be erected within the existing service yard area. Again these buildings would be in keeping with the character of the hospital buildings.

The second major part of the development involves the formation of additional plant rooms on the Ward and Podium buildings. The additional plant would be placed on top of the existing buildings increasing their height by approximately three metres. Both the existing and proposed plant would be clad in matching materials. Views of these elements would come from further afield rather than when stood in close proximity to the buildings. In this instance, they would also integrate into the built form of the hospital site.

The brick built gas governor house in the residential flat development would not have an adverse impact upon the visual appearance and character of the area.

The expansion of the car parking spaces to the front of the Marion Centre would result in the loss of some trees but the applicant has agreed to the imposition of a condition securing the planting of replacement trees.

Overall, it is considered that the various elements of the proposed development are in keeping with the form of the existing hospital buildings and they would not have a detrimental impact upon the character of the locality. The development would accord with Policies E16 (Appearance from Main Travel Routes) and E29 (The Setting of New Development) of the Local Plan.

### **Residential Amenity**

The expansion of the parking area in front of the Marion Centre and the location of a gas governor house within the flatted development do not raise any residential amenity issues.

The terraced properties on Greenbank Road, which overlook the application site, are separated from the hospital site by a lane. The boundary consists of a brick wall approximately 2.5m high

and there is a row of trees, within the site, running along the boundary line on a grassed mound. The rear windows in the dwellings are west facing and have views of the hospital grounds and existing buildings.

The dwellings on Greenbank Road curve away from the proposed buildings with the closest distance between the dwellings and the 5.5m high ancillary building of the energy centre at approximately 25m and the furthest distance, following the increase in distance south, being 44m. Accordingly the nearest dwelling to the main part of the building, which is a further 6.5m higher, is 25m away and the distance increases to 50m.

Whilst the overall height of the building is 15m, at least 3.5m will be below the ground level and it is considered that the separation distances are acceptable to not impinge upon the amenities of the dwellings on Greenbank Road. The impact of the building would be further reduced as it assimilates into the backdrop of the existing, taller hospital buildings. The main bulk of the building is also aligned away from the rear of the properties on Greenbank Road therefore providing further relief. The existing boundary wall and the mature trees on the boundary line of the site, would also help to screen the development and the applicant is willing to augment the existing tree coverage with further tree planting.

The new substation would be predominantly screened by the existing tree coverage and boundary treatments. It would also assimilate into the backdrop of the existing buildings.

The chimney stack would be approximately 30m from the residential dwellings and it would be large structure, measuring 50m in height. The stack is an integral part of the operation of the energy centre and the applicant has considered other locations for this development, which as previously mentioned, have been discounted.

It is considered that whilst there will be some impact upon the properties due to the location of the development, especially the chimney stack, there are other environmental and social benefits to the creation of the energy centre which are also material considerations and, on balance, the proposed development would be acceptable in this location.

The applicant has agreed to the imposition of a condition relating to the submission of a construction management plan, including a Dust Action Plan

### **Noise**

BS 4142 1997 provides a method for rating industrial noise sources introduced into a residential area. The measured background level is compared to the "Rating Level" (the noise source introduced into the locality); the greater the difference, the greater the likelihood of complaints. BS 4142 states that if the Rating Level is 10dB or more below the background level, complaints are unlikely.

A Noise Assessment has been carried out and it concludes that whilst the plant to be placed in the energy centre has not been finalised they would be designed to 10dB(A) below the existing ambient noise levels.

The Council's Environmental Health Officer has requested the imposition of planning conditions relating to the submission of a full Noise Impact Assessment and securing the 10dB rating level for any proposed plant.

**Highway Matters**

A total of 38 parking spaces would be lost permanently as a result of the proposed development, along with the same amount on a temporary basis during the construction period. To mitigate the permanent loss, the Trust would implement the permission for the additional car parking spaces provided under planning application ref no 07/00905/FUL, which provided 40 spaces in this part of the hospital site. As a result, taking account of the energy centre building, 30 additional parking spaces would be provided. The Trust has agreed to secure the implementation of the previous permission by planning condition.

The application also includes the provision for a further eight spaces being provided to the front of the Marion Centre.

The Council's Traffic Manager considers that the proposed development will make only minimal changes to the number of parking spaces and the development is unlikely to generate any significant increase in traffic. No objections have been raised on highway grounds.

**Trees**

There are six trees in close proximity to the application site, covered by the Darlington Borough Council Tree Preservation (No 12) Order 2007. All six trees run along the boundary of the application site and they provide a visual screen between the properties on Greenbank Road and the hospital site. The preserved trees would not be affected by the proposed development.

However, three trees would need to be removed in order to facilitate the erection of the energy centre. There are two trees situated on the open space, where the centre would be constructed and a tree opposite the site, which would be removed, as it would restrict vehicular access to the centre during the construction period and once it is operational.

In order to create the additional parking spaces in front of the Marion Centre, three trees would be removed along with some young trees and shrubs. The Council's Arboricultural Officer considered that the trees proposed for felling are not worthy of a preservation order and therefore has no objections to the proposed works. The applicant has agreed to plant replacement trees.

