

COMMITTEE REPORT

Date: 7 December 2011 **Ward:** Rural West York
Team: Major and **Parish:** Nether Poppleton Parish
Commercial Team Council

Reference: 11/02318/FULM
Application at: Plot 6 Great North Way Nether Poppleton York
For: Erection of 3 storey 64 bed care home for older people
By: Miss Tracey Kay
Application Type: Major Full Application (13 weeks)
Target Date: 29 December 2011
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application is for 64 bed care home spread over 3 storeys. The site is on a prominent corner plot adjacent on the junction of Great North Way and Esk Drive within the York Business Park, Nether Poppleton. To the south of the site is a housing estate. To the west and north are car dealerships. there is also a hotel and restaurants to the edge business park fronting onto the outer ring road To the east and north east are vacant plots while beyond these are buildings predominantly used for B1, B2, and B8 and the east coast main rail line.

1.2 The vehicle and pedestrian access to the proposed care home would be from Esk Drive. The proposed building would be in an L shape with the two wings along the north and west edges of the site. The elevation to the great North Way would be 48 metres in length and the elevation to Esk Drive would be 36 metres in length. There would be a car park in the centre of the plot (18 spaces), as well as a cycle store, together with landscaped gardens. It is proposed to have 1.8 metre high railings to the north and west boundaries with a hedging directly behind the other boundaries would be marked by close board fencing. The plans show the building external materials being ivory, blue, and multi red brickwork with a red roof tile. The building would have a number of feature gables together with three storey glazed feature hipped element to the south east elevation. The elevations show solar panels to the south facing roof slope.

1.3 The accommodation would be spread over the three storeys; each room would have en-suite facilities. Each floor would have lounge, dining room, and quiet lounge. The kitchen, laundry, and plant room, small shop, and hairdressers would be on the ground floor of the west wing of the building closest to the boundary with the residential properties.

1.4 The care home is to provide accommodation for people with dementia ranging from mild to high dependency and also general residential care. It is expected that

the residents will be from the local area. The applicant has submitted a needs survey for the type of accommodation proposed within a 3 mile radius of the proposal site. The survey shows that there is an existing supply of 658 beds within the catchment area (provided by 15 homes) with a demand of 622 beds. However the applicant states that much of the existing supply fails to meet 'minimum' quality standards. Within the catchment area the supply of 'quality' care beds (the benchmark being en-suite facilities) is 358 beds. The applicant states that there is a shortfall of 211 dementia care beds within the catchment area.

1.5 It is anticipated that 42 jobs would be created within a rotation shift pattern of employment. 86% of the position would be full time. During the 08.00 to 20.00 shift there would be 15 members of staff on site 7 of these would be care workers. During the night shift 20.00 to 08.00 hours there would be 6 members of staff on site including 4 care workers. The applicant expects to employ staff from the local area (within a 3 mile radius).

1.6 The site has been specified for employment use in the City of York Development Control Local Plan and the emerging CYC Core Strategy.

1.7 The site is designated as a Site of Importance for Nature Conservation (SINCs), on this particularly part of York Business Park the nature conservation interest is the calcareous grassland.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

York North West Boundary GMS Constraints: York North West Boundary CONF

2.2 Policies:

CYGP1Design

CYGP3Planning against crime

CYGP4ASustainability

CGP15ADevelopment and Flood Risk

CYNE5ALocal Nature Conservation Sites

CYNE5B Avoidance of, Mitigation and Compensation for Harm to Designated Nature Conservation Sites

