

MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the PILLAR HALL, VICTORIA HALLS, HELENSBURGH on THURSDAY, 11 MARCH 2010

Present: Councillor Daniel Kelly (In the Chair)

Councillor Rory Colville
Councillor Neil MacKay
Charles Reppke, Head of Democratic Services & Governance
Melissa Stewart, Committee Services Officer
Nigel Millar, Helensburgh Community Council
Kathleen Siddle, Helensburgh Community Council
Gary Fraser, Scottish Ambulance Service
Corrine Macdougall, Atkins Ltd
Jenon Stewart, Atkins Ltd
Ross McLaughlin, Development Manager
Michael Thorndyke, Conservation Officer
Councillor George Freeman, Interested Party

1. HEARING FOR CASE 09/0002/LRB: VICTORIA INFIRMARY, 93 EAST KING STREET, HELENSBURGH

The Chairman welcomed the participants and members of the public to the first Local Review Body Hearing since the new planning system had come into force in August 2009. He set out the background to the application for Review advising that the Local Review Body (LRB) had initially met back in January and at this time had requested further information. Due to processes set out within the Regulations this had resulted in a lengthy delay in getting to this stage.

The Chairman then introduced the Members of the LRB and advised the participants that Mr Reppke would be adviser to the Committee and that Melissa Stewart would record proceedings. He then handed over to Mr Reppke to explain the process that would be followed.

Mr Reppke invited the interested parties present to introduce themselves. He detailed the process which had been followed to date from the submission of the review. The first stage was the formation of the LRB panel. This panel met on 20 January 2010 and the decision reached at this time was that three processes required to be undertaken in order to obtain further information which Members were seeking in order to determine the Review. The processes were 1. a request for written information, 2. an accompanied site inspection and 3. the hearing which was now taking place. He explained that the Hearing was convened to deal with specified matters only which were as follows:-

1. Details of the parking provision within the site;
2. Why must the ambulance station be in this position;
3. The justification for the need to be on the particular site and the reasons why the ambulance station must be located in Helensburgh; and
4. Details of the proposed materials to be used in construction of ambulance

station.

Mr Reppke advised that it was the intention of the LRB to hear from all parties in relation to the information contained within their Hearing Statements and that the order for this would be the Development Manager presenting his case, the Applicants and their agent, Helensburgh Community Council and lastly Councillor Freeman. Once each of these parties had spoken, questions from the Panel only relating to the specified matters would be taken, in turn, and that following this period of questioning there would be opportunity for each party to sum up with the order for the summing up being the Development Manager, Helensburgh Community Council, Councillor Freeman and the final submission by the applicant and agent.

He further advised that at conclusion of this process the LRB would be required to confirm whether they had sufficient information to proceed to determine the Review. He explained that the LRB were keen to hear from all parties and, as outlined by the Chairman, the process had begun some time ago and therefore if any member of the public considered an issue had not been covered at the day's meeting, the most likely position was that it had been dealt with as part of a previous process. He then finally added that once the Hearing had concluded it would be for the LRB to determine how best to proceed.

Mr Reppke asked the Development Manager to put forward a summary of his Hearing Statement.

PLANNING AUTHORITY

Mr McLaughlin spoke to the terms of his Hearing Statement advising much of the information submitted in respect of the Review is new information submitted post decision making. With regard to the specified matters he advised that he considered these were mainly for the applicant to respond to although he had submitted comments in relation to each of the four matters raised.

Mr McLaughlin advised that there was some common ground between parties in that they all fully endorsed the benefits of the ambulance station and infection control measures.

Mr McLaughlin commented on the Statement by the appellants in which they had advised that there was no ideal site within the Victoria Infirmary site and that proposals for the ambulance station had been made in the least worst option. He considered this to be poor project planning and stated that Helensburgh deserved better.

