

COMMITTEE REPORT

Date: 8 February 2023 **Ward:** Dringhouses And Woodthorpe

Team: West Area **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 22/02199/FULM

Application at: Askham Bar Tadcaster Road Dringhouses York

For: Retention of temporary buildings and erection of 2no. additional temporary buildings as a Primary Care Medical Centre (use class E(e)) with associated parking and access for a period of 18 months

By: Nimbuscare

Application Type: Major Full Application

Target Date: 10 February 2023

Recommendation: Approve

1.1 The application relates to the former Askham Bar Park and Ride site situated between the Tesco Superstore to the south and Moor Lane to the north. The site is accessed via a roundabout from A1036 Tadcaster Road/Moor Lane. The site was established as a vaccination centre in 2020 under emergency permitted development rights introduced for the covid 19 pandemic. The permitted development rights ceased on 31 December 2022.

1.2 The application seeks temporary planning permission to change the use of the site to a community health care centre for a period of 18 months. The application has been submitted by Nimbus Care, a Primary Care NHS provider and a collaboration of no.11 GP Practices. The proposal involves the retention of a group of existing portable modular buildings and the installation of 2no. additional portable modular buildings.

1.3 The use will provide 20 -30 treatment rooms and provision for the associated offices and administration. The health care centre will be open from 8.00 to 20.00 Monday to Saturday and 08.00 to 14.00 on Sundays. At full capacity the centre will employ up to 80 staff members, comprising of 50 - 70 clinical staff and a total of 10 office/ administration staff.

2.0 POLICY CONTEXT

2.1 The Publication Draft City of York Local Plan 2018 (2018 eLP)

HW5 Healthcare Services
T1 Sustainable Access

H1 Housing Allocations
D1 Placemaking

3.0 CONSULTATIONS

EXTERNAL

Woodthorpe and Dringhouses Planning Panel

3.1 The Planning Panel support the application.

Ainsty Internal Drainage Board (IDB)

3.2 The internal Drainage Board have no objections to the application.

INTERNAL

Design, Conservation and Sustainable Development (Ecology)

3.3 The Ecology officer has no objections given the temporary nature of the proposals A Non-Statutory Nature Conservation Site informative has been requested.

Public Protection

3.4 Public Protection Team have no objections, subject to relevant noise conditions should any external plant machinery installed at the site.

4.0 REPRESENTATIONS

4.1 The application was advertised by neighbour consultation letters and site notice. Two letters of support have been received.

5.0 APPRAISAL

5.1 Key Issues

- Principle of Health Care Facilities
- Visual Appearance and impact on the Surrounding Area
- Amenity/ Public Protection
- Sustainable Access

POLICY CONTENT

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2021

Application Reference Number: 22/02199/FULM

Item No: 4c

5.2 Central Government guidance is contained in the National Planning Policy Framework ("NPPF"). The revised National Planning Policy Framework was published July 2021 (NPPF) and its planning policies are a material consideration in the determination of planning applications.

5.3 The advice provided in Paragraph 11 establishes the presumption in favour of sustainable development, which runs through both plan-making and decision-taking. In decision-taking this means approving development proposals without delay that accord with an up-to-date development plan. In the absence of relevant development plan policies or where they are out-of-date, permission should be granted unless policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the proposed development, or any adverse impacts of doing so would significantly or demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

PUBLICATION EMERGING DRAFT LOCAL PLAN 2018

5.4 The Draft Local Plan 2018 was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. Phase 2 of the hearings concluded in May 2022. Phase 3 of the hearings took place in July 2022 and Phase 4 took place in September 2022. In accordance with paragraph 48 of the NPPF the Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (N.B: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

PRINCIPLE OF HEALTH FACILITIES

5.5 Policy HW5 of the 2018 draft Local Plan states that the Council will support the provision of new or enhanced primary and secondary care services where there is an identified need. The NPPF requires local planning authorities to understand and facilitate local strategic healthcare priorities. Healthcare services must be responsive to the current and projected needs of local communities. This is contingent upon having appropriately located sites, which can cope with local demand and provide a sustainable and effective service.

5.6 The site is allocated in the draft Local Plan – policy H1, for the provision of 60 houses. As a temporary use, the proposed development is not considered to prejudice the bringing forward of the site for housing development in due course.

5.7 The use of the site for health facilities, given its location and the proximity to neighbouring uses, public transport and the cycle network considered to be in a sustainable location.

VISUAL APPEARANCE AND IMPACT OF THE SURROUNDING AREA

5.8 Paragraph 130 of the NPPF states that planning decisions should ensure that development will add to the overall quality of the area, be visually attractive, be sympathetic to local character and history, and have a high standard of amenity for existing and future users. Policy D1 of the eLP 2018 indicates that development proposals will be supported where they demonstrate that the combined effect of new development does not dominate other buildings and spaces paying particular attention to adjacent buildings.

5.9 The single grey modular portable buildings are utilitarian in appearance, slightly raised from the ground by concrete blocks and include ramped entrances with associated railing. They are relatively low-lying buildings grouped together in long linear rows arranged within the parameters of the site. The proposed buildings will mostly utilise the northern section of the site is adjacent to the Tesco car park separated by a vehicular highway and landscaped borders which forms a buffer between the two sites. They will be identical in size and scale to the current buildings and arranged in a similar formation within the site.

5.10 In terms of visual appearance, in context of the site the modular buildings are mostly concealed by mature trees which line the boundary of the site from the East Coast Main Line and users of the transport route on Moor Lane. Also, from the perspective of Tadcaster Road the site is sufficiently set back from nearby buildings by the width of the highway and screened by the sitting of the former nurse building, and moderate planted vegetation. As such, given the relatively low-lying nature of modular buildings, they appear generally localised, are not overly visually assertive from wider areas outside of the site. Therefore, would not unduly affect the setting of Tadcaster Road being one of the main entrances into York.

NEIGHBOUR AMENITY

5.11 Paragraph 185 of the NPPF states that planning policies, and decisions should take into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Policy ENV2 of the draft Local Plan requires that there should be no undue adverse impact from noise disturbance. Policy D1 seeks to ensure that development proposals do not unduly affect the

amenity of nearby residents in terms of noise disturbance, overlooking, overshadowing or from overbearing structures.

5.12 The site is separated from the nearest residential properties by Moor Lane and Tadcaster Road. Any potential noise from external plant equipment can be secured through a condition. Given the previous uses of the site it is not considered that the proposed use of the site would be harmful to residential amenity.

SUSTAINABLE ACCESS

5.13 NPPF 110(a) states in assessing development proposals it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; and that safe and suitable access to the site can be achieved for all users.

5.14 The application is accompanied with a Transport Assessment and Travel Plan. In terms of cycle parking, 24 sheffield stand spaces will be installed and 10 secure lockable staff cycle stores. Further an area of TIER cycle hire facilities will be provided and 10 motorcycle bays. The site's original use means that there is extensive car parking; the site has 214 car parking bays, with an additional 8 parent and child bay and 25 disabled parking bays. A further 55 designated staff parking bays will be provided Mobility parking will be available in front of the modular buildings. The site is within walking distances for areas of Woodthorpe and Dringhouses; existing bus services including the Park and Ride, services to the city centre, Haxby, Heworth and Copmanthorpe are available with some stops provided adjacent to the site, other stops on Tadcaster Road are in close proximity and pedestrian crossings are provided. The site is on the cycle network with direct access from existing cycle routes.

6.0 CONCLUSION

6.1 The application relates to the former Askham Bar Park and Ride, a brownfield site allocated in the draft local plan 2018 as a proposed location for housing. The site has recently been in use as a Covid vaccination centre, established in 2020 through emergency permitted development rights . The continued temporary use of the site for health care purposes, retaining and expanding the existing modular buildings is considered acceptable in principle. The site is in a sustainable location and there would be no harm to visual or neighbour amenity. The application is in accordance with draft Local Plan policy HW5, T1, D1 and the provisions of the NPPF.

7.0 RECOMMENDATION: Approve

1 The proposed use shall only operate for a temporary period for 18 months until August 2024.

Reason: The details submitted with the application relate to a temporary period only, the site is allocated for the provision of housing in the draft Local Plan, the permanent retention of the proposed use would prejudice the ability of the local planning authority to meet local housing requirements.

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Approved Plans date 6th July 2022

Buildings 1 and 2 plans and elevations - drawing number ABY-N-02-2

Buildings 3 and 4 plans and elevations - drawing number ABY-N-03-2

Buildings 5,6 and 12 plans and elevations - drawing number ABY-N-05-2

Location plan/ roof plan and site plan - drawing number ABY-N-04-2 revision A

Proposed site plan dated 10th August 2022 - drawing number ABY-N-50-2 revision C

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 The combined rating level of any building service noise associated with plant or equipment at the site should not exceed the representative LA90 1 hour during the hours of 07:00 to 23:00 or representative LA90 15 minutes during the hours of 23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics."

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

4 The cycle parking facilities shown on the approved drawing and detailed in the Transport Statement shall be provided prior to the commencement of the approved use and retained for the duration of the development.

Reason In the interests of providing sustainable transport options to the site.

8.0 INFORMATIVES: Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were

sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

2. INFORMATIVE: NON-STATUTORY NATURE CONSERVATION SITE

Sim Hill Site of Importance for Nature Conservation (SINC) is located to the south of the application site, with the south-west corner of the SINC sitting alongside the red line boundary. Although the proposed works do not appear to impact the SINC, the applicant is reminded that construction works, including temporary lighting, the storage of material and the movement of plant and foot traffic should avoid the SINC. Such activities should also take place away from other features of ecological value, including trees, verges and boundary hedges.

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