CYT2B Proposed Pedestrian/Cycle Networks

CYT4Cycle parking standards

CYT7C Access to Public Transport

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT

3.1 No objections

- The Council's car parking standards call for a maximum of 22 spaces, the applicants propose 18 spaces which would be sited to the rear of the building and accessed from Esk Drive where an entrance is already formed. Experience at other care homes operated by this group has indicated that this number should prove quite adequate for visitor and staff needs.
- The applicants propose a two shift system for employees: a day shift between 08.00 and 20.00hrs when there will be a maximum of 15 staff and a night shift between 20.00 and 08.00hrs when 6 staff will be on duty. With the day shift commencing at 8.00am, there is likely to be a minimal impact on peak hour flows on the adjoining highway network. It can also be expected that the majority of staff will live in close proximity to their work place and as such journeys to work are more likely to be by sustainable modes of transport.
- It would be useful to add a couple of extra stands for visitors, close to the building's entrance and these cycle parking details should be conditioned as part of any approval. There are existing cycle routes linking the site via Millfield Lane and in a northerly direction along the outer ring road up to the A19 radial.
- The building will be within 400m of a local bus service travelling along Millfield Lane with a frequency of 30 minutes throughout the working day. An hourly service passes a little closer via Kyle Way with a one hour frequency between Askham Bar and Monks Cross.
- Access to the Care Home is to be taken off Esk Drive which is currently extensively affected by on-street parking associated with vehicles connected with local motor dealers premises situated nearby. It is likely that the road will need to be protected by waiting restrictions in the future in order to safeguard vehicle movements to buildings alongside it
- The application is supported by a framework Green Travel Plan setting out the principles of how they intend to promote sustainable modes of transport by staff and visitors. These needs to be followed up by an associated working document six months following occupation and a condition to this effect should be attached to any approval.
- Would like standard conditions: HWAY 9, 14, 18, 19, 31, and 40, and also Green Travel Plan within 6 months of occupation

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

3.2 No formal comments received at the time of writing the report

STRUCTURES AND DRAINAGE

3.3 Object. Insufficient information has been provided to determine the potential impact the proposal may have on the existing drainage systems

ENVIRONMENTAL PROTECTION UNIT

3.4 No objections

CITY DEVELOPMENT

3.5 Object.

- This site is an allocated employment site (B1, B2, B8). Policy E3b (Existing and Proposed Employment Sites) seeks to resist the loss of employment sites.
- A material consideration should be the existing proposals for the new stadium and associated retail at Monks Cross (on employment land) and the pre-application proposal for a garden centre on York Business Park. Both of these applications are undetermined but the cumulative loss of employment land would have significant implications for York's future employment land provision. See below for specific figures.
- The Core Strategy Submission document indicates the level of employment land needed until 2029 to meet the level of employment growth in York during the plan period. This equates to 35.29 hectares in total. The proposal is for a 1.37 hectare site within a site known as Land south of Great North Way, York Business Park, identified within the ELR and emerging Core Strategy for B1(a) and B1(c), B2, B8 uses. The Monks Cross stadium application, if approved would result in the loss of 12.14 hectares of employment land. The proposed garden centre at York Business Park takes up 3.34 hectares. This, together with the proposed care home would leave just 18.44 hectares of employment land for the plan period (until 2031). This is significantly less than the amount recommended in the ELR and Arup report.
- In 1999, an appeal was allowed on York Business Park which renewed a 1996 permission for mixed use, commercial and industrial employment park. One condition was changed by the Inspector to restrict all future development in the business park to development within Use Classes B1, B2 and B8. This is a key consideration.
- There is a presumption in favour of retaining existing employment sites, unless it can successfully be demonstrated that the site is not needed for employment

use. This site is a longstanding employment site and forms part of the identified employment land supply in the emerging Core Strategy. Further evidence should be submitted with the application to allow us to identify whether the site is needed in quantitative or qualitative terms.

- At this stage however, the proposal seems unacceptable in terms of the loss of employment land.

ECONOMIC DEVELOPMENT UNIT

3.6 No comments received at the time of writing the report

YORK NORTH WEST TEAM

3.7 No comments received at the time of writing the report

EXTERNAL CONSULTATIONS/REPRESENTATIONS

NETHER POPPLETON PARISH COUNCIL

3.8 Object

- The York Business Park development is restricted to B1, B2, and B8. The only exception was for the agreed development at the front of the business park
- When the original permission was granted a maximum height was discussed and agreed with the City Council's Planning Department to control the height of the building. This did not apply to Poppleton Park hence the height of Ings Court. The proposal exceeds the maximum height agreed and the Parish Council consider the overall height of the building should be the same as Westminster, Ingrams, and Concorde Buildings already erected on the adjacent site
- Should have the same open aspect as applies on all the development plots creating a sense of openness to the area and that the closed fence should be deleted from the drawings and something more open but still providing security on the site be substituted
- There is a lack of landscaping and green vegetation sufficient to create a suitable outside seating area
- Not a suitable build for this location
- Concerns regarding the level of traffic on the York Outer Ring Road and consider that with an indicative volume of additional traffic, control methods will need to be implemented to allow egress from Nether Poppleton village

AINSTY INTERNAL DRAINAGE BOARD

3.9 No board maintained watercourses adjacent to the site. The applicant states that surface water is to be discharged to soakaways. The original design for the Business Park identified this plot as being connected to the proposed Yorkshire

water surface water system with a direct discharge to the River Ouse. Would like conditions regarding the suitability of soakaways, and other methods of soakaways are unsuitable, further details of surface water should be submitted prior to commencement.

