

COMMITTEE REPORT

Date: 24 February 2021 **Ward:** Haxby And Wigginton
Team: West Area **Parish:** Haxby Town Council
Reference: 20/01944/FULM
Application at: Haxby Hall York Road Haxby York YO32 3DX
For: Erection of a 65 bed residential and dementia care home following demolition of 5 and 7 York Road and existing care home, and associated access and parking and landscaping
By: Mr L Garton
Application Type: Major Full Application
Target Date: 1 March 2021
Recommendation: Approve

1.0 PROPOSAL

1.1 The application site relates to an existing care home, known as Haxby Hall and a pair of semi-detached properties, No's 5 and 7 York Road. The proposals seek the demolition of the care home as well as the semi-detached properties and their replacement with a new residential care and dementia care home.

1.2 The care home is positioned on a corner site which extends along York Road and Station Road to the east. To the front is the roundabout junction where Station Road, The Village and York Road meet. Fronting York Road and in front of part of the existing building is the Haxby ambulance station. This is primarily a single storey building and will be retained in situ for the foreseeable future.

1.3 To the south of site are the two existing residential properties and beyond No. 7 York Road abuts a Scouts Hall, a single storey building and the Ethel Ward Memorial Playing Field. To the east, the site abuts residential properties, No. 2 Hall Rise, with access from York Road and No's 20 and 31 Hall Rise.

1.4 There are two existing access/egress points to the care home; one from York Road which provides up to 6 staff/ visitor parking spaces including ambulant spaces and a pick-up/drop-off point at the front entrance. A further access point is off Station Road which is used for servicing vehicles. Numbers 5 and 7 York Road each have individual driveways from York Road.

1.5 The new building will be part three, part two storeys. The new care home would provide 65 bedrooms; 47 will provide residential care bedrooms and 18 dementia bedrooms. Overall there will be an uplift of 16 bedrooms. Additionally the building

shall accommodate community rooms, staff rooms and service rooms. Two external terraces will be provided on the building; one located to the rear at first floor level which will be available for residential care residents with a further terrace positioned at second floor level extending wrapping around the north western corner of the building. This terrace will be for the dementia care residents.

1.6 The building has been arranged with the residential care bedrooms to be provided on the ground and first floors, allowing for easier access to external amenity spaces, with the dementia care bedrooms located on the second floor. The building will have two lifts which are placed close to social areas and nurse station to aid residents moving from floor to floor. Individual bedrooms on the ground floor will have individual garden/amenity areas and there will be wider landscaping and garden areas to the rear of the site including a bowling green.

1.7 The existing York Road access would become redundant, with a new access created at the point where the two properties on York Road once stood. 23 car parking spaces including 3 disabled spaces and visitor cycle parking will be provided. The access point off Station Road will be retained and continue to be used for servicing vehicles as well as 3 additional staff parking spaces and a bin store area. Staff cycle parking will be provided to the rear, and accessed via a gate from this access.

1.8 The application has been revised to address design concerns, materials and the position of the second floor roof terraces. Revisions have resulted in the loss of 1 no. dementia care bedroom at second floor level.

1.9 The provider of the residential care would be undertaken by the applicant, Yorkare Homes Ltd with the dementia care aspect run alongside the City of York Council's Adult Social Care Team.

1.10 The site is located outside, but adjacent to the Haxby Conservation Area and lies within Flood Zone 1 where there is a low risk from flooding.

1.11 There is no relevant planning history relating to the existing care home at Haxby Hall, nor is there any relevant planning history relating to the two existing dwellings that are proposed to be demolished as part of the proposals.

2.0 POLICY CONTEXT

2.1 PUBLICATION DRAFT LOCAL PLAN (2018)

SS1	Delivering Sustainable Growth for York
H2	Density of residential density
H3	Balancing the Housing Market
H9	Older Persons Specialist Housing

D1	Placemaking
D2	Landscape and Setting
GI2	Biodiversity and Access to Nature
GI4	Trees and Hedgerows
CC1	Renewable and Low Carbon Energy Generation and Storage
ENV2	Managing Environmental Quality
T1	Sustainable Access
T7	Minimising and Accommodating Generated Trips

2.2 DEVELOPMENT CONTROL LOCAL PLAN (2005)

GP1	Design
GP4	Sustainability
H9	Loss of Dwellings or Housing Land
NE1	Tress, Woodlands and Hedgerows
T4	Cycle Parking Standards

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development (DCSD) (Conservation Officer)

3.1 The existing care home (c.1965), occupies the site of Haxby Hall, constructed c.1790 and demolished c.1963. The parklands of the hall now form the playing fields. Although outside the conservation area, the site lies within its immediate setting, is the focus of views eastwards along The Village and is a landmark site at the entrance to the historic village from York. It possesses residual historical and landscape significance associated with the former Hall and its extended landscape. The existing care home is of two storeys under shallow hipped roofs behind parapets, principally of a varied buff brick. Whilst undistinguished, its municipal character is relieved by being deeply setback from the road within landscaped grounds, and by its low-rise form.

3.2 The general arrangement on the site and articulation of the scheme as a series of connected blocks is appropriate. The loss of the south lawn would have an impact on the landscape character of the site but the historic landscape has been severely compromised by development since the Hall was demolished, and the minor harm to this aspect of landscape character would be outweighed by the enhancement of the western frontage of the site from York Road and The Village that would accrue with the removal of the car park, reinstatement of boundary and extension of landscaping.

3.3 I consider this design to be misconceived in seeking to articulate a building with a wholly modern scale, form and purpose, a care home, in the architectural language of a Classical country house.

3.4 I considered that a simplified form that combined traditional proportions with attention to qualities of materials and detailing or alternatively a less formal neo-vernacular approach would be more appropriate, and that the various parts of the building should be designed with more nuanced articulation to distinguish different parts of the building in order to mitigate its scale and extent. Neither the design approach nor the layout of the scheme has significantly changed during the subsequent planning process.

3.5 The dominating effect on the Haxby conservation area has been slightly reduced by the changes to the design of the second floor of the block facing the roundabout, but the obvious incongruity of locating a roof terrace with glass balustrade on the most prominent elevation of the “country house” facing down The Village has exacerbated the incoherence of the design and the negative impact in views from the core of the conservation area, which is otherwise uncharacterised by streetfront roof terraces.

3.6 The budgetary pressures which are leading to the insistence on poor quality materials such as cement slates and PVC windows do not inspire confidence with regards to the quality of bricks, window and door detailing and artificial stone dressings, and underline concerns with the design concept in terms of why unnecessary ‘Classical’ ornamentation is being applied rather than concentrating on overall form, proportion and quality of materials. I don’t agree that scope for change is necessarily constrained by practical requirements and living standards: it is unclear why the second floor could not be rearranged to locate living, dining and roof terrace facilities to the centre of the building, where the roof terrace could be appropriately and discreetly located between the two ‘principal’ blocks (those facing the roundabout and carpark respectively) without any detrimental impact in public views; or why window proportions could not be modified in different parts of the building without detriment to living conditions, for example by simplifying the design and lengthening them in a way that produced equal areas of glazing.

3.7 The scheme fails to resolve the design contradictions which will result in a lack of architectural coherence and quality. I don’t consider that it would satisfy the design policies of the NPPF with regards to visual qualities, sympathy with local character and history, including the surrounding built environment, and maintaining a strong sense of place; and with regards to the impact on the Haxby conservation area the scheme would cause less than substantial harm to its setting due to the effect of the design, including the roof terrace, in views from The Village.

Design Conservation and Sustainable Development (DCSD) (Landscape Architect)

3.8 The trees at the front of Haxby Hall are highly visible from the roundabout, and therefore make a significant contribution to the local public amenity. Essentially it is the tree cover that is important rather than any individual specimens being particularly worthy of a TPO, with the exception of Sycamore which is shown as being retained.

3.9 The smaller trees at the back of this group are removed as part of the proposals. The semi-mature purple leaved Maple is an attractive tree but is not sustainable in its current location so close to the existing building. The two Yews at the front would be retained and trimmed to shape. Part of the crown of the Silver birch is visible over the top of the ambulance station. On arboricultural grounds, this mature birch is worthy of retention but it sits within the proposed building footprint. Given the restricted visibility of this common, fast-growing tree from York Road, this needs to be weighed up against the restriction it would pose on the proposed development principle.

3.10 With the exception of the limited tree planting palette, the proposed planting scheme is fine. A 'gas kiosk' and 'water metre' would impact on the proposed tree planting to the left hand side of the car park entrance. This needs to be addressed in a revised landscape scheme. There may also be some revisions to the planting along the rear eastern boundary.

3.11 The proposed tree planting compensates for the loss of trees as a direct measure but there is an accompanying change in the spatial quality of the site. The proposed building has a very different dynamic with the street than the existing one, but I see the proposed arrangement does have some historic reference and grounding. That is to say, it does not necessarily cause harm due to the loss of foreground space and vegetation, it is just different. The design attains a shallow but layered frontage, with a hedge and trees against the street, followed by a margin of grass, and then a series of patios delineated with low hedging and spot shrubs; so whilst the foreground space is shallow, relative to the scale of the building, the proposed planting has some visual depth due to the layers of proposed planting.

