



North  
Northamptonshire  
Council

# Kettering General Hospital Local Development Order



## Introduction

The purpose of the proposed Local Development Order (LDO) is to increase certainty and provide flexibility for the Kettering General Hospital NHS Foundation Trust relating to the proposed major redevelopment of its site at Rothwell Road, Kettering. The intention is that agreement of the LDO will permit development that would be acceptable in planning terms, to simplify the process of granting planning consent where appropriate and accelerate delivery of redevelopment at the site.

As one of the hospitals announced by Government for significant investment, £46m of funding has already been committed to build a new Urgent Care Hub at the hospital site. The Trust has submitted a Strategic Outline Case to secure significant new funding within its Health Infrastructure Plan (HIP2) to deliver phased masterplan proposals across the site. In addition to the £46m Urgent Care Hub, the submission of the HIP2 for £532m could deliver phases one and two of the programme. The ambition is to secure funding of around £765m for further phased development. Such redevelopment will clearly bring significant uplift in the hospital environment, healthcare delivery and the support it can provide to the community.

For further information on the Trust's proposals, please review the following link, (noting that the website text was written in summer 2021).

<https://www.kgh.nhs.uk/building-a-better-kgh-271120/>

Representatives of North Northamptonshire Council and the Hospital Trust have been in discussions to explore innovative ways of approaching what is likely to be a quite lengthy, complex and uncertain planning process to progress such a major redevelopment scheme. Redevelopment will consist of a significant number of individual development activities of different scales, inter-linked and with potential impacts, many of which require planning permission. The result is that managing the whole redevelopment package can bring with it unpredictable challenges, which in turn brings delays to development, and with it extra costs.

Both parties have therefore been selecting the most appropriate planning consent path, in an effort to ensure that the Trust can bring forward a high-quality development with efficiency and certainty, reducing effects on development costs, infrastructure requirements and potential delays. A consent structure has been identified which combines certainty (as far as it is possible to do so), with flexibility that development can proceed in a way that responds to the Trust's healthcare delivery needs. But within a framework that pays regard to the Council's processes, in terms of the appropriate assessment of proposals, and accountability to relevant stakeholders and members of the public.

This Local Development Order (LDO) has been subject to a thorough and transparent consultation with stakeholders and members of the public. All consultation responses were assessed by the Council and changes made to the final draft, with clear reasoning for why changes were made in some instances and why they were not in others. The Council's Planning Policy Executive Advisory Panel has provided governance in helping to shape the LDO, with the Council's Strategic Planning Committee agreeing to make the LDO in August 2022.

## Background to the Hospital Site

The site of Kettering General Hospital lies within the town boundary and is accessed via Rothwell Road on its northern boundary, with a mix of residential properties and commercial units beyond. It is bounded by the Midland Mainline railway to the east and residential streets to the south and west. The site is compact, providing very little spare ground for expansion, or the relocation of facilities or activities to move to whilst redevelopment takes place. A small nature conservation park sits towards the south-eastern corner of the site.

Some buildings are linked by corridors and others by open walkways exposed to the elements. The buildings within the site have emerged over an extended period of time, different in character and providing different challenges. There are also several car parks throughout the site, mainly surface level, but also one with a single deck. The site falls significantly from north-west to south-east.

An aerial photograph of the hospital site is provided below:



*Kettering General Hospital, Rothwell Road, Kettering*



## **Kettering General Hospital Local Development Order**

Paragraph 51 of the National Planning Policy Framework (NPPF) encourages local planning authorities *“to use Local Development Orders to set the planning framework for particular areas or categories of development where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area”*.

The National Planning Practice Guidance (NPPG) provides further guidance and states that *“Local Development Orders are made by local planning authorities and give a grant of planning permission to specific types of development within a defined area. They streamline the planning process by removing the need for developers to make a planning application to a local planning authority. They create certainty and save time and money for those involved in the planning process.”*

Senior officers of the Council and the Hospital Trust agree that an LDO would be an appropriate mechanism to consider in respect of the Trust’s proposals. Agreeing an LDO for the hospital site provides for a proportionate, impact-based approach which allows the delivery of what would be considered non-contentious elements whilst ensuring development not covered by the Order (or relevant permitted development rights) would be governed by the normal planning procedures, requiring the need for the submission of planning applications.

The real purpose of the LDO is to allow the Council to permit certain uses or allow for certain development to be undertaken, to obviate the need for an applicant (in this case the Hospital Trust) to seek planning permission, and thereby streamline the planning process. Typically, such LDOs can be used to facilitate major new redevelopment projects or implement proposals alongside a masterplan, and this is the context for the proposed LDO for the Kettering General Hospital site.

## **Zones within the Hospital Site**

It is recognised that some areas within the hospital boundary, and areas on its edge, are more sensitive than others, in particular those areas on the periphery bounded by residential properties. Consequently, the parameters of the LDO have reflected these sensitivities and the development that is allowed through the LDO.

As such, the hospital site has been identified in three zones (see zone plan at Appendix A):

**Zone A** – this is the central part of the site measured at (as a minimum) 50m distance from the site boundary.

**Zone B** – this is an area on the eastern edge of the site which is the focus for the hospital's new energy centre development, and where there are less sensitive receptors (the railway line) beyond the site boundary.

**Zone C** – this is the remainder of the area of land that forms the 50m buffer to the site boundary, marked at 10m bands.