POLICE ARCHITECTURAL LIAISON OFFICER

3.10 No objections

1 LETTER OF COMMENT

3.11 Pleased land is being used for something worthwhile. Concerned once the development is built, there is an existing parking problem on Esk Drive despite the parking restrictions. Deliveries to the car dealerships are every morning between 02.00 and 04.30 hours.

1 LETTER OF OBJECTION

3.12 Proposal would result in a loss of light and loss of view. The height will be overbearing to neighbouring dwellings, a 2 storey building would cause less harm. The area is a protected wildlife area, there are newts on the site. There will be a 4ft illuminated sign facing the objectors property, causing light disturbance.

4.0 APPRAISAL

RELEVANT SITE HISTORY

99/00238/OUT - Renewal of planning permission 6/116/164Q/OUT for a mixed business, commercial and industrial employment park (Appeal against non-determination Allowed 29.12.99)

6/116/164Q/OUT - Outline application for mixed business, commercial and industrial employment park, land at Millfield Lane - Approved

KEY ISSUES

- Principle of Development
- SINC
- Design and Impact on the Street Scene
- Living Conditions of Future Occupiers of the Care Home
- Impact on the Living Conditions of Local Residents
- Car and Cycle Parking
- Drainage
- Sustainability

ASSESSMENT

Application Reference Number: 11/02318/FULM
Page 6 of 15

Item No: 4d

PLANNING POLICY

4.1 National planning policy contained within PPS1 'Delivering Sustainable Development', states that good design is indivisible from planning. Design which is inappropriate within its context, or which fails to take opportunities for improving the character and quality of an area or the way it functions should not be accepted. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.2 The relevant development plan is The City of York Council Draft Deposit Local Plan, which was placed on Deposit in 1998. Reflecting points made, two later sets of pre inquiry changes (PICs) were published in 1999. The Public Local Inquiry started in 1999 but was suspended by the Inspector for further work to be done on the Green Belt. A Third Set of Changes addressing this further work was placed on deposit in 2003. Subsequently a fourth set of changes have been drafted and approved by Full Council on 12th April 2005 for the purpose of making Development Control Decisions, on the advice of the GOYH.

4.3 The Core Strategy Submission (Publication) went out for consultation between 26th September - 7th November 2011. The Submission stage of the Core Strategy follows on from the Issues and Options stage which was consulted on in June 2006 (Core Strategy: Issues and Options 1 (2006)) and again in August 2007 (Core Strategy: Issues and Options 2 (2007)) and the Preferred Options stage (Core Strategy: Preferred Options (2009)), which was consulted on from June until August 2009 (but with an extension to allow additional comments until October 2009). The emerging Core Strategy document draws from the responses that were received during the consultation events as well as feeding in the evidence base findings and higher level policy such as national planning policy. As such it is considered to be a material consideration.

4.4 Policy GP1 'Design' of the City of York Council Development Control Local Plan includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.5 Policy GP4a 'Sustainability' of the City of York Council Development Control Local Plan (2005) states that proposals for all development should have regard to the principles of sustainable development.

4.6 Policy H17 'Residential Institutions' states that planning permission will only be granted for residential institutions where the development, together with existing residential institutions or unimplemented planning permission for that use, would not give rise to a concentration likely to have an adverse impact on residential amenity and where it is positively located relative to local facilities and public transport.

PRINCIPLE OF DEVELOPMENT

4.7 The relevant local planning policy in establishing the principle of developing this site for a non-employment use (typically only B1, B2, or B8 uses are considered to be employment uses) is E3b. The Local Plan identifies York Business Park Centurion Park as a Standard Employment Allocation. Policy E3b seeks to protect employment sites and states that planning permission for other uses will only be given where:

- a) there is a sufficient supply of employment land to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms; and
- b) Unacceptable environmental problems exist; or
- c) The development of the site for other appropriate uses will lead to significant benefits to the local economy; or
- d) The use is ancillary to an employment use.

4.8 The emerging Core Strategy (Policy CS16) also identifies York Business Park for employment use. The policy states that "To ensure continued economic success and prosperity the LDF will provide sufficient land and protect existing employment sites to allow York's economy to realise its potential". Proposals for non-employment uses which involve the loss of land and/or buildings which are either identified, currently used or were last used for industrial, business, office or other employment uses, will only be permitted where it can be demonstrated that the proposal would not have a detrimental effect on the future supply of employment land in either quantitative or qualitative terms.

