

PLANNING POLICY EXECUTIVE ADVISORY PANEL 24 January 2022

Report Title	Kettering General Hospital – Local Development Order
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Relevant Executive Member	Councillor David Brackenbury – Executive Member for Growth and Regeneration

List of Appendices

Appendix A – Kettering General Hospital – Local Development Order

1. Purpose of Report

- 1.1. To seek Members' feedback on a Draft Local Development Order for Kettering General Hospital before it is provided for wider consultation with local stakeholders and members of the public.

2. Executive Summary

- 2.1 Kettering General Hospital was announced as one of the hospitals considered for significant investment in 2019. It has since been preparing a Masterplan and Hospital Infrastructure Plan (HIP2) for consideration for significant funding to deliver Phases 1 and 2 of the development.
- 2.2 Development will take place at the existing hospital site and will involve a large number of both minor and major works, the majority of which will require planning permission. The total period of development could extend to 8-10 years. The hospital will need to continue to function fully throughout its redevelopment.
- 2.3 Council officers have been engaged in discussions with the expert team supporting the Hospital Trust in its plans for funding and the site's redevelopment. One area of discussion has been to prepare a Local Development Order (LDO) for the site.
- 2.4 Local Development Orders provide permitted development rights for specified types of development in specified locations. Guidance published by the Planning Advisory Service advocates that they can be used to help accelerate development and to simplify the planning process.

- 2.5 The Kettering LDO has the potential of providing a significant long-term benefit for the Hospital Trust in the delivery of this major scheme. The LDO will be a mechanism through which less contentious development in defined areas can be managed more effectively, without the need for the submission of planning applications, and their determination, reducing the risk of scheme delay. Development outside of the specific locations or not fulfilling the conditions specified, will still require the submission of planning applications in the normal way.
- 2.6 The Draft LDO is provided at Appendix A for Members consideration and comment.
- 2.7 It is important for a full and thorough consultation to be undertaken with stakeholders, statutory agencies and neighbours immediately abutting the site. It is intended to report the results of the consultation to Members of this Panel, before the revised Draft LDO and responses to the consultation are submitted to the Council's Strategic Planning Committee for its determination.

3. Recommendations

- 3.1 That Members of the Planning Policy Executive Advisory Panel consider and feedback on the content of the Draft Local Development Order (LDO) in advance of the proposed consultation with stakeholders and the members of the public for a four-week period.

Reason for Recommendation:

- 3.2 To provide Member input into the content of the Draft Local Development Order for consultation; and approach to consultation with stakeholders and members of the public.

4. Report Background

- 4.1 At a meeting of Kettering Borough Council's Planning Policy Committee held on 11th March 2021, Members received a report notifying them of discussions taking place between officers of the Council and representatives of Kettering General Hospital about any collaborative working or support that could be found to help in the Hospital Trust's efforts in relation to the redevelopment of the hospital. It was agreed that officers continue with discussions to prepare a Local Development Order for the Kettering General Hospital site.
- 4.2 Kettering General Hospital (KGH) was one of the hospitals announced by the Government in 2019 for significant investment. £46 million of funding has already been committed to build a new Urgent Care Hub, and the Trust has submitted a Health Infrastructure Plan (HIP2) to seek to secure significantly more funds for the hospital. A Strategic Outline Case has been submitted, part of this involved developing a Masterplan for how and where investment will be made for the rebuild and expansion. A Government announcement to confirm funding levels is expected soon.
- 4.3 The redevelopment of the hospital site is planned to be based around a detailed five-stage plan. The Trust has received approval to incorporate the £46 million into the much larger and strategic HIP2 proposal. The submission of the HIP2

for £532 million would deliver phases 1 and 2 of the full programme, the first of these Phases would include the Urgent Care Hub. The ambition is to also deliver a further phase, phase 3, which will take the full cost of the redevelopment to £765 million, taking 8-10 years for construction. The redevelopment will bring with it a significant uplift in the hospital environment and the support it can provide to our communities. However, during construction disruption to the site will be inevitable, putting pressure on care and the day-to-day activity whilst the hospital continues to carry out its full duties.

- 4.4 An expert team is working with the Hospital Trust, having already planned and co-ordinated the submission of the HIP2, masterplanning this significant project. Officers of the Council have been working with the team to support the preparation of a Hospital Travel Plan, rationalising the site's planning consents, and discussing where support can be provided for the project. One such area of discussion regards the preparation of a Local Development Order (LDO) for the site.
- 4.5 Local Development Orders provide permitted development rights for specified types of development in specified locations. They can be used to help accelerate development and to simplify the planning process. Local Development Orders are not used regularly however, Kettering Borough Council approved an LDO entitled "Seats on Streets" in July 2018, and prior to that in 2013, which granted permitted development rights for café's, restaurants and hotels to provide outdoor seating serving the premises within a designated area in Kettering town centre, without the need for planning permission. For proposals to be considered acceptable within the LDO, they will need to meet a series of conditions. During the pandemic a similar flexibility has been provided on a temporary basis through emergency Government legislation allowing for development supporting hospitals in managing increased pressures caused by an increase in hospitalisation. This legislation sought to avoid the delay that the making, submitting and processing of planning applications would inevitably involve. The LDO would bring similar benefits for the Hospital Trust and Local Planning Authority throughout the redevelopment of the site.
- 4.6 Discussions between the Hospital Trust and the Council have led to the Draft Local Development Order attached at Appendix A. It is important to now capture the views of stakeholders and the public on this draft document, including those residents in the surrounding area to the hospital, ensuring their residential amenity is considered and protected. It is however also important to remember that the extent and locations for development that fall subject to the LDO are deliberately limiting. As such, development falling outside of that identified by the LDO will still need to be considered through the submission of a planning application and assessed by the Council in the normal way.