Lead Local Flood Authority (LLFA)

3.12 The submitted Drainage Strategy Revision P4 dated 2nd November 2020 by Furness Partnership is full and comprehensive and is acceptable. Some details are typical, we are content site specific details can be sought by way of condition/s if planning permission is to be granted.

Public Protection Unit (PPU)

3.13 The revised plans have been considered in terms of all environmental impact (noise, air quality, contaminated land and dust) and the following comments are made:

- Construction Noise and Dust

3.14 There are residential properties close to the proposed site and it is recommended that conditions are sought for a Construction Environmental Management Plan (CEMP) and the restriction of construction hours of working in order to minimise noise, vibration and dust during construction and demolition.

- Air Quality

3.15 City of York Council's draft Low Emissions Planning Guidance requires a minimum of 5% of all car parking spaces to be provided with electric vehicle charge points. An additional 5% (minimum) of car parking spaces should have the potential to be easily upgraded with electric vehicle charge points in the future. This will require consideration of future power requirements for such points and any necessary cabling and groundwork to be installed from the outset. Spaces should be for the exclusive use of low emission vehicles.

3.16 The indicative site plan shows a total of 23 parking spaces. In line with current CYC guidance, this would require a minimum of 2 active charge points and passive provision for 2 further charge points. The locations and specifications should be agreed with CYC. An Electric Vehicle Recharging Point Management Plan will also be required to detail the management, maintenance, servicing and access arrangements for each Electric Vehicle Recharging Point for a minimum period of 10 years.

- Land Contamination

3.17 The applicant has submitted a Solmek Phase 1 desk study and Solmek Phase 2 investigation however this assessment does not confirm the ground, in terms of soils and groundwater are suitable for the proposed use and a full set of ground gas monitoring results. Conditions are requested.

- Noise

3.18 A noise assessment has been submitted and the assessment is considered acceptable subject to the mitigation measures as stated within the report are implemented then conditions are not required. The plans indicate equipment such as odour extraction and air source heat pumps close to residential properties. A conditions shall ensure that these units will not cause any adverse impacts to future occupants. A condition is also recommended to restrict delivery vehicles and waste vehicles in order that this does not unduly disturb neighbouring properties that are located adjacent to the main service and waste area.

- Odour

3.19 The application involves the installation of a commercial kitchen and details for the treatment and extraction of cooking odours is recommended and can be secured by condition.

- Lighting

3.20 The site is located close to residential dwellings and details of all external lighting shall be reserved by condition to ensure that it does not result in any disturbance. Additionally a condition shall restrict external lighting to be switched off by 23:00 unless required for emergency or security purposes.

Highways Network Management

3.21 The principle vehicular access proposed off York Road will increase the distance between the access and the Station Road/York Road/The Village junction which may be beneficial in terms of highway safety.

3.22 Car park provision- the proposal proposes a 26 space car park, which is considered acceptable as it is broadly in line with the CYC car and Cycle Parking standards (DCLP 2005, Appendix E).

3.23 A transport assessment (TA) and Travel Plan (TP) have been provided. The TA includes traffic generation analysis showing that the impact of the proposed development, once built (if permitted) will not have a significant impact on the highway network. The travel plan should be conditioned and updated before occupation and include an annual staff travel survey and review.

3.24 Additional information required/to be conditioned:

- Vehicle tracking/swept path analysis showing the movements of delivery/service vehicles at both accesses. We would also need this information to assess whether parking restrictions will be required on York Road, opposite the new access, to facilitate access for larger vehicles. If this is required, we would expect this to be conditioned and funded by the applicant.
- Drawings showing adequate visibility splays at the access points 2.4m x 43.0m (minimum)
- Additional detail of the cycle parking facilities will be required. This could be conditioned but I would need to understand how staff will gain access to their cycle parking area as this is not clear from the plans I have reviewed.
- Has mobility scooter parking been provided or is it not required for this facility?
- A method statement/CEMP would need to be conditioned to ensure construction traffic and contractor parking is managed during the construction period and to include a dilapidation survey before the works start (should the development be permitted).

CYC Older Person's Accommodation Programme

3.25 The proposal to develop a 65 bed care home on the Haxby Hall site is welcomed. The city has a shortage of care home accommodation and specifically for those living with dementia. Based on national benchmarking York has a current shortage of almost 600 care bedrooms, this application will help to address this

shortfall by not only providing an increased number of bedrooms but also by providing a modern, accessible facilities for residents.

3.26 I am particularly supportive of the fact that each bedroom in this proposal has an en-suite bathroom and corridors are wide enough to allow those with walking frames or wheelchair users to pass, which the existing care home does not provide. The terraces on the upper floors will enable all residents to have access to outdoor space and nature. The way the building has been designed will allow natural light into bedrooms, corridors and communal spaces, which is a key feature in design for older person's accommodation. The specific provision for those living with dementia, with dementia friendly design elements and a focus on resident's wellbeing is also strongly welcomed.

Lifelong Learning and Leisure

3.27 No comments given the nature of the development.

EXTERNAL

Haxby Town Council

3.28 Haxby Town Council resolved to defer the opinion of the Haxby Town Council planning committee citing that it was a substantial development with very little notice given to enable the Council to fully receive all the information and to submit a fully informed opinion. Other grounds/concerns have been cited and include:

- an Environmental Impact Statement was required
- a plan to show a comparison of the height and size of the proposed development to nearby properties was required
- a light and shading plan of the whole site had not been provided. This was needed to show the overshadowing of nearby properties
- a drainage report was required, as the drains in this area were very shallow and surface water will be an issue
- a plan to harvest rain water should be provided
- the roof height of the highest part of the development was not shown on the plan.
- a drawing of the East side of the development was required
- the balconies would be intrusive to neighbouring properties
- a plan on traffic control during the build would need to be provided
- there needed to be a plan to park builder's cars away from the site and possibly on the Ethel Ward Playing Field car park but this must not include HGV Vehicles.
- a report from the Conservation Office was required as this development was beside the Conservation Area.

3.29 Officer note- the application does not meet the description of development and applicable threshold criteria to be classed as an Environmental Impact Assessment development.

Yorkshire Water

3.30 No objection in principle to:

1. The proposed separate systems of drainage on site and off site
2. The proposed amount of domestic foul water to be discharged to the public foul sewer network
3. The proposed amount of curtilage surface water to be discharged to the public surface water sewer network at a restricted rate of 14.2 (fourteen point two) litres/second
4. The proposed amount of curtilage surface water to be discharged to the public foul sewer network at a restricted rate of 3 (three) litres/second
5. The proposed points of discharge of foul and surface water to the respective public sewers submitted on drawing L2540-FP-XX-XX-DR-D-0921 (revision P2) dated 02/11/2020 that has been prepared by Furness Partnership.

3.31 Provided the development is constructed in full accordance with drawing L2540-FP-XX-XX-DR-D-0921 (revision P2) dated 02/11/2020, YW has no further comment on this application.

Foss Internal Drainage Board

3.32 The application site close to the Board's asset in the form of Usher Lane Drain, which is known to be subject to high flows during storm events.

- Surface Water

3.33 Consent would be required from the Board, in addition to consent from Yorkshire Water, if the applicant proceeds down the route of using the mains surface water sewer as this appears to discharge into Usher Lane drain. It is recommended that the Planning Practice Guidance hierarchy for the management of surface water is followed.

- Foul Sewage

3.34 The applicant is proposing to connect into the mains foul/combined sewer; the Board would have no objection to the new proposed arrangement if Yorkshire Water is content and satisfied that the asset has the capacity to accommodate the flow.

Designing out Crime Officer

3.35 The scheme overall shows a scheme with many positive features in terms of Designing out Crime. The vehicular access and movement within the site is

suitable, keeping permeability at an appropriate level. Internal routes are well overlooked and will provide users with a sense of safety and security. The development have a clearly defined perimeter with appropriate boundary treatments providing unambiguous demarcation of public and private realm. The proposed landscaping raise no concerns in relation to designing out crime.

3.36 Parking is located where vehicles can be observed from normally occupied rooms within the building. Visitor parking is also located where there will be good levels of footfall, providing further passive surveillance.

3.37 Separate cycle parking for staff and visitors is to be provided. In the case of staff provision, this is to be located within a secure area to the rear of the building and is appropriate. In order to encourage this form of transportation, it is recommended that any form of external cycle parking should be undercover, to protect the cycles from incremental weather.

3.38 Recommendations in respect to lighting include all external doors illuminated with vandal resistant security lighting, operated by sensor with manual override switch (fitted at a height that makes them not easily accessible). Parking areas should be illuminated; bollard lighting should be avoided and when positioning lamp columns consideration should be given to any landscape proposals to avoid tree canopies obscuring lighting or creating shadow.

3.39 Given the nature of the proposal, consideration should be given to the installation of a CCTV system to cover all entrances/exits from the building and access routes.