***Green Zone** - this is the open areas of landscape including the pocket park on the southeast and southern edges of the site. The Green Zone provides a visually important and functional open space area, and it is the Trust's intention to retain its significant role within the context of the wider redevelopment of the site. The proposed LDO does not permit any development in the Green Zone.*

**The LDO will itself grant planning permission for the development specified in conjunction with the plan at Appendix A. If the development proposal falls within that described below, and within the zones identified by zones A-C then the specified development would not require a planning application.**

### **Within Zone A -**

1. Where proposed buildings, structures and/or plant within this Zone would otherwise require an application for a determination as to whether prior approval for demolition is required, then such submissions would not be required (and prior approval would not be required).
2. Where new buildings, structures and/or plant are proposed within this Zone, then planning applications will not be required for buildings including walkways and covered links that are lower than 20m (excluding plant) from ground level measured at their highest point.

### **Within Zone B –**

1. Where proposed buildings, structures and/or plant within this Zone would otherwise require an application for a determination as to whether prior approval for demolition is required, then such submissions would not be required (and prior approval would not be required).
2. Any new chimney which is lower in height than the existing chimney will not require a planning application.

3. Where new buildings, structures and/or plant are proposed within this Zone, then planning applications will not be required for buildings (excluding plant) including walkways and covered links that are lower than 15m from ground level measured at their highest point.

#### **Within Zone C –**

1. Where proposed buildings, structures and/or plant within this Zone would otherwise require an application for a determination as to whether prior approval for demolition is required, then such submissions would not be required (and prior approval would not be required).
2. All proposed buildings within this zone which are 10m or lower (excluding plant) will be permitted without needing a planning application except that no new building or plant will be permitted within 10 metres of the site boundary without the submission of a planning application.

#### **All Zones –**

The construction of non-adoptable roads, paths and footways, surface car parking areas and associated infrastructure above and below ground within Zones A, B or C will not require a planning application.

**N.B. 1.** The LDO will only apply to proposals which are related to the main use of the site as a hospital and related or ancillary uses.

2. Permitted development rights as set out within the General Permitted Development Order will still apply.

3. The LDO will be effective for a period of 10 years from the date of approval, or until rescinded by North Northamptonshire Council. It is planned the LDO will be presented to the Council's Strategic Planning Committee for determination on 22<sup>nd</sup> August 2022, which would mean it will be active till 21<sup>st</sup> August 2032.

#### **Conditions –**

Standard conditions and an informative required of all development the subject of the Local Development Order are set out below:

#### **LDO1 – Construction Management Plan (CEMP) Condition**

Prior to the commencement of development subject to the Local Development Order a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include the following elements:

- a) Demolition/Construction and deliveries shall only be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
- b) Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors. To include a map suitable for printing and being distributed to drivers visiting the site during the works.

- c) Provision should be made for site operatives, visitors and the parking, turning, loading and unloading of construction vehicles within the curtilage of the site and off the public highway.
- d) Measures to control the emission of dust, mud and debris in relation to demolition/construction at the site and surrounding area - road sweeper vehicles will be utilised to ensure the area remains clear of dust and dirt and bowsers may be deployed during significantly dry and windy periods.
- e) A named site-based contact should be available in the event of an immediate concern or emergency enquiry.
- f) Measures to control noise and/or vibration
- g) A scheme for waste minimisation and recycling/disposing of waste resulting from the demolition and construction works, which must not include burning on site.
- h) Measures to protect existing trees from damage during site clearance, demolition and construction phases, in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction'.
- i) An assessment by a suitably qualified ecologist regarding the potential for protected species or other ecological impacts.

The Local Planning Authority will respond to the CEMP within 28 days, after which the contents are considered to be approved. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works.

REASON: Details are required prior to the commencement of development because demolition and construction management occurs early in the construction process and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

### **LDO2 - Roads and Footpaths Design Condition**

Any roads or footpaths within the site intended for use by members of the public will normally be constructed to adoptable standards having regard to the intended nature and volume of use and desirable speed for vehicles.

REASON: In the interests of protecting highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

### **Crime Prevention Design Advice Informative**

Northants Police and Northants Fire & Rescue Crime Prevention Design Advisors should be notified by the Council from a crime reduction and fire prevention design perspective having regard to notification by the Trust of development falling within the LDO which raises relevant issues.

## Statement of Reasons

The reasons for this Local Development Order are described throughout this report. However, in summary, the following points are of significance:

- the LDO site boundary is the full extent of Kettering General Hospital, as shown in the plan at Appendix A.
- a description of the development allowed by the LDO is contained under the heading *Zones within the Hospital Site* above.
- it can be a mechanism through which less contentious development in defined areas can be managed more effectively.
- it can provide a way for the Council to support delivery of a significant redevelopment package and play an important role in allowing a strategic framework for managing minor or less contentious development proposals.
- it provides certainty to the Hospital Trust in terms of its ability to deliver development at the site for those aspects covered by the LDO, and reduces the risk of delay



## What is the timetable for considering the LDO?

Desktop studies	September-December 2021
Presentation to Planning Policy Executive Advisory Panel	24 <sup>th</sup> January 2022
4-week public consultation	8 <sup>th</sup> April – 12 <sup>th</sup> May 2022
Report of representations and amendments to the Planning Policy Executive Advisory Panel	28 <sup>th</sup> June 2022
Report to Strategic Planning Committee for determination	22 <sup>nd</sup> August 2022
Notify Secretary of State	23 <sup>rd</sup> August 2022

### For further information, please contact:

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Appendix A