Kettering General Hospital Local Development Order

- 4.7 Agreement of the Local Development Order has the potential of providing a significant long-term benefit for the Hospital Trust in the delivery of this major scheme. It will also give confidence to those allocating funding, that delivery of the scheme has a better chance of delivery to an agreed timetable, reducing the risk of increased costs. Also, it provides confidence that the public services in the area are working collaboratively, where it can, on the scheme.

- 4.8 In essence, the Trust's method for delivering this complex development at this constrained site, while continuing the very important services it provides, will mean a linked approach to development across the site. This will entail moving the point of development from one location to another, with lesser forms of development to the main structures moving within the grounds to accommodate space for the next development to occur. For example: a temporary prefabricated building may be constructed (under the LDO) to serve as a temporary ward for the site, thereby enabling demolition and redevelopment at the newly vacated buildings to be undertaken. Once completed, patients from the prefabricated building can be vacated to the newly constructed ward, for the temporary facility to be relocated to an alternative location (using the LDO), to enable the next phase to be undertaken. Use of the LDO allows sufficient flexibility to enable the activity to progress with limited delay caused whilst planning applications are submitted and determined.
- 4.9 The Draft LDO is attached at Appendix A for consideration.
- 4.10 It is proposed that, if agreed, officers will adopt the same principles for consulting on planning applications. The Council will consult with all relevant stakeholders and statutory agencies, and residents that immediately abut the hospital site. It is anticipated that the results of the consultation will be reported to Members of this Panel on 17th March 2022, before being forwarded to the Council's Strategic Planning Committee on 11th April 2022.
- 4.11 Members are asked to review the content of the Local Development Order as attached, and following consideration, propose any changes they would like to see before consultation as described above.

5. Implications (including financial implications)

5.1 Resources and Financial

- 5.1.1 Resources necessary to cover the costs of preparing and implementing the Local Development Document are covered by the Hospital Trust contributing to meeting the costs through a Planning Performance Agreement with the Council. There will be a subsequent loss of income suffered by the Council through the loss of planning fees. However, there is also a saving in the Council not needing to commit officer time to assessing applications that meet clear criteria considered appropriate for approval.

5.2 Legal

- 5.2.1 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*".
- 5.2.2 The LDO, once approved, will be included on the Councils registers. The LDO will be effective for a period of 10 years, or until rescinded by North Northamptonshire Council.

5.3 Risk

- 5.3.1 The risks include that as a result of responses to the consultation, submissions are made which mean the LDO should not be progressed for further consideration. Officers will assess all responses and report back to this Panel for their consideration before it progresses further.
- 5.3.2 Development at the hospital will be monitored through the Council's continued involvement with its redevelopment. If it is found that inappropriate development has progressed under the LDO, officers will investigate before in the first instance inviting a planning application to consider the unauthorised development. The Council will work proactively with the Hospital Trust to seek to find a suitable solution.

5.4 Consultation

- 5.4.1 Consultation will be undertaken with stakeholders, statutory agencies and residents immediately abutting the hospital site. The consultation will run via the Council's website, using e-mails and neighbour notification letters to residents. The consultation will run for a 4-week period during February 2022.

5.5 Consideration by Scrutiny

- 5.5.1 The Draft Local Development Order has not been considered by Scrutiny.

5.6 Climate Impact

- 5.6.1 Climate change is playing a fundamental consideration in the redevelopment of Kettering General Hospital. The LDO has limited powers to tackle climate change but will contribute to support the redevelopment of the hospital, and with it thereby support the hospital's efforts to achieve Net Zero Carbon.

5.7 Community Impact

- 5.7.1 It is anticipated the LDO will have a limited negative impact on the community. However, it is acknowledged that the results of the consultation should expose any impacts considered. The LDO will support the redevelopment of the hospital, which will bring with it significant community benefits in terms of health facilities and new job opportunities through growth in facilities.

6. Background Papers

- 6.1 The Kettering General Hospital website
<https://www.kgh.nhs.uk/building-a-better-kgh-271120/>
- 6.2 Kettering Borough Council's Planning Policy Committee - 11th March 2021
https://www.kettering.gov.uk/meetings/meeting/1892/planning_policy_committee