Mr McLaughlin then spoke to the reasons for refusal of the application stating that the proposal was contrary to policies STRAT DC1 and STRAT DC9 of the Argyll and Bute Structure Plan, policies LP ENV1, LP ENV13a and LP ENV19 and Appendix A of the Argyll and Bute Local Plan and the Council's Design Guide.

Mr McLaughlin further advised (in response to Councillor Freeman's statement) that the Council's Conservation Officer had indeed visited the site and that these visits took place on 2 and 29 July 2009.

Mr McLaughlin then moved on to discuss each of the specified matters commencing with:-

Specified Matter 1. – In regard to this matter he advised that NHS Highland were in the best place to advise the LRB although it had been clear from a site inspection, which had been attended by all parties, on 17 February 2010 that pinch points had been identified. He reported that this proposal sought to retain the existing access which, given these pinch points, was not suitable and regretted that this had not been examined further by the applicant/agent. He referred the LRB to the Roads Officer's comments on pages 37 to 40 of the agenda pack which offered some alternatives in terms of access.

Specified Matter 2 – Mr McLaughlin advised this was primarily for the applicant to deal with and that he did not dispute the needs and relevance of the SAS being here. He was keen to discuss future plans, parking and the best alternative for the site.

Specified Matter 3 – Mr McLaughlin advised that he was in no way disputing the merits of the ambulance station being located in Helensburgh.

Specified Matter 4 - Mr McLaughlin referred members of LRB to his written submission to address this point.

ATKINS LTD AND SCOTTISH AMBULANCE SERVICE (AGENT AND APPLICANT)

Miss MacDougall advised the Local Review Body that the Scottish Ambulance Service was failing to meet its call out targets at the moment due to delays in egress from the current site. The plans for additional car parking, which were principally for ambulance staff, would help alleviate the situation with ad hoc parking. This would improve response times although she noted that it was not for the applicant to deal with parking issues. She advised that the proximity of the building to East King Street was important in order to retain a direct/quick exit which would also assist with response time.

In relation to specified matter 2 she advised that this site was the only site within the grounds which had been made available to SAS by the landowner, NHS Highland. She advised that they had considered alternative sites which had been proposed by Planning but that these sites did not offer sufficient parking for infection control and that these would contravene roads and the Conservation Officer's views regarding mature trees.

She had further advised that the two additional options put forward during the appeal process were not conducive to the facility being proposed. This was because the proposal did not accommodate provision for infection control/parking and also impacted on the future plans for the grounds by NHS Highland.

Miss MacDougall accepted there would be a degree of impact on the Listed Building but stated that this had already been degraded due to the conservatory to the front of site, the Jeannie Deans Building, parking throughout, modern signage, vegetation and mature trees which obstructed the view of the building and therefore an open principal view did not exist. Furthermore, she added that the site was not within a Conservation Area and offered some design solutions which would limit the effect on the building such as a lower pitch roof.

Mr Fraser addressed specified matter 3 advising that NHS Highland's plans would be disrupted if the ambulance service were to be located anywhere else. He advised the land had been gifted to SAS and considered that substantially more tax payers money would require to be used in funding of the new station if it had to go elsewhere.

He advised the current facility was not fit for purpose and that the new proposed building was expected to last for approximately 35 years.

Mr Fraser spoke regarding infection control advising that there were no facilities within the existing ambulance station. He advised that infection control was paramount and reported on the obligation to achieve targets set by Government standards in terms of Public Health Legislation.

He advised the new facility would allow ambulances to remain locally in the area while being cleaned which would lessen the effects of the current cleaning regime which involved vehicles being out of action for two hours while infection control measures undertaken at the Vale of Leven Hospital.

Mr Fraser advised that what really mattered was the preservation of life and that in achieving this seconds and minutes were what counted. He considered it was important to put the new ambulance station at the front of the Victoria Infirmary site in order to have speedy access to the patients.

Mr Fraser finally commented that there had been strong community support from the Highlands and Islands Health Board, local Councillors, press and support groups.