4.0 REPRESENTATIONS

4.1 The application has been advertised by site and press notice, in addition to neighbour notification. 13 letters of representation have been received citing the following concerns:

Overlooking/loss of privacy

- from 3rd floor windows
- from terraces; viewing platform and act as a 'watchtower'
- view into gardens and homes (all directions)
- bedrooms directly overlooking Station Road (currently the elevation has no-habitable purposes) and total of 8 new windows

Height of building

- suggest this is reduced in line with the original building at 2 storeys
- result in loss of light
- loss of open aspect

Noise pollution

- restrict noise pollution in the early mornings, evenings and weekend
- noise and disturbance during construction should be considered

Light pollution

- lighting should not be directed at properties opposite

Design

- not in keeping with general amenity or be sympathetic to the village nature of central Haxby
- overbearing and out of scale and proportion with this area and residential street (Hall Rise)
- development will be more obvious in autumn and winter months when the tree line does not afford any screening (from Hall Rise)
- near to conservation area
- dormers windows previously have not been allowed to the front of property
- high density on the site

boundary treatment

- assurances of protection to existing boundary
- alternative design to be considered; current fence provides screening whereas concrete post and iron railings will not

Landscaping/trees

- proposed tree T13 is not suitable as it drops unpleasant twigs all year round; would like this replaced with something more suitable
- removal of established trees
- loss of green space and open aspect

Parking

Staff parking- is there enough? Should avoid the grass verges; will increase the volume of traffic in our vicinity

Welcome the owners to give full consideration to reducing car use

Contractors and deliveries- should use the site and off-road should not be used

- Room sizes for prospective residents don't appear to be of sufficient size
- Consultation process unacceptable; not many on Hall Rise estate are aware of the proposals; and a request is made to inform all residents on Hall Rise regarding the development and extend the current deadline for comments
- CYC should take account of the Human Rights Act; private and family life therefore encompasses not only the home but also the surroundings i.e. the gardens

- Contrary to policies GP1(i) and H7(d) of the Council's Development Control Local Plan (2005) and the Council's Draft Supplementary Planning Document 'House Extensions and Alterations' as well as paragraph 17 (core planning principles) of the NPPF.

Officer note: reference is made to paragraph 17 (core planning principles) of the NPPF, however the core planning principles are included in the 2012 NPPF, which has been superseded by the NPPF dated 2019.

5.0 APPRAISAL

5.1 Key Issues:

- Principle of development
- Design and Visual Impact
- Heritage Impacts- setting to Haxby Conservation Area
- Landscaping and trees
- Residential amenity for existing residents
- Residential amenity for prospective residents
- Highways and parking
- Ecology impacts
- Sustainability
- Environmental Impacts
- Flood Risk and Drainage

LEGISLATIVE BACKGROUND

5.2 By Section 70(2) Town & Country Planning Act 1990, in dealing with any application for planning permission the local planning authority shall have regard to the provisions of the development plan, so far as material to the application and to any other material considerations.

5.3 By Section 38(6) Planning and Compulsory Purchase Act 2004, a planning application must be determined in accordance with the development plan unless material considerations indicate otherwise.

NATIONAL PLANNING POLICY FRAMEWORK ("NPPF") 2019

5.4 The NPPF sets out the government's planning policies for England and how these are expected to be applied. The planning system should contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives. Further, the NPPF sets out the presumption in favour of sustainable development.

5.5 In the absence of an adopted Local Plan the most up-to date representation of planning policy is the NPPF, and it is against this Framework that the proposal should principally be addressed. The NPPF is a material consideration in the determination of this application.

5.6 The sections of the NPPF that are considered to be of relevance to this planning application include: 5. Delivering a sufficient supply of homes; 8. Promoting healthy and safe communities; 9. Promoting sustainable transport; 11. Making effective use of land; 12. Achieving well-designed places; 14. Meeting the challenge of climate change, flooding and coastal change; 16. Conserving and enhancing the historic environment.

5.7 Any harm from development within the setting of a heritage asset (which includes a conservation area) triggers paragraph 194 NPPF. There is therefore a duty pursuant to paragraphs 190, 192 and 196 NPPF, firstly, to identify the significance of the conservation area and secondly, to assess the impact of any harm upon the conservation area.

PUBLICATION DRAFT LOCAL PLAN (2018)

5.8 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') 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. In accordance with paragraph 48 of the NPPF the 2018 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. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

5.9 The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications. Of relevant to this application, the evidence base includes:

- Strategic Housing Market Assessment (SHMA) (June 2016)
- Strategic Housing Market Assessment Addendum (June 2016)
- Strategic Housing Market Assessment Update (SHMA) (2017)

DEVELOPMENT CONTROL LOCAL PLAN (2005)

5.10 The Development Control Local Plan (DCLP) was approved for development management purposes in April 2005. Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations and can be afforded very little weight in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF.

ASSESSMENT

Principle of development

5.11 Section 5 of the Framework seeks to boost the supply of homes and specifically paragraph 61 states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies; this includes older people.

5.12 The proposals seek to demolish a pair of semi-detached properties; No's 5 and 7 York Road. There is no relevant planning history relating to these properties, however they provide 3 bedrooms, have reasonable sized gardens, and currently add to the overall housing stock. There are no local or national planning policies that restricts the loss of dwellings, although the government has an objective of significantly boosting the supply of homes.

5.13 National planning policies seek to ensure the type, size and tenure of housing need for different groups in the community is assessed and reflected in planning policies. Draft Publication Plan Policy H3 applies these principles of balancing the housing market in York. The City of York Council Strategic Housing Market Assessment (SHMA) and Addendum (2016) outline that there is a need for a mix of types of housing which reflects the diverse mix of need across the city, however it is also suggested that the focus of new housing should be on two and three bed properties reflecting the continued demand for family housing and the demand from older persons wishing to downsize but still retain flexible accommodation.

5.14 It is acknowledged that the two dwellings are to be demolished to facilitate an enlarged care and dementia care home in order to continue to delivery specialist (supported) housing and registered care housing for vulnerable people, which is supported by draft Publication Plan policy H9. The explanation to the policy sets out that the City of York has a population that is older than the national average, with a high proportion of people aged 85 or over. The health of this section of the population is also expected to decline with a significant increase in the number of people with dementia or mobility problems.

5.15 The SHMA analysis identifies that over the 2012 -2033 period there is an identified need for additional 37 bed spaces per annum for older people (aged 75 and older) in nursing and residential care homes. In the same period there is an

identified need for 84 specialist units of accommodation (generally considered to be specialist or extra-care housing) per annum.

5.16 The proposals seek the replacement of an existing care home replacing the 49 bedrooms that are currently provided. Within the existing care home, 41 of the bedrooms provide residential care and 8 of the bedrooms providing specialist dementia care. Overall there will be an uplift of 17 bedrooms. The proposed new care home will continue to provide both residential care for older persons and dementia care, with a split of providing 47 residential care bedrooms and 19 dementia bedrooms. It is considered that the application will meet an identified need outlined in the SHMA.

5.17 Further the NPPF (section 11) promotes an effective use of land in meeting the need for homes and other uses. Paragraph 118 (c) of the Framework sets out that substantial weight should be given to the value of using suitable brownfield land within settlements for homes as well as (d) promoting and supporting the development of under-utilised land and buildings which would help to meet identified need for housing where supply is constrained and available sites could be used more effectively.

5.18 Haxby Hall is located within an existing residential area of Haxby. It is a sustainable location with access to local services and facilities and public transport. The site is within walking distance to a number of bus stops; Hall Lane stop on Station Road, Usher Lane stop on Usher Lane and Haxby Hall Memorial stop on The Village.

5.19 The loss of 2no. family sized dwellings is undesirable, however this scheme seeks to provide an overall increase in specialist accommodation, meaning that the two dwellings will be replaced in the housing stock, albeit they will be replaced with accommodation that is of a different type and tenure. However, this is only considered acceptable due to the proposals meeting an identified need set out in the SHMA and meeting the requirements of draft policy H9. The overall aims of balancing the housing market (draft policy H3) and delivering a sufficient supply of homes (section 5 of the NPPF) would still be met.

Design and Visual Impact

5.20 Section 12 of the NPPF advises that good design is a key aspect of sustainable development, creating better places in which to live and work and helps to make development acceptable to communities (para. 124).

5.21 Continuing, paragraph 127 of the NPPF sets out six design expectations for proposed developments and include;

a) it will function well and add to the overall quality of the area;

- b) visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history;
- d) establish or maintain a strong sense of place;
- e) accommodate and sustain an appropriate amount and mix of development; and
- f) create places that are safe, inclusive and accessible , which promote health and well-being, with a high standard of amenity for existing and future users.

5.22 The site of the existing care home, and the two residential properties at No's. 5 and 7 York Road are not located within any conservation area, nor are they listed. The existing care home is undistinguished of municipal character and along with the two residential properties, the buildings have little architectural merit and there are no objections to their demolition from a heritage point of view.