**Other Matters**

The Memorial Hall is a Grade II listed building and the proposed works to the Hall are to be considered as part of the listed building application attached to this agenda. English Heritage has confirmed that they have no comment and they did not need to be consulted on this application. The Council's Conservation Officer has raised no objections to the proposal.

The comments from Northumbrian Water and the Environment Agency have been sought and the responses will be mentioned verbally to Members of the Committee.

**SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

**CONCLUSION**

The proposed development is sought to ensure that the Darlington Memorial Hospital continues to provide a key clinical facility for Darlington and the wider area with its consequential health, social, community and economic benefits. After considering these factors, and also the potential impacts of the development on the neighbouring residential properties and the character of the area, Officers consider, on balance, that the development would be acceptable in this location, subject to suitable planning conditions being imposed to secure mitigation measures for noise, landscaping, and materials. Agreements will be reached to ensure the dismantling of the existing energy centre, including the existing chimney and the implementation of a previous planning permission for the provision of additional parking spaces.

The following policies within the Borough of Darlington Local Plan were taken into consideration:

- E2 Development Limits
- E11 Conservation of Trees, Woodlands and Hedgerows
- E12 Trees and Development
- E14 Landscaping of Development
- E16 Appearance from Main Travel Routes
- E29 The Setting of New Development
- E48 Noise Generating /Polluting Development
- H15 The Amenity of Residential Areas
- T24 Parking and Servicing Requirements for New Development

## **RECOMMENDATION**

**THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

- A3 – Implementation Limit
- B4 – Details of Materials
- Notwithstanding the details shown on the approved plans, details of the materials to be used in the construction of the external surfaces including boundary/enclosure treatments of the buildings/structures shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. Development shall thereafter be carried out in accordance with the approved details  
REASON: In the interests of the visual appearance of the development and the surrounding locality
- The car parking area servicing the Marion Centre indicated on the approved plans, including any disabled car parking spaces contained therein shall not be used until the area has been hard surfaced, sealed and marked out in parking bays. The car parking area shall be retained in accordance with the approved plans  
REASON: In the interests of highway safety
- Notwithstanding the details shown on the approved drawings, the energy centre shall not be commissioned until the applicant has submitted to and agreed in writing with the local planning authority a programme for the implementation of the additional parking spaces provided under application no. 07/00905/FUL dated 13 December 2007  
REASON: To ensure a satisfactory level of parking spaces.
- Notwithstanding the details shown on the approved plans, full details of hard landscape works shall be submitted to and approved in writing by the local planning authority prior



to the commencement of the development and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.)

REASON: In order to achieve a satisfactory form of development

- Prior to the commencement of the development a full noise impact assessment shall be undertaken and approved by the local planning authority. Prior to commencing the assessment the scope of the report including all plant and machinery associated with the energy centre shall be agreed in writing with the local planning authority. The findings of the noise assessment shall be implemented in accordance with a timescale to agreed with the local planning authority

REASON; In the interests of residential amenity

- The level of noise emitted from the energy centre and plant rooms shall be at least 10dB(A) below the background noise level at the noise monitoring position (Position 1) shown in Appendix 1 of the report by RPS Gregory entitled Environmental Noise Assessment of a Proposed Energy Centre, 26 November 2008, when measured in accordance with BS 4142:1997. The background noise level to be used shall be that specified in the report by RPS Gregory entitled Environmental Noise Assessment of a Proposed Energy Centre, 26 November 2008, or if it is the opinion of the LPA that these noise levels are no longer applicable, the background noise level shall be measured and agreed in writing with the local planning authority.

REASON: In the interests of residential amenity

- The development hereby approved shall not be commenced until sectional details showing existing and proposed ground levels for the proposed buildings and the neighbouring dwellings have been submitted to and approved, in writing with the local planning authority. The development shall be constructed in accordance with the approved details.

REASON: In the interests of residential amenity

- Before the development hereby permitted is commenced a construction management plan shall be submitted to and approved in writing by the local planning authority and thereafter the development shall proceed in accordance with the plan unless otherwise agreed in writing with the local planning authority. For the avoidance of doubt the plan should address the matter of dust suppression during the construction of the energy centre.

REASON: In the interest of residential amenity

- Within 6 months of the energy centre hereby permitted being fully commissioned a decommissioning plan for the dismantling of the existing chimney, including timescale shall be submitted to the local planning authority and the removal of the existing chimney shall not commence until the plan has been agreed in writing by the local planning authority.

REASON: In the interests of the visual appearance of the surrounding area.

- B5

## **SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION**

The proposed development is sought to ensure that the Darlington Memorial Hospital continues to provide a key clinical facility for Darlington and the wider area with its consequential health,

social, community and economic benefits. After considering these factors, and also the potential impacts of the development on the neighbouring residential properties and the character of the area, Officers consider, on balance, that the development would be acceptable in this location, subject to suitable planning conditions being imposed to secure mitigation measures for noise, landscaping, and materials. Agreements will be reached to ensure the dismantling of the existing energy centre, including the existing chimney and the implementation of a previous planning permission for the provision of additional parking spaces.

The following policies within the Borough of Darlington Local Plan were taken into consideration:

- E2 Development Limits
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**INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED**