

## COMMITTEE REPORT

**Date:** 26 February 2025      **Ward:** Dringhouses And Woodthorpe  
**Team:** West Area      **Parish:** Dringhouses/Woodthorpe Planning Panel

**Reference:** 24/02106/FULM  
**Application at:** Askham Bar Tadcaster Road Dringhouses York  
**For:** Retention of temporary buildings and erection of additional temporary structures as a Primary Care Medical Centre (use class E(e)) with associated parking and access for a period of 24 months  
**By:** Nimbuscare  
**Application Type:** Major Full Application  
**Target Date:** 11 March 2025  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The former Askham Bar Park and Ride lies to the northeast of a large Tesco store and is bounded by Moor Lane and the East Coast Mainline and is accessed by means of a roundabout from the A1036 Tadcaster Road/Moor Lane. It has been used, originally under emergency permitted rights, as a vaccination clinic within a series of single storey prefabricated buildings following the 2020 Covid Pandemic. Following the ending of the permitted development rights in December 2022 planning permission was given for retention of the facility for a further two years under planning permission ref: 22/02199/FULM. Planning permission is now sought for retention of the facility as a Community Care Centre with addition of two small, prefabricated buildings to provide mobile screening for a period of two years.

1.2 The applicant Nimbus Care is a co-operative of 11 GP practices who presently operate a Community Care Centre on a permanent basis at York Road Acomb. The proposal aims to encompass a range of diagnostic services including phlebotomy, ECG monitoring, respiratory tests and ambulatory blood pressure monitoring. Other services including those in the new buildings which , include encompassing image services, chemotherapy and other cardio-vascular and respiratory tests. The site would also act as a base for a mobile screening unit within an HGV trailer which would be driven to undertake scans at locations within the wider area. The facility

enables patients to be treated outside of a hospital situation closer to their homes whilst freeing up some hospital capacity. Up to 80 (full time equivalent) staff would be employed at the site in attendance including clinical and admin staff. The premises will be open from 8.00 to 20.00 Monday to Saturday and 08.00 to 14.00 on Sundays.

## **2.0 POLICY CONTEXT**

### **NATIONAL PLANNING POLICY FRAMEWORK**

2.1 The NPPF sets out the government's planning policies for England and how these are expected to be applied. Its planning policies are material to the determination of planning applications. The Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 7).

2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

### **DRAFT LOCAL PLAN (DLP 2018)**

2.3 The Plan has been subject to examination. The Inspectors Report is awaited. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF. Draft policies relevant to the determination of this application are:

- HW5 Healthcare Services
- T1 Sustainable Access
- H1 Housing Allocations
- D1 Placemaking

## **3.0 CONSULTATIONS**

### **INTERNAL**

#### Highway Network Management

3.1 Were consulted with regards to the proposal on 10<sup>th</sup> December 2024. No response has been forthcoming within the consultation period.

## Public Health

3.2 No objection.

## EXTERNAL

### Woodthorpe and Dringhouses Planning Panel

3.3 Support the proposal.

### Ainsty(2008) Internal Drainage Board

3.4 Raise no objection to the proposal.

## **4.0 REPRESENTATIONS**

4.1 One letter of representation has been received supporting the proposal.

## **5.0 APPRAISAL**

5.1 The key issues are as follows:

- Principle of Health Care Facilities
- Form and Character of the Wider Street Scene
- Residential Amenity
- Transport and Access

### PRINCIPLE OF HEALTH CARE FACILITIES

5.2 Central Government Planning Policy as outlined in paragraph 98b) of the NPPF indicates that planning decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community. At the same time Policy HW5 of the Draft Local Plan indicates that the provision of new or enhanced primary care facilities will be supported where there is a proven local need.

5.3 The application site is allocated in Policy H1 with a notional quantum of 60 units under reference H8 within the Draft Local Plan with short term delivery.

Notwithstanding the second temporary application the use remains on a strictly time limited basis involving prefabricated structures resting on the former car park surface with some use of the former park and ride amenity building and nursery. The structures are easily cleared, and the site restored to its former appearance. A continued consent would not therefore impede the site being brought forward as a housing site when the time arises.

5.4 The proposal forms part of a wider programme of de-centralising out-patient services which do not necessarily need to be provided within a hospital setting but may equally be provided in a community location closer to patient homes. In addition to wider community benefits some hospital capacity is then freed up. The application site is sustainable being close to major public transport and cycle routes as well as a major grocery supermarket. The proposed use is therefore felt to be acceptable in terms of Policy HW5 of the Draft Local Plan and paragraph 98b) of the NPPF.

## FORM AND CHARACTER OF THE WIDER STREET SCENE

5.5 NPPF paragraph 135b) states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Policy D1 of the Draft Local Plan (as modified) indicates that development proposals which cause damage to the character and quality of an area will be refused.

5.6 The application site forms a physically discrete area set within a natural depression to the east of the existing supermarket which is sheltered in views from outside of the site by the local topography and mature landscaping at the boundary. The single grey modular portable buildings are utilitarian in appearance, slightly raised from the ground by concrete blocks and include ramped entrances with an associated balustrade. The buildings are arranged in a long linear row with the new buildings to provide scanning services to the rear in shorter row close up to the elevated boundary with Moor Lane.