Miss MacDougall then spoke to specified matter 4 advising that the applicant had sought to use materials reflecting others found on site although Atkins were happy to discuss other materials by way of condition as part of the review.

COMMUNITY COUNCIL (INTERESTED PARTY)

Kathleen Siddle emphasised that the Community Council were welcoming the new ambulance station on the Victoria Infirmary site and that this was long overdue. The Community Council however had concerns regarding the particular site selected.

Mrs Siddle spoke regarding the CAD drawing attached at Appendix A of the Agents hearing statement which she considered gave a misleading impression of the Listed Building. She understood that parking was not part of the overall application but given that it looked to be necessary to alleviate problems on site, she stated that this should be landscaped where possible.

Mrs Siddle advised that in her opinion the applicants had been selective regarding the application of policy LP CON1 which presumed in favour of new community facilities. She considered that this should provide respect to the landscape/ townscape and amenity which surely must include the Victoria Infirmary. She moved on to say that the site being compromised was a gross overstatement as the view of the listed building had remained unchanged and there had never been an open view from the East.

Mrs Siddle spoke regarding the Jeannie Deans Unit advising she considered that the scale and bulk complemented the Victoria Infirmary and in terms of visual pollution considered that this is mainly produced by parked cars which could be sorted out by traffic management scheme which she accepted was the responsibility of NHS Highland and not the applicant.

Mrs Siddle moved on to discuss the boundaries of the Conservation Area advising that the Community Council had been baffled by the placing of boundaries. She considered there was no rhyme nor reason to the Victoria Infirmary building not being included within

the conservation boundary and indeed, being located just outside this boundary.

In relation to specified matter 3, Mrs Siddle advised that the Community Council also supported the site and agreed with most of the arguments. However, the Community Council were strongly opposed to the ugly, shed like building proposed which would obscure the Listed Building.

In relation to specified matter 4 Mrs Siddle questioned why there was no design plan in the Hearing Statement. She advised that the CAD at Appendix A attempted this in that it softened the appearance of the proposed building making it look more interesting. She considered that this type of building was more relevant to an industrial estate.

Mrs Siddle discussed policy LP ENV 13a regarding preservation of buildings or settings. She then gave examples of good modern designs which sat well beside old buildings. This made reference to the Art Déco house, Willows and Lomond School Sports Pavilion.

COUNCILLOR FREEMAN (INTERESTED PARTY)

Councillor Freeman referred to page 85 of the Hearing Pack which indicated the conservation Officer had not visited the Victoria Infirmary site. Given the information provided earlier by Mr McLaughlin Councillor Freeman withdrew that statement but maintained that even if it had taken place no details had been submitted prior to consideration by Planning Officers. He considered the reason for refusal in terms of conservation to be misleading given the absence of this information at the time of the decision. He advised that the comments from the Conservation Officer satisfied criteria but did not apply as the Victoria Infirmary was not within a Conservation Area.

Councillor Freeman referred the LRB to the photographs provided on page 86 onwards which he hoped demonstrated the referral of the Conservation Officer for the site to be a "garden city" not to be the case.

Councillor Freeman then spoke regarding the site itself being cluttered with little open space and the materials in which it was proposed to construct the new facility with. He advised that cladding was proposed which was in line with other buildings on site and therefore would not be out of place.

Councillor Freeman referred to the submission by Development Services which referred to health as being a minor material consideration. Councillor Freeman could not believe this to be the case given the Scottish Government policy, SAS response times and the Area Committee Plan. He considered health should be a major factor in determining the case and should outweigh any effect on the Listed Building which Councillor Freeman considered already to have been compromised.

Councillor Freeman advised that if this location had not been approved, given the comments made by the applicant in relation to the other four alternative sites, there was a strong possibility that the SAS may need to look outwith the town. He referred to letters provided by the Chair of the Vale of Leven Hospital Group and the General Manager of Argyll and Bute CHP which spoke in support of an ambulance facility provided in this location. Councillor Freeman considered that Government policy would fail to be met if the station was not located in this site and that patients would wait longer for an ambulance.