5.23 In terms of the building design there has been an overall ambition of the applicants to reintroduce the street presence and architectural style of the previous Haxby Hall, but which utilises modern scale and form. The Council's Conservation officer does not wholly agree this approach is appropriate, stating that a less formal neo-vernacular approach would be more appropriate. This would result in a more simplified form that combines traditional proportions with attention to qualities of materials and detailing. It is also recommended that the building is designed with more nuanced articulation to distinguish different parts of the building in order to mitigate its scale and extent.

5.24 The mass and scale of the building is broken up by a mix of projecting and recessed elevations, with different roofs and eaves height and dormer projections. There is also a smaller 'coach house' style block located on the existing lawn to the south.

5.25 The proposed materials have been a matter of discussion between the applicant and the LPA; there is now the intention of using one facing brick for the whole development, rather than a buff facing brick for the main building with red facing brick for the wings, which was considered to result in a contrived visual appearance. Other materials have been set out in the applicant's design change statement, which includes uPVC windows and cembrit slate. The applicants state that the use of uPVC will be designed to closely match sliding sash windows, however these are easier to use by residents and staff as well as reducing the operational and maintenance costs of the care home. The Council's conservation officer suggests that cement slates, such as those specified would detract from the historic village setting and close visual relationship with the conservation area and recommends that natural slate to the mansard slopes is sought. Furthermore, along with natural slate, the conservation officer suggests that timber windows would be desirable given the traditional sash window styles and pastiche building design. Officers are content, that whilst there is a clear relationship to the conservation area and the building occupying a landmark site, this does not justify the requirement for

quality materials specified by the conservation officer. It is considered that the overall development will be visually attractive and be sympathetic to local character, complying with paragraph 127 of the NPPF. The detailed materials, particularly in respect to facing bricks to be used in the construction of the development can be developed through planning condition to ensure that the whole design concept can be delivered. Officers have regard to the nature and form of the proposed development, as a residential care and dementia care home, and that the budget requirements and the provision and arrangement of internal living accommodation are given weight in this regards.

5.26 Discussions have been undertaken in respect to the detailed design of the dormer windows, which appear heavy and dominant. These structures should appear lighter and more 'incidental' to the roofscape. The applicant sets out that there are certain requirements for the dormers, such as needing to be a minimum of 600mm from the ground for appropriate heights for people when seated, meaning in they cannot be brought away from the eaves and other considerations given to their size for residents achieving appropriate daylighting. An objector cites that dormers are inappropriate in this locality, having been refused on their residential property previously. This building is a new building and therefore dormers in principle are acceptable in this respect. Dormers on residential properties can be, in most instances permitted development, however where they require planning permission, they are subject to other policies and guidance (including guidance contained in the Council's draft SPD 'House Extensions and Alterations') with a detailed consideration of their visual impact and effect on neighbouring properties.

5.27 Overall, given that the site is located outside the conservation area, the design, and quality of the proposed development will be one that generally reflects the appearance of the area; the building appropriately addresses the street frontage. Whilst a three storey building in parts and the use of dormers at other parts of the building as well as a coach style southern wing, it is considered that on balance, it is of a residential domestic scale and appearance which appropriately addresses the street's frontage and extensive grounds. The development will provide an uplift in the number of bedrooms to be provided at the site, along with improved accommodation and facilities for residential care and dementia care provision, improved landscaping and parking and private amenity facilities.

Heritage Impacts- Setting to Haxby Conservation Area

5.28 Whilst the application site is not located within the Haxby conservation area, it is located adjacent to its boundary. As such, the Haxby conservation area (designated 1977) is a designated heritage asset and consideration should be made in respect of the significance of the conservation area and the impact of the development proposals upon its setting.

5.29 The conservation area boundary encompasses the extent of the historic village, its layout typical of many Vale of York villages consisting of the main street lined on both sides by buildings of varying sizes with linear curtilages stretching back to north and South Lanes respectively. The rural village character and scale survives despite unsympathetic development and therefore holds evidential and historic values. Additionally, the character and appearance of the area is highlighted by the relationship of the street frontage and the various elements that make up the street scene having aesthetic value. The conservation area appraisal identifies that recent commercial development has taken place at the south-east end of The Village, which is out of character with the domestic scale of the traditional buildings.

5.30 There appears to be some contribution to the setting of the conservation area, with this site forming a landmark site at the entrance to the historic village from York and possessing residual historical significance associated with the former Hall and its extended landscape. However, the relationship with The Village and the Haxby conservation area has been eroded throughout the 20th century by the loss of the parkland associated with Haxby Hall providing housing estates to the south (Gale Close) and to the east (Hall Rise), the loss of the Hall itself as well as the alteration to the road layout at this junction (the introduction of the roundabout and York Road). Therefore it is considered that the site has a neutral impact upon the heritage values and the significance of the Haxby conservation area.

5.31 Paragraph 193 of the Framework sets out that when considering the impact of a proposed development on the significance of a designate heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5.32 Paragraph 194 of the Framework continues to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

5.33 Detailing of the proposed building has been taken from the previous Haxby Hall that occupied the site. Through the revised plans, the dominate effect of the building facing the roundabout and the views from The Village have been slightly reduced by the changes to the second floor level; this is now where the 2nd floor terrace is now proposed. The driver for the re-positioning of the terrace is in order to preserve the privacy of neighbouring properties. The outlook for prospective residents has also been considered by the applicants, and this sets out their reasoning for not locating this terrace to other areas, such as the centre of the building above the curtain glazing. It is unfortunate that the outlook from above the curtain glazing is considered to be poor, potentially over the car parking and the roof

of the ambulance station, as the glazed balustrade would relate better to the curtain glazing feature.

5.34 Unfortunately, the effect of the roof terrace in the location proposed, would result in a glass balustrade, not typical of a 'county house' positioned on the most prominent elevation of the building, especially when viewed from The Village, the central part of the Haxby Conservation Area, which is generally characterised by streetfront roof terraces. However, the significance of conservation area lies in its traditional arrangement and street pattern, and therefore the significance of the conservation area would not be significantly affected. It is concluded that the harm to the conservation area results in less than substantial harm to the character and appearance of this designated heritage asset.

5.35 As such, paragraph 196 of the NPPF sets out that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

- Public Benefits

5.36 National Planning Practice Guidance sets out what is meant by the term public benefits and states that:

“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit. Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation”

(Paragraph: 020 Reference ID: 18a-020-20190723 Revision date: 23 07 2019)

5.37 The public benefits derived under each of the objectives (economic, social and environmental) are outlined below.

- Economic Objective

5.38 The scheme seeks to provide an enlarged care home providing an uplift in the number of residential care and dementia care rooms, as well as improved facilities

across the site. The provision of services will be a joint public/private venture between Yorkare Homes Ltd and the City of York Council's Adult Social Care Team. This development seeks to replace an existing sub-standard residential care facility. It is considered that the proposed development will create the conditions for investment and expansion and support local economic growth which is a key direction of the NPPF as set out in Chapter 6 'Building a strong, competitive economy' and paragraphs 80 and 81.

- Social Objective

5.39 The proposed development will provide an uplift in the number of residential care and dementia care homes provided on this site. This will help achieve the identified need of this type of accommodation outlined in the SHMA and meet the requirements of paragraph 61 of the NPPF in terms of providing housing for different groups in the community, included older people and people with disabilities. Within the site there will be a range of inside and external areas that will provide opportunities for gentle physical activity, planting and informal activity and communal spaces, and will help to support healthy and active residents as well as social cohesiveness.

- Environmental Objective

5.40 The environmental objective is to protect and enhance our natural, built and historic environment. The development in this location will support the development of the building and land that is currently underutilised and will help to meet an identified need for housing. Additionally the application has considered the challenge of mitigating and adopting to climate change.

- Conclusion of public benefits

5.41 It is demonstrated that the scheme would deliver economic, social and environmental objectives. These objectives demonstrate that public benefits would be derived from the proposed development. The public benefits outlined above are considered to outweigh the less than substantial harm identified to the heritage asset identified above. The application therefore complies with paragraph 196 of the NPPF in this regard.

Landscaping and trees

5.42 Section 12 of the Framework focuses upon achieving well design places, with the creation of high quality buildings and places being fundamental to what the planning and development process should achieve. Paragraph 127 b) seeks to ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

5.43 The new building would extend onto the open lawn to the south end of the site, which is contiguous with the historic parkland associated with the former Haxby Hall, albeit the conversion of the park to playing fields somewhat obscures the relationship. This landscape character helps to soften the presence of the existing building. However, the historic landscape has been severely compromised by development since the Hall was demolished, and the minor harm to this aspect of landscape character would be outweighed to the enhancement of the western frontage of the site, with the removal of the car park, reinstatement of boundary and extension of landscaping.

5.44 The existing trees to the front are highly visible from the roundabout and provide welcome greenery. The mature sycamore is the most prominent and provides the greatest contribution to local public amenity and will be retained. It is noted that the proposed development will be compatible with the retention of this tree. The smaller, younger trees at the back of this group will be removed and some are identified as having good potential, however in the long term they would conflict with the existing building. It is tree coverage that is important rather than any individual specimens being particularly worthy of a TPO, with the exception of Sycamore (T8) which should be protected and is shown as being retained. This tree is within the ownership of the local authority which does not serve TPOs on itself unless a tree is under threat from a neighbour or the sale of land.