5.7 The layout of the buildings within the site and the nature of the boundary treatment ensures that any visual impact upon the wider street scene is modest with no material harm to the setting of the Tadcaster Road approach to the historic city. Notwithstanding the temporary utilitarian nature of the development, it is felt that it complies with the requirements of 135b) of the NPPF and Policy D1 of the Draft Local Plan (as modified).

## RESIDENTIAL AMENITY

5.8 Central Government Planning Policy as outlined in paragraph 135f) of the NPPF indicates that planning decisions should create places with a high standard of amenity for all existing and future users. At the same time Policy D1 of the Draft Local Plan (as modified) indicates that development proposals should consider residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing.

5.9 The closest residential properties to the site lie to the east beyond Moor Lane and to the southeast beyond Tadcaster Road. As a consequence of local topography and the landscaping of the boundary combined with the distance there is no risk of overlooking or loss of privacy. Any disturbance from comings and goings is also largely subsumed in traffic accessing the adjacent supermarket via the same point of access. As a consequence of the specialist nature of some of the equipment installed a requirement for externally mounted air handling equipment is possible. The previous permission was conditioned to control the detail of any such equipment and it is recommended that any further permission be similarly controlled. Subject to such a condition being appended to any permission it is felt that the further temporary retention is acceptable in amenity terms and the requirements of paragraph 135f) of the NPPF and Policy D1 of the Draft Local Plan.

## TRANSPORT AND ACCESS

5.10 Central Government Planning Policy as outlined in NPPF paragraph 116 of the NPPF indicates that development should only be prevented or refused on highway grounds if there would be an unacceptable impact upon highway safety or the residual cumulative impacts on the road network following mitigation would be severe taking account of all reasonable future scenarios. Policy T1 of the Draft Local Plan indicates that development will be supported where it minimises the need to travel and provides safe, suitable and attractive access for all transport users to and within it.

5.11 The proposal is supported by a detailed Transport Statement and a Travel Plan. The site is provided with 24 Sheffield Hoop cycle stands and 10 secure cycle lockers with a further 10 motorcycle parking bays. 55 staff parking bays, 8 parent and child bays, 25 disabled parking bays are provided on site with mobility scooter parking along the building frontage. Detailed vehicle tracking diagrams have been provided for the mobile screening unit which clearly demonstrate that the vehicle may safely enter the site, park up and leave without compromising the safety and convenience of other road users accessing the site or using the wider network.

5.12 The site is felt to be sustainably located with easy access to the City Centre by bus along with Copmanthorpe. It is well located in terms of the cycle path network and is within walking distance of Woodthorpe, and Dringhouses. The proposal is therefore felt to comply with the requirements of paragraph 116 of the NPPF along with Policy T1 of the Draft Local Plan.

#### OTHER ISSUES:

5.13 The site lies in close proximity to the Sim Hills (SINC) non statutory nature conservation site. It is felt that the operation of the site does not materially impact upon the SINC and its wider significance.

#### PUBLIC SECTOR EQUALITIES DUTY

5.14 Section 149 of the Equality Act 2010 contains the Public Sector Equality Duty (PSED) which requires public authorities, when exercising their functions, to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- c) Foster good relations between persons who share relevant protected characteristic and persons who do not share it.

5.15 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to the characteristic.
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.13 The PSED does not specify a particular substantive outcome but ensures that the decision made has been taken with “due regard” to its equality implications.

5.14 Officers have given due regard to the equality implications of the proposals in making this recommendation. There is no indication or evidence (including from consultation on this application) that any equality matters are raised that would outweigh the material planning considerations.

## **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 (Policy H1) as a proposed location for housing. The site is currently in use as a temporary care centre, established as part of the Class A emergency plan for the use as a Covid vaccination centre in 2020. The continued temporary use of the site for health care purposes notwithstanding the previous time limited consent, retaining and partially expanding the existing area of 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 (as modified) and the relevant provisions of the NPPF.

## **7.0 RECOMMENDATION: Approve**

1 The buildings and use shall be removed by 25 February 2027 and the ground reinstated to its previous condition unless prior to that date a further planning permission for the retention of the use has been granted in writing by the Local Planning Authority.

Reason: The temporary nature of the buildings are such that they considered inappropriate for siting on a permanent basis together with the long term allocation of the site within the Draft Local Plan (Policy H1) for housing development.

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

Drawing Refs: ABY-N-01-G Proposed Location and Site Plan  
ABY-N-02-E Proposed Consultation Suite Plans and Elevations  
ABY-N-03 Buildings 3 and 4 Plans and Elevations  
ABY-N-05 Building 12 Plans and Elevations  
ABY-N-06-E Proposed Consultation Suite Showing Mobile MRI/CT  
Scanner Vehicle Tracking Plan  
HD/12537/01 A Portakabin - Floor Plan - Small Building- Staff Office.  
HD/12557/01 A Portakabin - Floor Plan - Large Building  
OPP1349812 A Consultation Suite Proposed Elevations  
OPP1349812 A Consultation Suite Proposed Floor Plan

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 for the duration of the development hereby authorised 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 development shall be operated in accordance with the submitted Travel Plan Rev 01 Dated 7th October 2024.

Reason: To ensure that the site is operated in accordance with the sustainable transport principles outlined in the Travel Plan.

5 The cycle parking facilities shown on the approved site plan ref: ABY-N-01-G and detailed in the Transport Statement Rev 01 Dated 7th October 2024 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 39) and having taken account of all relevant national guidance and local policies including imposition of appropriate conditions, 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. 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.

**Contact details:**

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