4.9 The proposed care home is a residential use and therefore is a change of use of the site from its standard employment allocation. Part a) and one of parts b), c) and d) of Policy E3b would need to be satisfied in order to justify the loss of this employment site.

4.10 The applicant has submitted little justification for the loss of employment land. They have stated that the site has been actively marketed for the last 8 months, it is not clear if it was marketed before this date. The applicant has stated that the owner is a developer rather than a land agent, they have developed other parts of the York Business Park. The applicant has not demonstrated that there is a sufficient supply of employment land to meet both immediate and longer term requirements over the

plan period in both quantitative and qualitative terms and as such fails to comply with Part a of Policy E3b and Policy CS16. In addition the change of use of employment land has the potential to cause a precedent for surrounding sites to become residential.

4.11 The applicant makes reference to an application for a care home on Tribune Way in Clifton that was granted planning. The site was allocated as employment land, however in that case significant information had been submitted to demonstrate that the site was no longer required as employment land. Since the application on that site that Core Strategy has come forward together with the supporting information on employment land in the Employment Land Review Stage 1 and 2 (Entec 2007 and 2009), the Arup Employment Paper, October 2010 and the Core Strategy Supporting Paper 2:Economic Growth.

4.12 When considering part a of Policy E3b whilst the marketing of the site and the potential interest should be demonstrated together with the price that the land is being marketed at, the impact to the overall supply of land should also be considered, including other applications on employment land for example the stadium and shopping development at Monks Cross (on allocated employment land) and the pre-application proposal for a garden centre on York Business Park (on allocated employment land). Both of these proposals are undetermined but the cumulative loss of employment land would have potential significant implications for York's future employment land provision.

4.13 The Core Strategy Submission document indicates the level of employment land needed until 2029 to meet the level of employment growth in York during the plan period and this equates to 35.29 hectares in total. The Monks Cross stadium application, if approved would result in the loss of 12.14 hectares of employment land. The proposed garden centre at York Business Park takes up 3.34 hectares. This, together with the proposed care home would leave just 19.41 hectares of employment land for the plan period (until 2031). This is significantly less than the amount recommended in the Employment Land Review and Arup report. In addition when assessing the application on its own merits insufficient justification has been put forward to demonstrate that there is a sufficient supply of employment land to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms that this site is no longer required as employment land.

4.14 In 1999, an appeal (APP/C2741/A/99/1023647) was allowed on York Business Park which renewed a 1996 permission for mixed use, commercial and industrial employment park. However the inspector raised concerns that the attractiveness of York Business Park offers a wide range of uses that could lead to a plethora of non-Business class uses. The inspector considered that if more non B1 (office/light industrial), B2 (general industrial) and B8 (storage and distribution) uses were allowed it would tip the balance and it would no longer be perceived as a business

park and this in turn “would detract from the attractiveness and image of the site and the image of York as a serious contender in the business park market at a regional and national level”.

SITE OF IMPORTANCE FOR NATURE CONSERVATION

4.15 Policy NE5a 'Local Nature Conservation Sites' of the City of York Council Development Control Local Plan states that Development likely to have an adverse effect on a Local Nature Reserve or a non statutory nature conservation site will only be permitted where the reasons for the development clearly outweigh the substantive nature conservation value of the site.

4.16 Policy NE5b 'Avoidance of, Mitigation and Compensation for Harm to Designated Nature Conservation Sites' states in exceptional circumstances where development is allowed under policies NE5a, which would have an adverse effect on the nature conservation value of the site the council will ensure that the appropriate use of planning conditions and planning obligations is undertaken in order to protect and enhance the site's nature conservation interest and to provide appropriate compensatory measures and site management.

4.17 Planning Policy Statement 9 'Biodiversity and Geological Conservation' states that planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. Local Planning Authorities should ensure appropriate weight is attached to designated sites of local importance. The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests, the LPA will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, local planning authorities should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.

4.18 PPS9 states that sites of local biodiversity and geological interest, which include Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education. Criteria-based policies should be established in local development documents against which proposals for any development on, or affecting, such sites will be judged. Policy CS20 of the emerging core strategy states that proposed development should result in no net loss to, and helps to improve, biodiversity (any unavoidable impacts must

be appropriately mitigated or compensated for, and secured through the planning process).