5.45 As individual specimens, none of the trees proposed for removal are worthy of a tree preservation order, due to their limited age, size and/or public visibility. The landscaping scheme is generally fine, however the Council's landscape architect outlines that there is a good mix of shrubs, spot shrubs, hedging, herbaceous plants and climbers (against the eastern boundary), however the tree planting palette is limited and suggests that a bit more variation in tree planting across the year would be appreciated. The variation in species can be developed via condition and will also enable consideration given to above and below ground services.

5.46 Overall, the proposed tree planting compensates for the loss of trees as a direct measure but there is an accompanying change in the spatial quality of the site. The proposed building has a very different dynamic with the street than the existing one. This does not cause harm due to the loss of foreground space and vegetation. The design attains a shallow but layered frontage, with a hedge and trees against the street, followed by a margin of grass, and then a series of patios delineated with low hedging and spot shrubs; so whilst the foreground space is shallow, relative to the scale of the building, the proposed planting has some visual depth due to the layers of proposed planting.

Residential amenity for neighbouring properties

5.47 Paragraph 127 (f) of the NPPF sets out that a design criteria for new developments is to create places that are safe, inclusive and accessible, with a high

standard of amenity for existing and future users. 2018 Draft Plan policy D1 Placemaking sets out that under consideration of part v. Character and Design Standards, developments should ensure that design considers residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing.

5.48 The site occupies a corner site and is separated to most neighbouring properties by York Road and Station Road to the west and north respectively. However, to the east the site abuts three neighbouring residential properties, No's 2, 20 and 31 Hall Rise and it is considered that these would be most affected by the proposals. There have been revisions to the scheme in order to address concerns of neighbouring properties, which relate to loss of privacy and the dominance of the building at three storeys.

5.49 The existing building is two storeys high and is positioned close to the shared boundary with the aforementioned properties at Hall Rise. Adjacent to No. 20 Hall Rise, the building is currently situated between 2m and 5m away from the shared boundary. The distance to the shared boundary adjacent to No. 2 Hall Rise increases to 7m (approx). Whilst the proposed building would be higher at three storey's the building has been set back further from the shared boundaries of these properties, at its shortest 9m (approx.) from the boundary with No. 2 and 15m (approx.) from the boundary with No. 20 Hall Rise.

5.50 Additionally, the plans indicate that the increase in the height of the building from the existing ranges from 0.7m – 1.1m along the rear elevation. Along with the set back from the eastern boundary of the site, the relationship to these neighbouring properties is much improved. The proposals have been amended to include a 2m high close boarded fencing along the eastern boundary of the site, which satisfies the concerns of neighbours, and will alleviate impacts at ground floor level. It considered that the impacts of the resultant building, in terms of overbearing and dominance are significantly reduced and is considered acceptable.

5.51 Further along, towards the southern elevation, there is a two storey 'coach house' which would be positioned on the existing lawn. This area has been undeveloped previously, and it is noted that this is at a lower height than the main building. Dormers have been positioned on the front (western) facing roofslope with rooflights in the rear (eastern) facing roofslope. These combined help to assist in reducing its impact. It is noted that whilst there will be some impact to No. 31 Hall Rise, this property benefits from an open aspect from the south east, where it benefits from abutting the playing fields. Whilst an increase in massing would be experienced, the overall impact from this part of the development is acceptable.

- Privacy

5.52 Objections have been received from neighbouring occupiers notably from Hall Rise to the rear and Station Road and The Village to the north of the site in respect to loss of privacy arising from increased number of windows and dormers and the position of terraces.

5.53 The position of the building within the site has been outlined above and given the increased distance between the proposed building with the site boundaries will result in increased distances to neighbouring properties. Distances to windows contained within neighbouring properties will be increased to between 17m – 21m, and angles will be acute. There will be perceived overlooking as a result of the four dormers, however the internal arrangement of the second floor means that these dormers serve the corridor or communal areas and no individual bedroom. The rear roofslope of the coach house is served by rooflights, although this serves the corridor, and no individual bedroom. There would be an outlook from bedrooms positioned on the first floors over garden areas, however this would be similar to the existing arrangement.

5.54 Additionally, any overlooking at ground floor level would be restricted by the improved boundary treatment, comprising of 2m high close boarded fencing. Overall, in an easterly direction, it is not considered that the proposed building would result in detrimental overlooking that would be harmful to the amenity of occupiers of neighbouring properties in this direction.

5.55 In the northern and western elevation, facing Station Road and York Road, there will be residential bedrooms, as well as communal areas within the building. The rooms will benefit from having an outlook to the side and front garden of the site, and beyond over the highway. Properties adjacent, to the north have commented that there would be an increased level of overlooking, commenting that this part of the existing building contains no habitable rooms. Whilst these concerns are noted, the distances from these windows, to the front elevation of properties adjacent is in excess of 21m, which is acceptable in this regard and will not give rise to increased overlooking to neighbouring occupiers.

- Terraces

5.56 The applicant sets out that the terraces will be used in addition to the external areas for meals and general activities and relaxation. They will have a mixture of dining and lounge seating, as well as raised planters for gardening activities. Residents, either singularly or in small groups, along with their visitors, will be able to access the terraces. In most case residents will be accompanied by a carer. There is no indication that the terraces will be used outside of daylight hours and the applicant has indicated that they are unlikely to be used earlier than 9am.

5.57 The Council does not have any specific design guidance in respect to the design and use of terrace or balcony area a residential care home.

5.58 There is no indication of any capacity levels of the terraces, however at 45sqm and 70sqm as well as furniture, there will be a limit on the number of people using the terraces at any given time. Given that the nature of the residents of the care home, it is unlikely that the activities undertaken on the terraces would be particularly noisy, and any noise would be similar to those experienced in a residential area, which this is, and overall the noise arising from the terraces and other external areas is not considered to be at such a level whereby it would be detrimental to the amenity of the existing neighbouring properties.

5.59 In terms of privacy, one of the main amendments to the scheme has been the relocation of the second floor rear terrace, in order to address objections regarding the loss of privacy to house and private rear gardens of properties at Hall Rise. This has been relocated to the north western corner of the building, still at second floor level but with an outlook over the corner of the site, and the roundabout and Station Road.

5.60 The relocated second floor terrace would have an outlook over the corner of the site and the roundabout and it is acknowledged that it would have an elevated position. There would be an outlook over Station Road towards residential properties on the northern side of the road, in particular No. 1 Station Road and No. 2 The Village. However separation distances from the terrace to these properties would be in excess of 21m, which is outlined in the SPD as normally being considered acceptable in preserving reasonable privacy levels.

5.61 Not used.

5.612 The plans indicate a retained terrace to the rear at first floor level. This will be positioned in line with the side elevation of No. 20 Hall Rise, which contains attached outbuildings and garages. The property, and its rear elevation is angled away from the position of the proposed terrace, and whilst the terrace may create some additional overlooking, the angles are acute. Additionally, the distance between the corner of the terrace with the rear elevation achieves 19m, and together with the acute angles it is considered that this relationship is acceptable and would not detrimentally impact upon the residential amenity of the occupiers of this neighbouring property. Predominantly, the view from the terrace would be the front gardens of No's 20 and 31 Hall Rise and the public areas at the head of the Hall Rise cul-de-sac beyond, although given the extent of mature trees to be retained, the existing tree canopy coverage will help to alleviate any significant overlooking, in this direction. Again, given the orientation, it's more open front garden and acute angles to front facing windows and the position of the building to the south, it is not considered there would be direct overlooking towards No. 31 Hall Rise that would detrimentally impact upon the residential amenity of the occupiers of this neighbouring property.

Residential amenity for prospective residents

5.63 Objections have been received citing concerns that the proposed rooms provide inadequate residential amenity for prospective occupiers. The gross internal floorspace (GIA) of individual rooms, excluding en-suite facilities range from 19.5sqm – 54sqm for larger apartments. It is noted that there is no relevant current local plan policy relating to space standards however the Department of Health 'National Minimum Standards and The Care Homes Regulations 2001' recommends single rooms with a minimum of 12sqm of useable floorspace (excluding en-suite facilities). The rooms are considered to be of adequate size across the proposed development.

5.64 Generally, the building has been designed with an open aspect providing outlook over the site and rooms will achieve good levels of daylight and sunlight. The plans demonstrate areas inside and outside the building will provide opportunities for gentle physical activity, planting and informal activity and communal spaces. Some ground floor rooms fronting York Road will have individual private amenity spaces.

5.65 Additionally, back of house functions have been located to the area behind the existing ambulance station at ground floor level, where daylight and outlook is not so much an issue for the function of these rooms.