In summary he advised that response times which affected the life or death of residents

were the main reason for approval of the application and stated that policies were not more important than the retention of life saving services.

Mr Reppke advised that the LRB would now ask questions on the submissions taking each of the specified matters in turn.

In relation to specified matter 1:-

Councillor Colville questioned details such as demands on the curtilage stating that when the building was designed there would have been no plans for the number of cars and queried whether it was appropriate to take this into account given the world we live in today.

The Conservation Officer advised that parking could be accommodated if managed carefully and discreetly. He advised a lot of the evidence spoke regarding the degrading although considered to a certain extent the Listed Building had not been irrevocably compromised.

Councillor MacKay asked the Development Manager to elaborate on there being other areas within the site to accommodate parking.

Mr McLaughlin advised there was clear potential to park elsewhere in order not to impact on the setting of the building.

Councillor MacKay asked whether parking as an issue was insurmountable.

The Development Manager and Conservation Officer confirmed this to be the case.

Councillor Kelly queried whether 18 spaces would take the pressure off other areas where cars had observed to have been parked outwith spaces.

Miss MacDougall advised that the intention was that some of these 18 spaces would be provided to NHS Highland for their staff.

Councillor Kelly asked whether there was an issue for ambulances parking while not in use.

Mr Fraser advised that ambulances, when not in use, require to be charged to keep their batteries up to strength (for operation of lights and sirens) and therefore parking immediately outside the building was required.

Specified Matter 2

Councillor Colville queried where, in the alternative sites discussed by Development Services and the applicants in turn as to how infection control was addressed.

Mr McLaughlin acknowledged the importance of infection control and that in developing his proposal for the two alternative sites he had used the physical footprint provided by the agent which included areas for infection control.

Mr Fraser advised that ambulance staff would be in and out of the site offloading and making use of sluice facilities. They would not want to trail some of the equipment across the car park the preferred option was to work directly from the ambulance to a

sluice.

Miss MacDougall reiterated why each of the four sites had been discounted which mainly resulted in the loss of parking space to NHS staff, restricted turning circles for ambulances, access/egress problems, infection control measures or a conflict of development proposals the NHS had for the site.

Mr Fraser advised that this was hypothetical on the basis that the other sites were not available.

Councillor MacKay asked Mr Fraser to elaborate on response times and how these impact on service delivery.

Mr Fraser advised that on occasions public vehicles and delivery vehicles blocked the egress to patients and in a case whereby somebody had stopped breathing, seconds really did matter. He advised that if you did not breath for 4 minutes this could result in brain injury or death. He further advised the more quickly the ambulance service could respond, the more beneficial it would be to the patients.

Councillor MacKay questioned the Development Manager, after hearing this explanation, why health had only been referred to as a minor material consideration.

Mr McLaughlin advised that issues relating to material considerations were for the decision maker to weigh. In the situation where a building was going to be undermined and there were clearly alternative solutions on site, Section 59 of the Building Conservation Act sought to protect the Listed Building.

Councillor MacKay read Section 25 of this Act and questioned the Development Manager which site he considered to be the most suitable.

Mr McLaughlin advised that the site at the entrance and one in the right hand corner together with the new access egress suggestions which were dedicated access for emergency service vehicles would, in his opinion, be the best solution and would also allow for a parking area to be included in the patient garden.

Councillor MacKay posed the same question to SAS.

Mr Fraser advised for the reasons read out by Miss MacDougall these sites were not appropriate. He stressed that the SAS had not been offered these alternative sites and also raised the issue that ambulances were bigger than a standard sized van and therefore would require larger parking spaces. On this basis he did not consider the alternative sites to be sufficient.

Councillor MacKay asked the same question of the Council's Conservation Officer and also asked how he took into account requirements of modern day living.