4.19 The site is designated as a Site of Importance for Nature Conservation (SINCs), on this particularly part of York Business Park the nature conservation interest is the calcareous grassland. As the site was allocated for business use before it was designated as a SINC site it has been the understanding that the site could still be developed as long as the application secured a mitigation strategy. The Countryside Officer has identified a suitable site at Bachelor Hill in Acomb for translocation. The translocation would require the prior completion of a legal agreement signed by all relevant land owners. The applicant has stated that they would enter into a legal agreement and a mitigation strategy has been submitted however it has very little detail and a more detailed strategy would be required. By reason of the lack of information and in the absence of a completed legal agreement which secures the translocation of the grassland, the applicant has not demonstrated sufficient intention to compensate for the loss of the SINC site and the application is therefore contrary to PPS 9, LDF Policy CS20 and Local Plan policy NE5b.

DESIGN AND IMPACT ON STREETSCENE

4.20 The proposed building is set on a prominent corner plot. The vertical emphasis of some of the brickwork panels together with the articulation of the gables and brickwork is considered to create an element of visual interest. The site is within an industrial estate which has a number of units some with brickwork, the majority are clad in metal sheeting, the site is adjacent to a housing estate constructed in the 1990s and the proposed building does reflect some of the design elements existing in the housing estate. There is a variety of building heights within the industrial park, however they are predominantly two storeys in height, there is the 4 storey office accommodation. The character of the business park is open and this is partially created by the undeveloped plots. The block of flats to the rear is three storeys in height, approx 10.5 metres in height to the roof ridge (proposed building is 11.9 metres to the roof ridge). The height of the building is not considered to be unduly prominent within the streetscene.

4.21 A 1.8 metre high fencing is shown along the north and north west boundaries although its appearance has not been detailed. In addition close boarded fencing is proposed on the other boundaries. The fencing details including appearance could be conditioned. The plans show a hedge behind to soften the appearance of the fencing.

LIVING CONDITIONS OF FUTURE OCCUPIERS OF CARE HOME

4.22 The outside garden space especially the secured garden area fronting onto the Great North Way is considered to be small, for the large number of residents, the

plans show limited outside seating areas. The proposed care home would provide general residential care as well as accommodation for people with dementia ranging from mild to high dependency. The applicant has states that there would be 7 care workers during the day, resulting in a care worker to every 9 to 10 residents.

4.23 There are limited shops and other facilities/amenities in the area. There is public transport within 400 metres although the applicant has stated that most of the residents would be unlikely to leave the site on their own. It is considered that a business park is not generally the most appropriate or suitable site for a care home, in addition there are concerns regarding the living conditions of future residents by reason of its outlook. The neighbouring dwellings have little outlook (from primary rooms) over the industrial estate as it is screened by a tall fence and the dwellings face into the housing estate rather than out. A letter from a neighbour raised concerns regarding the deliveries to the neighbouring car dealership stating the cars were being delivered during the night. However the approved hours of delivery for the car dealership is Monday to Friday - 08.00 to 18.30, Saturday 08.00 to 15.00 not at all on Sundays, Bank and Public Holidays. The proposed site would be surrounded on three sides by the industrial estate with a housing development directly adjacent to the rear. The condition of surroundings can have a direct impact on quality of life. Whilst the outlook and position are far from ideal on balance it is considered that there would not be sufficient harm to the living conditions residents of the care home to warrant refusal.

IMPACT ON RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPANTS

4.24 The distance between the proposed building and the dwellings to the rear (Ings Court) would be 32 metres. The height of the proposed building would be 11.9 metres to the roof ridge. The proposal would alter the outlook from these dwellings however it is not considered to be overbearing or over dominant by virtue of the significant distance between the buildings. The views from the wing of the building running parallel to Esk Drive would be oblique and together with the distance are not considered to result in a loss of privacy to the occupants of the neighbouring dwellings. The windows in the wing of the building running parallel to the Great North Way would face the neighbouring dwellings however there would be minimum distance of 55 metres. By virtue of the distance from the neighbouring dwellings the proposed 3 storey building is not considered to result in an undue loss of light or overshadowing.

CAR AND CYCLE PARKING

4.25 The vehicle and pedestrian access to the site would be from Esk Drive, it was noted that at the time of the site visits that there was significant parking on this street which would restrict access. Parking restrictions will likely be required. The level of proposed parking within the site is below the maximum parking standards for such a use. However given the low levels of traffic in connection with care homes the

parking levels are considered satisfactory. Additional cycle stands are required but this could be sought via a condition.