Highways and parking

5.66 Paragraph 103 of the Framework advises that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

5.67 The application is supported by a Transport Assessment and Travel Plan. The Travel Assessment's traffic generation analysis shows that the proposed development, taking into account the increase in the accommodation to be provided, is unlikely to have a significant impact on the highway network. This site is in a sustainable location within the village of Haxby; there are pedestrian links to the main village and residential areas, as well as the site being served by a number of bus routes. The developer shall encourage staff travel to and from the site via sustainable transport modes, such as walking, cycling, public transport use as well as the potential to promote car sharing. A number of measures and initiatives to encourage staff travel to and from the site by sustainable transport modes shall be developed through a travel plan. This will require an annual staff travel survey and review and can be secured via condition.

5.68 There will be a new principal vehicular access to be created off York Road, and it is considered that this is likely to be beneficial in regards to highway safety, increasing the distance between the access and Station road/York Road/The Village

junction. This shall be used primarily for access to the car park, however there is no detail provided within the application that suggests deliveries would be restricted from this access. The secondary access, off Station Road shall be retained, and used primarily for servicing/waste collection in the same manner as currently experienced, as well as providing 3no. staff car parking spaces. Additional information is requested by the Highways Development Officer, including swept path analysis showing the movements of delivery/service vehicles at both accesses and any subsequent highway improvement works to facilitate this would be expected to be funded by the applicant. These measures can be secured via condition.

- Car parking

5.69 The existing 49 bedroom care home is served by 6 car parking spaces, the increase in the provision of staff and visitor car parking spaces to 26 is not objected to by the Highways Development Officer, stating that this is broadly in line with CYC parking standards (as set out within Appendix E of the DCLP 2005). Within this, 3no. spaces are proposed as disabled spaces, improving facilities for those with disabilities and reduced mobility.

- Cycle Parking

5.70 The proposals indicate staff cycle parking to the rear of the building, accessed from Station Road and via a gated entrance. It is assumed that this gate will be accessible only by staff to provide entry to the cycle parking. Within the main car park area, the plans indicate the provision of 3no. Sheffield stands enabling the parking of 6 bicycles. The plans do not indicate whether either the staff or visitor cycle parking will be covered, and conditions shall ensure that details of cycle shelters be submitted. This will protect cycles from incremental weather and encourage cycling as a means of accessing the development.

- Mobility Scooter Parking

5.71 The Highways Development Officer has recommended that given the nature of the development of a care home and to cater for residents or visitors will reduced mobility, an area to safely park mobility scooters should be provided. It is considered that there are areas to accommodate this within the site, such as in conjunction with the visitor cycle parking, and details shall be reserved by condition.

Ecology impacts

5.72 The applicant has undertaken an Ecological Appraisal and Bat Survey Report (August 2020) which identifies that there is no evidence of roosting bats within the existing building or trees within the site. The site however is suitable for nesting birds and an informative shall ensure that the applicants are reminded about

undertaking tree work, shrubs and vegetation clearance outside of bird nesting season.

Sustainability

5.73 It is set out in section 14 of the NPPF, that the planning system should support the transition to a low carbon future in a changing climate. This includes encouraging the reuse of existing resources, including the conversion of existing buildings and support renewable and low carbon energy and associated infrastructure (para. 148 of NPPF).

5.74 2018 Draft Plan policies CC1 and CC2 seek to encourage the use of renewable and low carbon energy generation and high standards of sustainable design and construction. Both policies are applicable to the new residential building.

5.75 The applicant has submitted a 'Sustainable Design Alternative' report that outlines the general approach of the development to sustainable design. The report sets out that there are several factors that have rendered the reuse of the existing building, including the existing floor to ceiling heights are greater than required and are not suited to a care home scheme, internal columns in the centre of the building do not allow for an efficient bedroom layout. Additionally there would be a requirement for strip out and demolition of parts of the building and where any masonry would be retained this would require thermal insulation to bring it up to a required standard. Whilst the reuse and renovation is usually considered to be one of the most sustainable development options, given the information presented in the application, the required uplift in additional accommodation required by the Older Persons Accommodation Programme as well as considering the current layout of the existing building within the site, the retention and extension of the building is not considered to be the most sustainable long-term option. The loss of the two residential properties are regrettable, but they allow for improved parking and accessibility to the site, by other sustainable measures, as well as improved landscaping.

5.76 Other sustainability measures include the installation of a Combined Heat and Power (CHP) system, photovoltaics mounted to an area of roof, air source heat pumps and low energy lighting will all help to minimise energy consumption and carbon emissions. The submitted sustainable design alternative report sets out that an initial assessment indicates that a reduction of 30% reduction in CO2 emissions when compared to the Target Energy Rating (TER) in current Building Regulations can be achieved at this stage. A condition shall ensure that these sustainability measures are implemented at construction stage to ensure compliance with policies CC1 and CC2.

Environmental Impacts

- Air Quality

7.77 The site is located outside any Air Quality Management Area (AQMA) however in order to support improvements in air quality to help protect human health, the Council's draft Low Emission Strategy (LES) sets out measures to reduce emissions and encourages the uptake of low emission vehicles. The draft LES requires a minimum of 5% of all car parking spaces to be provided with electric vehicle charge points (active provision). Further, an additional 5% (minimum) of car parking spaces should have the potential to be easily upgraded with electric vehicle charge points in the future (passive provision). This involves the consideration of future power requirements, cabling and groundwork to be installed from the outset. There are 23 car parking spaces to be provided in the main car park, with three additional staff spaces to be provided to the north of the building, accessed from Station Road. Therefore, in line with the draft LES, 2 spaces should be provided with active charge points, with a further 2 spaces provided with provision to be upgraded in the future. The plans do not currently indicate the location and specification of such provision and this can be secured via condition, as well as securing a management plan for the electric vehicle recharging points. The proposal is considered to comply with the requirements of draft policy ENV1 in this regard.

- Lighting

5.78 The Designing out Crime officer has provided recommendations in respect to lighting, to ensure that all external doors are adequately lit for security purposes. The ground floor rooms fronting York Road will have direct access onto small amenity spaces via external doors. The Designing out Crime officer has recommended that these doors are fitted with sensor security lighting. The luminance levels of the lights are expected to be suitable for this domestic setting however the Council's Public Protection team have requested that external lighting is switched off by 23:00 hours daily, other than where required for emergency of security purposes. As adjacent properties on York Road are sited in excess of 21m away, they are unlikely to result in significant light pollution.

5.79 In addition, it is recommended by the Designing out Crime officer that the parking areas are also illuminated with lamp columns rather than bollard lighting, and consideration given to landscape proposals in order to avoid tree canopies obscuring lighting or creating shadow. The main car park is positioned where the existing residential properties, No's 5 and 7 York Road are sited. This area is generally cleared of trees, other than canopy spread of trees positioned in neighbouring sites although the landscape proposals indicate additional tree planting in this area.

5.80 Objections have been received from occupiers in the terraced properties adjacent to this car park, siting concerns in respect to light pollution. Distances between these properties and the car park are approximately 20m. It is considered

that a lighting impact assessment detailing predicated lighting levels at neighbouring properties, from both the car park areas and the wider development (i.e. the external rooms) can be secured via a suitably worded condition in order to ensure that the lighting scheme offers a safe and secure development whilst protecting the amenities of neighbouring occupiers.

- Noise

5.81 The submitted noise impact assessment sets out that the noise environment is observed to be dominated by road traffic, and no other significant noise sources. Ambient noise levels throughout the site is relatively low, and it is considered that in order to protect the prospective occupiers from external noise sources, typical standard double-glazed windows with standard trickle vents would be satisfactory for the proposed development. A condition shall ensure that the noise mitigation measures as set out in Table 5.1 of the submitted Noise Impact Assessment are installed within the development.

- Odour

5.82 The development includes the installation of a commercial kitchen and in order to ensure that there is adequate facilities for the treatment and extraction of cooking odours, details of plant, machinery and any filtration system shall be secured via condition.

- Land Contamination

5.83 NPPF paragraph 178 sets out that planning decisions should take into account ground conditions and any risks arising from land instability and contamination with the responsibility for securing a safe development rests with the developer and/or land owner (para. 179).

5.84 The application is supported by a Solmek Phase 1 desk study and Solmek Phase 2 investigation however this assessment does not confirm the ground, in terms of soils and groundwater are suitable for the proposed use and a full set of ground gas monitoring results. It is therefore recommended that further investigation is undertaken and can be secured by conditions.

- Construction impacts

5.85 The site is located close to residential properties, and the proposals involve demolition as well as construction, which can be very impactful to neighbouring buildings. Therefore in this regards a Construction Environmental Management Plan (CEMP) is recommended to be secured via condition, in order to minimise construction impacts (noise, vibration and dust) during demolition, site preparation and construction phases of the development.

5.86 A number of objectors seek additional controls in the form of construction hours of working, however it is considered that the Council's standard working hours condition would be appropriate. The CEMP would be able to control the timing of specific noisy construction works in a more appropriate manner.

5.87 Other objections have been raised in respect to parking for construction workers and deliveries, particularly avoiding grassed verges. The requirements of the CEMP shall ensure that construction traffic and contractor parking is managed during the construction period.