Mr Thorndyke advised that these considerations were not for him and that he provided his opinion to the Planning Officer who would decide whether to take the information into account or not.

Councillor MacKay, at this stage advised that it was difficult to differentiate between some of the specified matters in terms of posing questions. Mr Reppke advised that he

appreciated this comment but in order to keep the hearing structured the procedure being followed was the best option. However, given it was the first hearing of its kind he invited comments from participants should they have any suggestions for future hearings.

Specified Matter 3

Councillor Colville questioned the Development Manager on how the preservation of the Listed Building was more of a material consideration than health.

Mr McLaughlin advised he accepted the requirements for Helensburgh and for this site but referred Members back to the local plan and in particular LP COM 1 and LP ENV 13a. Based against the weight of these policies health was considered to be a minor material circumstance.

Councillor Colville referred to page 5 of the written statements and queried who the pre-application discussion had taken place between.

Mr McLaughlin advised that the case officer had been Stephanie Glen and discussions had taken place between Stephanie and Atkins Limited.

Councillor Colville referred to page 23 which was an email to SAS on 10 August in which support was not conveyed nor was the consideration of alternative sites.

Miss Stewart advised that a colleague of hers had sent the site plan and that the response from planning had been unfavourable. However the only way forward was for the application to be submitted for a formal view to be taken.

Councillor Colville commented that there seemed to be a lot of time and effort in conducting this review which could have been totally unnecessary due to the division between NHS, SAS and the Council not getting together.

Mr Reppke advised that the applicant had submitted their preferred site to planning and although Planning had given an indication it was not favourable the only way for the applicant to get a decision was to submit the application.

Councillor Colville asked if during the pre-application discussions had the justification for the importance of this site being the only one on offer been made clear.

Miss MacDougall advised that this was possibly not as clear at the time of submission as it had been throughout the review process.

Councillor Colville stated that this should have been disclosed and it was important to record this in order to learn from these mistakes.

Councillor MacKay questioned whether paragraph e of LP CON1 and LP DEP 1 were relevant to the application, stating that these allowed for the need for a community facility such as the one proposed and questioned that if health was considered more of an impact would we be sitting here now.

Mr McLaughlin advised that it may have been more significant if it had been made clear that this was the only site available.

Councillor Kelly commented that he was surprised at the lack of communication between

agents and planning and considered if there had been more co-operation there would not be a requirement to be here today.

Specified Matter 4

Councillor Colville referred Helensburgh Community Council to page 33 of the pack and questioned whether the photo on view was of a functional building, rectangular in shape with a pitched roof.

Mrs Siddle confirmed this to be the case.

Councillor Colville then referred Mrs Siddle to page 100, paragraph 2.2 which stated the building did not sit well and suggested that this was an erroneous statement.

Mrs Siddle advised that their thoughts in relation the appropriateness of the building were on the basis of it being closely located to the Victoria Infirmary.

Councillor Colville queried whether Atkins would be opened to suggestions regarding materials.

Miss MacDougall advised that they would be open to discussion to come up with a solution although cost was important at the end of the day.

Miss Stewart advised that they could not alter the scale of the building but they would be prepared to look at changes to the roof pitch and some of the materials to be used in the building.

Mr Reppke in response to a question advised that it may be a material amendment to the application depending on what was proposed and that if LRB were minded to approve it would be important to look at conditions. However, he considered this to be for a later stage in the process and urged Members not to consider this route at present.

Mr Fraser advised that due to the economic climate money was tight and that SAS were looking for a functional building to meet the needs and therefore materials would be looked at from a financial point of view.

Councillor Mackay discussed the Jeanie Deans and outpatients building and questioned the Conservation Officer on whether the proposals for the new station were similar to these?

The Conservation Officer advised that the outpatients building was a nice, architect designed building, respectful to the setting.

Councillor Mackay asked the Conservation Officer what he thought of the conservatory.

The Conservation Officer stated he would prefer that this was not there but that he did not consider it irrevocably affected the setting of the listed building as there was no obstruction of view of the infirmary.

