

COMMITTEE REPORT

Date: 4 February 2016 **Ward:** Heworth
Team: Major and **Parish:** Heworth Planning Panel
Commercial Team

Reference: 15/02486/FULM
Application at: Glen Lodge Sixth Avenue York
For: Three storey extension to provide 25no. flats and communal facilities, erection of 2no. semi-detached bungalows and alterations to access road
By: City Of York Council
Application Type: Major Full Application (13 weeks)
Target Date: 1 February 2016
Recommendation: Approve

1.0 PROPOSAL

1.1 The proposal is to increase the living accommodation at a council-operated care home by: (a) providing 25 1-bedroom flats and associated communal facilities in a 3-storey extension to the main care home building, and (b) erecting a pair of 2-bedroom semi-detached bungalows to supplement the five pairs of existing bungalows at the site. The flats and bungalows would provide extra care accommodation, i.e. semi-independent accommodation supported by 24-hour on-site care.

1.2 The adopted cul-de-sac serving the site from Sixth Avenue would be diverted to enable the 3-storey extension to be provided. The existing turning head at the closed end of the cul-de-sac would be enlarged and remodelled to enable refuse and emergency vehicles to enter and leave the access road in forward gear. A total of 17 car parking spaces would be provided, including the relocation of nine existing spaces. Secure covered storage would be provided for mobility scooters and cycles.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001
Schools GMS Constraints: Tang Hall Primary 0232

2.2 Policies:

CYGP1	Design
CYC1	Criteria for community facilities
CYGP15A	Development and Flood Risk
CYGP9	Landscaping

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development

3.1 The site has a number of mature trees that contribute to the amenity of the street. Some of these trees would be removed. In light of the need for the development, the removals are acceptable provided new trees are planted wherever opportunities allow, and a suitable budget is set aside for this. The proposed bungalows would be very close to retained trees. The environment would be improved if only one dwelling were proposed here. If these changes cannot be made then it is a question of balance between housing provision and quality of environment. If the application is approved add conditions requiring a planting plan and a method statement to protect retained trees.

Highway Network Management

3.2 Traffic generation is expected to be minimal and would be readily accommodated within the local network. Refuse vehicles would be able to perform a turning manoeuvre to collect waste generated by the new development. The off street car parking provision for staff and visitors does not exceed the Annex E maximum parking standards. Provision for storage of mobility scooters has been accommodated within the building. Conditions should also be added requiring details of highway design/construction, cycle parking, street lighting and a dilapidation survey.

Flood Risk Management

3.3 No objections subject to standard drainage condition including attenuation.

Environmental Protection Unit

3.4 No real concerns over the development. Construction and operational noise/nuisance can be controlled by standard planning conditions, as can unexpected contamination. Developers are required to promote the use of low emission vehicles on the site. However the new parking spaces don't appear to be next to any existing buildings/walls and therefore electric vehicle recharging may be

difficult to achieve in practice. Add an informative offering council advice on recharging solutions for the wider site, should the developer wish to explore this further.

EXTERNAL

Heworth Planning Panel

3.5 No objections.

Neighbour Notification and Publicity

3.6 No responses have been received.

4.0 APPRAISAL

4.1 KEY ISSUES

- Principle of development
- Street scene and landscape
- Highway matters

POLICY CONTEXT

4.2 Section 38(6) of the 1990 Act requires local planning authorities to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. There is no development plan in York other than the saved policies of the Regional Spatial Strategy relating to the general extent of the Green Belt.

4.3 In the absence of a formally adopted local plan the most up-to date representation of key relevant policy is the National Planning Policy Framework (NPPF). Paragraph 7 says planning should contribute to the achievement of sustainable development by balancing its economic, social and environmental roles. Paragraph 14 states that there is a presumption in favour of development, which should be seen as a golden thread running through plan-making and decision-taking.

4.4 Although there is no formally adopted local plan the City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005. Whilst it does not form part of the statutory development plan for the purposes of s.38 its policies are considered to be capable of being material considerations in the determination of planning applications, where

policies relevant to the application are consistent with those in the NPPF. The most relevant Draft (2005) policies are C1 (Community Facilities) and GP1 (Design).

THE APPLICATION SITE

4.5 Glen Lodge is a care home comprising one pitch-roofed, 3-storey block of 32 apartments and five pairs of semi-detached bungalows accessed from an offshoot of Sixth Avenue. The care home provides sheltered housing for older people. Adjacent to the care home is an area of open space previously occupied by Heworth Lighthouse Community Centre which has been demolished. Part of this cleared site will be incorporated into Glen Lodge and will be the location of the extended care home building and semi-detached bungalows. Both sites are council-owned. The area is predominantly residential.