Flood Risk and Drainage

5.88 The site is in Flood Zone 1 where there is a low risk of flooding. The site is partly covered by existing buildings however there is an increase in the level of hardstanding across the site, as a result of the increased level of parking and enlarged building. The Lead Local Flood Authority (LLFA) along with Yorkshire Water, do not raise any objections to the drainage details in principle and it is considered that site specific details can be sought via condition.

6.0 CONCLUSION

6.1 The site currently occupies the existing care home and 2no dwellings (5 and 7 York Road) and the proposals involve the demolition of the existing building in order to create an enlarged residential care and dementia care home to enable the continued delivery of specialist and registered care housing to meet an identified need. It is considered that this site is located within an existing residential area of Haxby, in a sustainable location with access to local services, facilities and public transport. This application supports the development of under-utilised land which would help to meet an identified need for housing where supply is constrained, which the NPPF attributes substantial weight. The residential care and dementia care home will provide good size accommodation, with all rooms being en-suite, as well as rooms with an open aspect and that will achieve good levels of daylight and sunlight. Within the building and externally, the scheme shall provide opportunities for gentle physical activity, planting and informal activity and communal spaces, as well as some rooms having individual private amenity spaces.

6.2 Whilst the concerns of the conservation officer are noted, the appearance of the proposed building is considered acceptable, being of a scale that is suitable and appropriately addressing the street frontage and extensive grounds. The public benefits of the development have been demonstrated and are considered to outweigh the less than substantial harm to the setting of the Haxby conservation area, in accordance with para 194 and 196 of the NPPF.

6.3 The revisions to the proposal, including the relocation of the second floor terrace has alleviated concerns in respect to the direct overlooking of private gardens associated with existing residential properties at Hall Rise. Whilst the building is higher, and accommodating a further floor, the set back from the eastern rear boundary off-sets any height increase in the building and overall the building will not be unduly overbearing, preserving the residential amenity of neighbouring occupiers.

6.4 The application, subject to appropriate conditions satisfies other aspects in terms of trees and landscaping, parking and highways and environmental quality and climate change. In conclusion, it is considered that the proposed scheme would not have adverse impacts that would significantly and demonstrably outweigh its benefits when assessed against the policies in the NPPF taken as a whole, taking into account the details of the scheme and any material planning considerations. The proposal is thus sustainable development for which the NPPF carries a presumption in favour. Approval is recommended.

COMMITTEE TO VISIT

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

- YH030-DP(9)901 Rev B - Proposed Site Plan
- YH030-DP(0)50 - Proposed Elevations
- YH030-DP(0)51 - Proposed Elevations
- YH030-DP(0)001 - Proposed Ground Floor General Arrangement
- YH030-DP(0)002 - Proposed First Floor General Arrangement
- YH030-DP(0)003 - Proposed Third Floor General Arrangement
- YH030-DP(0)004 - Proposed Roof Plan
- 20-1026-YH-L002 - Planting Details and Schedules
- 20-1026-YH-L001 - Landscape Proposals
- YH030-DP(9)911 - Tree Protection Plan
- NIA/9274/20/9324/v1/Yorkare Haxby Noise Impact Assessment dated 5 October 2020

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

3 NOISE8 Restricted hours of work

4 Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must include a site specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and include a package of mitigation measures commensurate with the risk identified in the assessment. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

NOTE: For noise details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situation, including the location of positions, recording of results and identification of mitigation measures required.

For vibration details should be provided on any activities which may results in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. Ideally all monitoring results should be recorded and include what was found and mitigation measures employed (if any).

With respect to dust mitigation, measures may include, but would not be restricted to, on site wheel washing, restrictions on use of unmade roads, agreement on the routes to be used by construction traffic, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust. Further information on suitable measures can be found in the dust guidance note produced by the Institute of Air Quality Management, see <http://iaqm.co.uk/guidance/>. The CEMP must include a site specific risk assessment of dust impacts in line with the IAQM guidance note and include mitigation commensurate with the scale of the risks identified.

For lighting details should be provided on artificial lighting to be provided on site, along

with details of measures which will be used to minimise impact, such as restrictions in hours of operation, location and angling of lighting.

In addition to the above the CEMP should provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved. Written records of any complaints received and actions taken should be kept and details forwarded to the Local Authority every month during construction works by email to the following addresses public.protection@york.gov.uk and planning.enforcement@york.gov.uk

Reason: To ensure before development commences that construction methods will safeguard the amenities of neighbouring properties in accordance with paragraph 180 of the National Planning Policy Framework and Policy ENV2 of the City of York Publication Draft Local Plan (2018).

5 Prior to the commencement of development a detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The a statement shall include at least the following information;

- measures to prevent the egress of mud and other detritus onto the adjacent public highway
- a dilapidation survey jointly undertaken with the local highway authority
- the routing for construction traffic that will be promoted
- a scheme for signing the promoted construction traffic routing
- the management of construction traffic and contractor parking

The measures set out in the statement shall be implemented at all times during the clearance/preparatory and construction works of the development.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

6 Notwithstanding the supporting Travel Plan, the development hereby approved shall not be occupied until a Full Travel Plan has been submitted and approved in writing by the LPA. The Travel Plan should be developed and implemented in line with local and national guidelines and the submitted Interim Travel Plan. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan.

Within 12 months of occupation of the site a first year travel survey shall have been

submitted to and approved in writing by the LPA. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site, together with parking on site for these users and to comply with paragraph 111 of the National Planning Policy Framework.

7 The development shall not be brought into use until all existing vehicular crossings not shown as being retained on the approved plans have been removed by reinstating the vehicular access on York Road to match adjacent levels.

Reason: In the interests of good management of the highway and road safety.

8 Vehicular access shall be from the York Road and Station Road accesses and details of the design of this access including vehicle tracking/swept path analysis showing the movements of delivery/service vehicles, together with associated sightlines, shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the commencement of the development.

Reason: To prevent significant impacts on the highway network in accordance with paragraph 108 of the National Planning Policy Framework.

9 Prior to the occupation of the care home hereby permitted, a scheme for the provision for both staff and visitor cycle parking shall be submitted to and approved in writing by the Local Planning Authority. Both visitor and staff cycle parking shall be provided within an enclosure, and scaled details of such enclosure included within the details. The cycle enclosure(s) shall be installed as shown on the approved plans and maintained in the approved form for the lifetime of the development and shall be solely used for this and no other purpose.

Reason: To promote the use of cycles thereby reducing congestion on the adjacent roads and ensuring that the visual appearance of the enclosure is appropriate in order to comply with paragraph 110 of the National Planning Policy Framework and D1 of the City of York Council Publication Draft Local Plan (2018).

10 Prior to the occupation of the care home hereby permitted, details of how the site will accommodate mobility scooter parking shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include any enclosures, if required, which shall be installed as shown on the approved plans and maintained in the approved form for the lifetime of the development and shall be solely used for this and no other purpose.

Reason: To ensure that the development addresses the needs of people with reduced mobility and to ensure that the visual appearance of any enclosure required

is appropriate, in order to comply with paragraph 110 of the National Planning Policy Framework and D1 of the City of York Council Publication Draft Local Plan (2018).

11 Prior to first occupation of the care home, 2 Electric Vehicle Recharging Points shall be provided in a position and to a specification to be first agreed in writing by the Local Planning Authority and thereafter retained. Charging points shall be located in a prominent position on the site and shall be for the exclusive use of electric vehicles. In addition, a minimum of 2 additional parking bays shall be identified for the future installation of additional Electric Vehicle Charging Points. Such additional bays shall be provided with all necessary ducting, cabling and groundwork to facilitate the addition of Electric Vehicle Charge Points in the future. The locations of these additional bays shall be agreed in writing by the Local Planning Authority.

Prior to the first occupation of the care home, the applicant shall submit to the Local Planning Authority for approval in writing (such approval not be unreasonably withheld or delayed) an Electric Vehicle Recharging Point Management Plan that will detail the management, maintenance, servicing and access arrangements for all Electric Vehicle Recharging Points for a minimum period of 10 years. The Electric Vehicle Recharging Point Management Plan shall be implemented once approved by the Local Planning Authority.

Reason: To promote and facilitate the uptake of electric vehicles on the site in line with the Council's Low Emission Strategy (LES) and the National Planning Policy Framework (NPPF).

Notes:

'Fast' Electric Vehicle Charging Points should incorporate a suitably rated 32A 'IEC 62196' electrical sockets to allow 'Mode 3' charging of electric vehicles.

The specification of 'Rapid' Electric Vehicle Charging Points should be agreed with City of York Council

Charging points should be located in a prominent position on the site and should be for the exclusive use of electric vehicles. Parking bay marking and signage should reflect this.

All electrical circuits/installations shall comply with the electrical requirements in force at the time of installation.

12 Notwithstanding what is shown on the approved plans, and prior to the construction of the care home above foundation level, scaled plans and elevations to show the position of all photovoltaics (PV) to serve the building as detailed in the Sustainable Design Alternatives report dated 8 September 2020 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To fulfil the environmental objectives of the NPPF and support the transition

to a low carbon future, and in accordance with policies CC1 and CC2 of the 2018 Draft Plan.