Councillor Mackay stated that he felt the 2 towers were the predominant feature of the listed building to which the Conservation Officer disagreed advising that the total composition of the building must be looked at. He considered by locating the new building else where would result in a win win situation all round.

Councillor Kelly questioned Atkins regarding an earlier comment about changes that could be made to the roof of the proposed building. He enquired what changes these could be?

Miss Stewart advised that Planning had mentioned in the refusal that they felt the roof pitch was too low. However a flat roof could be considered to lessen the impact.

Councillor Kelly asked whether the applicants would be willing to do something to replace the garden ground they proposed to develop.

Miss Macdougall indicated that they would be prepared to accommodate this elsewhere on the hospital site.

Councillor Mackay questioned the Development Manager as to whether the phrase "undermine" in policy STRAT DC 9 could, on the basis of the roof height being lower, be considered to affect rather than undermine.

Mr McLaughlin advised that although this would lessen the impact he considered it would still undermine the listed building.

This concluded the questioning session and a 5 minute adjournment took place prior to summing up by all parties.

Mr McLaughlin spoke regarding the historic information provided by the Community Council and Conservation Officer. He advised his preference would be to have discussions with the applicant regarding a more favourable site rather than locating the building on the best of bad. Based on his submission and the montage on page 60 of the agenda pack he commended the LRB to dismiss the appeal.

Mr Millar questioned why we were here as much of what had been discussed was common ground. The HCC wanted the ambulance station in Helensburgh, within the Victoria Infirmary site and accessible to the main road. He wondered where it had all gone wrong.

He suggested that the Jeanie Deans and outpatients units were sympathetic in terms of mass, scale and bulk to the infirmary and that the conservatory was not unattractive and not out of shape or size with the infirmary.

With regard to the difficulties regarding access and egress he suggested that these were issues for the NHS and SAS to solve and not therefore for this forum.

He spoke regarding the suggested alternative sites advising that the planners had considered like for like and that these alternatives would offer a parking solution.

Regarding design of the building Mr Millar advised that a unique thing in Helensburgh was the many well designed buildings such as the Lomond Schools building and new Clyde View. He stated that what was being sought was not revolutionary and questioned why there had been no progress. Was it too late to sit around a table to find a solution.

Councillor Freeman advised that the Roads Engineer had confirmed that the development would improve parking on the site.

With regard to the alternative sites he commented that as no formal assessment of the sites had taken place there was no guarantee that any of these would be recommended for approval. If they were rejected there was no guarantee that the same service could be retained.

He referred the LRB to the site inspection where the NHS gave an undertaken that the patient garden would be relocated

Councillor Freeman drew attention to weighing in terms of circular 4 of 2009 that implied if a development was not in accordance with Policy it should be refused unless material considerations outweighed. The weighting of material considerations was to be determined by the decision maker and therefore he urged the LRB to uphold the appeal.

Miss Macdougall reiterated that the only option for consideration was the site that had been gifted by the NHS. She confirmed that the materials, roof height and landscaping could be compromised upon.

Mr Frazer thanked the LRB for their time and felt he had stressed the need for SAS to have a custom built facility which was the best use of tax payers money. He commented that if the application were rejected it could impact substantially on the community.

Mr Reppke advised that this had concluded the hearing and therefore contributions from the floor were at an end. He advised that the LRB would now decide how to determine or otherwise take the matter forward.

The LRB discussed the fact that they would like a continuation to allow them opportunity to consider the material considerations. Councillor Kelly agreed with this but suggested that further written information should be requested from Planning asking them to outline possible conditions and reasons should the LRB be minded to grant consent.

Decision

The LRB requested a further written submission from Planning outlining possible conditions and reasons should they be minded to approve the application. They agreed that following the period specified within the Regulations for consultation etc they would re-convene at Kilmory, Lochgilphead when the interested parties would be welcome to attend but would not be permitted to participate in the meeting.