PRINCIPLE OF DEVELOPMENT

4.6 The NPPF states that to deliver a wide choice of high quality homes and create inclusive and mixed communities local planning authorities should: plan for a mix of housing and the needs of different groups including older people; and identify the type of housing that is required in particular locations reflecting local demand (paragraph 50). To deliver facilities that communities need planning policies and decisions should plan positively for the provision and use of community facilities and other local services; ensure that they are able to develop and modernise in a way that is sustainable; and ensure an integrated approach to considering the location of housing, economic uses and community facilities (paragraph 70).

4.7 Policy C1 of the 2005 local plans states that planning permission for social, health, community and religious facilities will be granted provided that the scale and design are appropriate to the character and appearance of the locality and meet a recognised need.

4.8 Glen Lodge care home is in a sustainable location in a predominantly residential area close to local services and facilities. The proposed extension would provide much-needed supported accommodation for elderly people with care staff for the whole of Glen Lodge on site at all times (there is no overnight care currently). The proposal is being promoted by the council in accordance with identified needs. The principle of extending the care home complies with national and local planning policies promoting housing and community facilities.

STREET SCENE AND LANDSCAPE

4.9 The NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (paragraph 56). Permission should be refused for development of poor design that fails to take the opportunities available for

improving the character and quality of an area and the way it functions (paragraph 64).

4.10 The two new semi-detached bungalows would be in keeping with the character and appearance of the existing bungalows at Glen Lodge. The new bungalows would be slightly larger than existing in order to comply with current standards, e.g. wheelchair access. Part of the 3-storey extension would have a flat roof but the overall character and appearance would be in keeping with the existing building. The extension would have the same number of storeys as the existing building but would be approximately 2.5m higher. This would be to accommodate mechanical and electrical services within the ceiling voids. The increase in height would not look out of keeping with the existing building and the surrounding area, particularly bearing in mind the four storeys of the adjacent housing block to the south, Poplar Tree Gardens.

4.11 The application site has a number of mature trees that contribute to the amenity of the street. Of the trees along the street frontage four would be removed. Whilst the trees, as a group, make a valuable contribution to the amenity of the street they are not individually worthy of a tree preservation order.

4.12 The part of the site to the south/south-west of Glen Lodge (the Heworth Lighthouse site) is open space containing a mixture of evergreen and deciduous trees of various species and ages. Of these, a young Maple would be removed. It is a well-established specimen with good long term potential, but given its location right in the middle of the 'site' it is difficult to defend its retention on balance of the benefits of the scheme. There are a few opportunities for new tree planting - provided the ground is suitably prepared. Two mature trees (a Maple and Oak) immediately to the front of the existing care home building are also valuable features. They would be retained.

4.13 In order to be able to accommodate the number of flats proposed the part of the extension to Glen Lodge would be tight up to Sixth Avenue and the proposed new road alignment. This is not ideal and would provide very little scope for landscaping in this part of the site. Nevertheless the level of amenity for the future occupiers and the impact of the layout on the street scene would be acceptable bearing in mind the benefits of providing the number of assisted care flats proposed.

4.14 The application complies with national and local planning policy supporting provision of housing, community facilities and good design. If the application is approved conditions should be attached requiring a planting plan and a method statement to protect retained trees as recommended by the council's landscape architect. A condition should also be attached requiring submission of protection measures for existing trees shown as being retained.

HIGHWAY MATTERS

4.15 The proposed realigned highway (a cul-de-sac offshoot of Sixth Avenue) would follow a winding route due to site constraints. However, the alterations to the turning head at the closed end would enable large refuse and emergency vehicles to enter and leave in forward gear - a benefit that the current alignment does not allow. Bin storage would be provided as part of the development. Traffic generation is likely to be minimal and car parking complies with council standards. Disability scooter storage would be covered and secure and be accessible from inside and outside the care home building. The applicant intends to provide cycle storage but details have not yet been provided. This should be made a condition of approval. The alterations to the adopted road layout, which is in CYC ownership, would require separate consent under the Town and Country Planning Act and the Highways Act.

5.0 CONCLUSION

5.1 The proposal would provide much-needed sheltered housing and extra care for the elderly. The application complies with the National Planning Framework and relevant policies of the 2005 City of York Development Control Local Plan.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development shall be carried out in complete accordance with the approved plans numbered 2619-D-90-011/H, 2619-D-22-011/B, 2619-D-22-012, 2619-D-22-013, 2619-D-22-014, 2619-D-20-003/A, 2619-D-20-004/A, 2619-D-20-005/A, 2619-D-21-001, 2619-D-90-021 and 2619-D-90-020.