13 Within three months of commencement of development, a final detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the species, stock size, density (spacing), and position of trees, shrubs and other plants. It will also include details of ground preparation, and tree planting details, means of support and watering. This shall be in accordance with the Landscape Proposals shown on drawing no. 20/1026/YH/L001, and shall take account of any intermediate revisions to the site plan and the locations of underground and above ground utilities. This scheme shall be implemented within a period of six months of the practical completion of the development. Any trees or plants which within a period of five years from the substantial completion of the planting and development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species and other landscape details across the site, since the landscape scheme, is integral to the amenity of the development and the immediate area.

14 Notwithstanding what is shown on the approved plan YH030-DP(9)901 Rev B - Proposed Site Plan, prior to the construction of the care home above foundation level, details of all means of enclosures to the site boundaries, private courtyards and service areas and gates (including locking mechanism) shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details and maintained in the form shown for the lifetime of the development.

Reason: To ensure that the boundary treatment will preserve the privacy of neighbouring occupiers, the visual amenity of the area will be maintained and reducing the opportunities for crime, in accordance with the National Planning Policy Framework.

15 Unless otherwise agreed in writing the development hereby approved shall achieve a 30% carbon emissions reduction when compared to the Target Energy Rating (TER) in current Building Regulations as identified in the Sustainable Design Alternative. Prior to above ground construction, details of the measures undertaken to secure compliance with this condition shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policies CC1 and CC2 of the

Publication Draft Local Plan 2018.

16 The foul and surface water drainage shall be carried out in accordance with the details shown on the submitted Drainage Strategy Revision P4 prepared by Furness Partnership (Report dated 02/11/2020), unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage.

17 No development shall take place until details of the proposed means of surface water drainage, including details of any balancing works and off site works, have been submitted to and approved by the Local Planning Authority. The information shall include site specific details of:

- i) the two flow control device manholes the means by which the surface water discharge rate shall be restricted to a maximum rate of 14.2 (fourteen point two) litres per second for the northern discharge and 3.0 (three) litres per second for the discharge to the west,
- ii) the attenuation tank the means by which the surface water attenuation up to the 1 in 100 year event with a 30% climate change allowance shall be achieved for the northern discharge and the voided stone sub base and permeable paving the means by which the surface water attenuation up to the 1 in 100 year event with a 30% climate change allowance shall be achieved for the discharge to the west.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper and sustainable drainage of the site.

18 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: So that the Local Planning Authority may be satisfied that no foul and surface water discharges take place until proper provision has been made for their disposal.

19 LC1 Land contamination - Site investigation

20 LC2 Land contamination - remediation scheme

21 LC3 Land contamination - remedial works

22 LC4 Land contamination - unexpected contam

23 Details of all machinery, plant and equipment to be installed in or located on the

premises, which is audible outside of the premises, shall be submitted to the local planning authority for approval. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Note: 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 in accordance with policy ENV2 of the 2018 Draft Plan and the National Planning Policy Framework.

24 Unless otherwise agreed in writing by the Local Planning Authority, upon completion of the development, delivery vehicles and waste removal vehicles to the development shall be confined to the following hours:

Monday to Friday 08:00 to 18:00 hours

Saturday 09:00 to 13:00 hours and not at all on Sundays and Bank Holidays

Reason: To protect the amenity of occupants of the nearby properties from noise.

25 There shall be adequate facilities for the treatment and extraction of cooking odours. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval. Once approved it shall be installed and fully operational before the development is brought into use and shall be appropriately maintained and serviced thereafter in accordance with manufacturer guidelines.

Note: It is recommended that the applicant refers to the updated Guidance produced by EMAQ in September 2018 titled "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (September 2018)" for further advice on how to comply with this condition. The applicant shall provide information on the location and level of the proposed extraction discharge, the proximity of receptors, size of kitchen or number of covers, and the types of food proposed. A risk assessment in accordance with APPENDIX 3 of the EMAQ guidance shall then be undertaken to determine the level of odour control required. Details should then be provided on the location and size/capacity of any proposed methods of odour control, such as filters, electrostatic precipitation, carbon filters, ultraviolet light/ozone treatment, or odour neutraliser, and include details on the predicted air flow rates in m³/s throughout the extraction system.

Reason: To protect the amenity of neighbouring occupiers and the environmental qualities of the area in accordance with policy ENV2 of the 2018 Draft Plan and the National Planning Policy Framework.

26 Prior to the construction of development above foundation level, a full lighting impact assessment undertaken by an independent assessor shall be submitted to and approved in writing by the Local Planning Authority. The lighting assessment shall include a description and position of all external lights, a plan showing vertical illuminance levels (Ev), contours and all buildings within 100 metres of the edge of the site boundary. All external lighting shall be installed in accordance with the approved lighting scheme.

Note: Artificial lighting to the development must conform to requirements to meet the obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E3 contained within the table taken from the Institute of Light Professionals Guidance Notes for the Reduction of Obtrusive Lighting.

Reason: To protect the amenity of neighbouring occupiers and the environmental qualities of the area and to ensure the development reduces the opportunities for crime and disorder in accordance with policy ENV2 of the 2018 Draft Plan and the National Planning Policy Framework.

27 Prior to the commencement of the construction of the development, a scheme for CCTV covering the car park areas including details as to how it will be compatible with the lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall install CCTV in accordance with the approved details.

Reason: To ensure the development reduces opportunities for crime in accordance with the National Planning Policy Framework.

28 Prior to the occupation of the residential care home hereby permitted, the development shall be installed with typical standard double-glazed window with standard trickle vents as outlined in Table 5.1 of the Noise Impact Assessment dated 5 October 2020 (Ref: NIA/9274/20/9324/v1/Yorkare Haxby) and be maintained as described for the lifetime of the development.

Reason: To protect the amenity of prospective occupiers of the development and the environmental qualities of the area in accordance with policy ENV2 of the 2018 Draft Plan and the National Planning Policy Framework.

29 All external lighting, other than that required for emergency or security purposes, shall be turned off by 23:00 on any day.

Reason: To protect the amenity of neighbouring occupiers and the environmental qualities of the area and to ensure the development reduces the opportunities for crime and disorder in accordance with policy ENV2 of the 2018 Draft Plan and the National Planning Policy Framework.

30 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used for the new residential building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the development beyond foundation level. The development shall be carried out using the approved materials and thereafter retained.

This is to include manufacturers reference, and to be submitted together where appropriate (i.e. where built adjacent to each other) so they can be judged together.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location and to comply with the National Planning Policy Framework, specifically section 12 and Policy D1 of the City of York Publication Draft Local Plan (2018).

31 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, brick sample panels (measuring at least 2x2m) should be constructed on site for all brick types, and bonding patterns in the proposed mortar and pointing shall be submitted to and approved in writing by the Local Planning Authority prior to the start of the relevant work area. The development shall be carried out using the approved materials.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location and to comply with the National Planning Policy Framework, specifically section 12 and Policy D1 of the City of York Publication Draft Local Plan (2018).

32 Notwithstanding what is shown on the approved drawings, prior to the commencement of the development above foundation level, scaled elevations and cross sections of all new windows and doors including the dormer window shall be submitted to and approved in writing by the Local Planning Authority and installed only in accordance with the approved details and thereafter retained.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of these details prior to the commencement of building works in view of their sensitive location and to comply with the National Planning Policy Framework, specifically section 12 and Policy D1 of the City of York Publication Draft Local Plan (2018).

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) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

- negotiation in respect to design, position of balconies, materials and outstanding information

2. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171 - Vehicle Crossing - Section 184 - (01904) 551550 - streetworks@york.gov.uk

Pavement Cafe Licenc - Section 115 - Annemarie Howarth (01904) 551550 - highway.regulation@york.gov.uk

3. INFORMATIVE:

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

(b)The work shall be carried out in such a manner so as to comply with the general

recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

4. AVOIDING DAMAGE TO THE HIGHWAY GRASS VERGE

Applicants/Developers are reminded that great care should be taken to ensure that no damage to the surface or structure of the public highway is caused, by activities relating directly to the approved development (e.g. delivery of building materials via HGV's). The Council is particularly concerned at the increasing impacts and damage occurring to grass verges. This is detrimental to residential amenity, can present safety issues and places an unreasonable financial burden on the Council, if repairs are subsequently deemed necessary. Therefore, applicants/developers are strongly advised to work proactively with their appointed contractors and delivery companies to ensure that their vehicles avoid both parking and manoeuvring on areas of the public highway (grass verges) which are susceptible to damage. The council wishes to remind applicants that legislation (Highways Act 1980) is available to the authority to recover any costs (incurred in making good damage) from persons who can be shown to have damaged the highway, including verges. If the development is likely to require the temporary storage of building materials on the highway, then it is necessary to apply for a licence to do so. In the first instance please email highway.regulation@york.gov.uk, with details of the site location, planning application reference, anticipated materials, timelines and volume. Please refer to the Council website for further details, associated fees and the application form.

Contact details:

Case Officer: Lindsay Jenkins

Tel No: 01904 554575