(Ref: Agenda pack for LRB held on 20 January 2010, Written Submissions from Planning Authority, Atkins Ltd and Councillor Freeman and Hearing Statements from Planning Authority, Atkins Ltd, Councillor Freeman and Helensburgh Community Council, submitted)

The Argyll and Bute Local Review Body re-convened on Wednesday 14 April 2010 at 10.30am within the Council Chamber, Kilmory, Lochgilphead

Present: Councillor Danny Kelly (Chair)
Councillor Rory Colville
Councillor Neil Mackay
Charles Reppke, Head of Democratic Services and Governance (Advisor)
Melissa Stewart, Committee Services Officer (Minute Taker)

The Chair re-convened the meeting from 11 March 2010 noting that a list of conditions

from Planning had been received.

Mr Reppke questioned the LRB as to whether they now had sufficient information to proceed. This was unanimously agreed.

Mr Reppke advised that in his opinion there could be 2 stages to this process, the first being a substantive judgement and the second, which was dependent on the decision at stage 1, to consider the suggested conditions. He advised that if the LRB were minded to refuse the application then they would require to specify the basis for the refusal.

The LRB discussed the information they had obtained from the requested written submissions, the site visit and the hearing. They considered that planning had not given sufficient weight to the health implications. They also discussed the setting of the listed building, noting it had been compromised to extent by various surrounding buildings. On the basis that they were minded to uphold the review request, they the moved on to discuss possible conditions.

Decision

1. To uphold the Notice of Review request subject to a Section 75 Agreement regarding areas of maintenance, landscaping etc outside the control of the applicants (detailed below) and the following conditions and reasons:-
 - a. That the development to which this permission relates must be begun within three years from the date of this permission.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997.
 - b. The development shall be implemented in accordance with the details specified on the application form dated 01/06/2009 and the approved drawing reference numbers A/P/EX/011, AE(00)002 01, AP(00)001 01, A/P/00/0111 01 and A/P/00/010 01 unless the prior written approval of the Planning Authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.
 - c. Development shall not begin until details of a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority (in consultation with the Chair of the Planning, Protective Services and Licensing Committee) including an informal outdoor patient area with seating. Details of the scheme shall include:
 - i) Location and design, including materials, of walls, fences and gates.
 - ii) Soft and hard landscaping works, including the location, type and size of each individual tree and/or shrub.
 - iii) Programme for completion and subsequent on-going maintenance.

All the hard and soft landscaping works shall be carried out in accordance with the scheme approved in writing by the Planning Authority. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of the development unless otherwise agreed in writing with the Planning Authority.

Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species, unless otherwise agreed in writing with the Planning Authority

Reason: To ensure the implementation of a satisfactory scheme of landscaping.

- d. The planting immediately to the north of the proposed building shall be retained, maintained and protected to the satisfaction of the Planning Authority (in consultation with the Chair of the Planning, Protective Services and Licensing Committee). Details of the means of protection to be employed during the period that building works are in progress, shall be submitted to, and agreed in writing by, the Planning Authority (in consultation with the Chair of the Planning, Protective Services and Licensing Committee), before any work commences on site.

Reason: To integrate the development into its surroundings.

- e. Development shall not begin until samples of materials to be used (on external surfaces of the buildings) has been submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing, with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

- f. Notwithstanding the details as shown on drawing AE(00)002 01, the external walls of the building shall be finished in a wet dash, smooth render or sandstone ashlar and the roofing materials shall be slate or slate substitute of a flat design, details of which shall be submitted and approved in writing by the Planning Authority prior to commencement of works on site as required by Condition 5 above.

Reason: In order to integrate the development into its surroundings.

2. A Section 75 Agreement be entered into to bind the owners of the site edged red to allow the SAS to implement the continuing obligations set out in conditions 3 and 4 for the avoidance of doubt about the enforceability of such conditions.

(Ref: Written representations from Planning Authority)