4.26 Because of the proposed shift times the increase in traffic from the development would be outside of peak hours. If the shift patterns were to alter, for example to peak hours, the minimal levels of traffic produced by the proposed development would not exacerbate existing traffic conditions or result in highway safety concerns.

4.27 Policy T7c 'Access to Public Transport' states that all new built development on sites of 0.4 hectares or more should be: a) within 400 metres of a bus service offering a day time frequency of 30 minutes or better; or b) within 1000 metres of an existing railway station. The gross floorspace of the proposal would be 2784 square metres. The site is within 400 metres of a bus service: Service 20/20a (Acomb - Clifton Moor - Wigginton - Haxby - Monks Cross - University - Fulford) and Service 10 (Stamford Bridge - City Centre- Poppleton) and as such provide access to public transport for staff and residents. The applicants have submitted a green travel plan which is satisfactory, should permission be granted a further green travel plan would be required within 6 months of the occupation of the building which could be requested as a condition.

DRAINAGE

4.29 Structures and Drainage have objected to the proposed scheme on the grounds of insufficient information. The application site lies within Flood Zone 1 and is therefore not at a high risk from flooding. The existing site is undeveloped and has a permeable surface, therefore the proposed development has the potential to significantly increase surface water run-off which may affect areas downstream. The developer has not demonstrated that it would not increase the risk of flooding to surrounding properties. The applicant has stated that they intend to use soakaways however they have not demonstrated that they would be suitable in this location. As such it fails to comply with Policy GP15a of the Local Plan and Policy CS22 of the emerging Core Strategy

SUSTAINABILITY

4.30 The applicant has stated that it is their intention to provide 29.97% of the total energy requirements of the care home from on site renewables in this case ground source heat pumps and solar thermal panels. The plans show 6 solar panels attached to the south facing roof slope. The agent has confirmed that further investigation is required before it can be established that ground source heat pumps are appropriate in this location. It is considered that further details of these methods can be conditioned to ensure they form part of the development and comply with the CYC Interim Planning Statement on Sustainable Design and Construction.

4.31 No mention has been made in the sustainability statement as to how the proposal will comply with BREEAM (multi-residential). This type of development would be expected that to achieve a BREEAM standard rating of 'very good'. It is considered that further details of how the building will achieve this rating can be requested by condition.

5.0 CONCLUSION

5.1 The application site lies within a designated standard employment site (local plan and emerging core strategy). The applicant has failed to demonstrate that there is a sufficient supply of employment land to meet immediate and longer term requirements or that this site is no longer required in quantitative and qualitative terms for employment purposes and therefore is contrary to Policy E3b of the City of York Council Development Control Local Plan (2005) and Policy CS16 of the emerging City of York Council Core Strategy (2011).

5.2 Insufficient information has been submitted regarding the drainage of the site and the potential impact on neighbouring properties and area. As such it fails to comply with Policy GP15a of the Local Plan and Policy CS22 of the emerging Core Strategy

5.3 The applicant has not demonstrated sufficient intention to compensate for the loss of the SINC site and as such the proposal is contrary to Policy NE5b of the Local plan, Policy CS20 of the emerging Core Strategy, and PPS9 'Biodiversity and Geological Conservation'.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The application site lies within an area which is designated as a standard employment site in the Local Plan and the emerging Core Strategy. It is considered that it has not been proven that there is a sufficient supply of employment land to meet immediate and longer term requirements or that this site is no longer required in quantitative and qualitative terms for employment purposes and therefore is contrary to Policy E3b of the City of York Council Development Control Local Plan (2005) and Policy CS16 of the emerging City of York Council Core Strategy (2011) which seeks to ensure that existing employment sites are protected to allow York's economy to realise its potential.

2 Insufficient drainage details have been submitted to show how foul and surface water generated by the proposal would be properly attenuated and how flood risk from all sources to the development itself and to others will be managed. The application therefore conflicts with Policy GP15a of the City of York Council Development Control Local Plan; Policy CS22 of the emerging City of York Core

Strategy; the council's adopted Strategic Flood Risk Assessment; and Central Government policy contained within Planning Policy Statement 25 "Development and Flood Risk".

3 The applicant has not demonstrated or secured a scheme of mitigation to compensate for the loss of the Site of Importance for Nature Conservation and as such the proposal fails to comply with Policy NE5b of the City of York Council Development Control Local Plan, Policy CS20 of the emerging City of York Council Core Strategy, and Central Government policy contained within PPS9 'Biodiversity and Geological Conservation'.

7.0 INFORMATIVES:

Contact details:

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