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

3 HWAY1 Details roads, footpaths, open spaces req.

4 HWAY7 Const of Roads & Footways prior to occup

5 HWAY18 Cycle parking details to be agreed

6 HWAY19 Car and cycle parking laid out

7 HWAY40 Dilapidation survey

8 Prior to the commencement of any works on the site, 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 LPA. Such a statement shall include at least the following information:

- contractors parking areas;
- where materials will be stored within the site;
- measures employed to ensure no mud/detritus is dragged out over the adjacent highway;
- measures to ensure nearby public footpath is not blocked or damaged.

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.

9 LAND1 New Landscape details

10 Before the commencement of development, including demolition, building operations, any excavations, or importing of materials, an arboriculture method statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include details and locations of protective fencing, phasing of works, site access during demolition/construction, type of construction machinery/vehicles to be used, (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles, locations for stored materials et al. It shall also include construction details for any hard landscape details located within the recommended root protection area of existing trees.

Reason: To protect existing trees which are covered by a Tree Preservation Order and/or are considered to make a significant contribution to the amenity of the development.

11 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

12 No development shall take place until details of the proposed means of foul and surface water drainage, including details of any balancing works and off site works and details of future management and maintenance, have been submitted to and approved by the Local Planning Authority.

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

13 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.

14 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. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents

15 All demolition and construction works and ancillary operations, including deliveries to and dispatch 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.

Reason: To protect the amenity of local residents

16 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted shall be submitted to the local planning authority for approval. These details shall include maximum sound levels ($L_{Amax}(f)$) and average sound levels (L_{Aeq}), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. 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.

Reason: To safeguard the amenity of occupants of neighbouring premises

17 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7.0 INFORMATIVES:

Notes to Applicant

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

In considering the application, the local planning authority implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) by seeking solutions to problems identified during the processing of the application. In order to achieve an acceptable outcome the local planning authority negotiated retention of further trees and improvements to the highway layout.

2. HIGHWAYS ACT 1980

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the sections 37, 171 and 247 of the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact Stuart Partington of CYC on (01904) 551361

3. STATUTORY UNDERTAKERS EQUIPMENT

You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

4. DRAINAGE

The public sewer network does not have capacity to accept an unrestricted

discharge of surface water. Surface water discharge to the existing public sewer network must only be as a last resort, the developer is required to eliminate other means of surface water disposal.

The developer's attention is drawn to Requirement H3 of the Building Regulations 2000 with regards to hierarchy for surface water dispersal and the use of Sustainable Drainage Systems (SuDs). Consideration should be given to discharge to soakaway, infiltration system and watercourse in that priority order. Surface water discharge to the existing public sewer network must only be as a last resort therefore sufficient evidence should be provided to discount the use of SuDs.

If SuDs methods can be proven to be unsuitable then In accordance with City of York Councils Strategic Flood Risk Assessment and in agreement with the Environment Agency and the York Consortium of Internal Drainage Boards, peak run-off from Brownfield developments must be attenuated to 70% of the existing rate (based on 140 l/s/ha of proven connected impermeable areas). Storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

If existing connected impermeable areas not proven then a Greenfield run-off rate based on 1.4 l/sec/ha shall be used for the above.

The public sewer network is for domestic sewage purposes. This generally means foul water for domestic purposes and, where a suitable surface water or combined sewer is available, surface water from the roofs of buildings together with surface water from paved areas of land appurtenant to those buildings. Land and highway drainage have no right of connection to the public sewer network. No land drainage to be connected/discharged to the public sewer.

5. RECHARGING OF ELECTRIC VEHICLES

In line with the Council's Low Emission Strategy, Air Quality Action Plan and the National Planning Policy Framework (NPPF), developers are required to demonstrate that they are making all reasonable efforts to minimise total emissions from development sites during both construction and operational phases. This will include ensuring the energy choices for heating and powering the buildings are the right ones for both carbon/CO₂ and local air quality emissions (NO_x/Particulate Matter) and requirements to promote and incentivise the use of low emission vehicles on the site to reduce the overall emission impact of development related traffic (e.g. provision of electric vehicle recharge points). Low emission construction vehicles and machinery should also be a consideration during construction phases

of development. Due to the nature of the site, electric mobility scooters will be the preferred mode of transport over short distances for residents and the application discusses the possibility of recharging such scooters using solar panel arrays. City of York Council's Low Emission officer can offer advice on this and other potential electric vehicle recharging solutions for the wider site, should the developer wish to explore this further.

6. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

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).

For dust details should be provided on measures the developer will use to minimise dust blow off from site, i.e. wheel washes, road sweepers, storage of materials and stock piles, used of barriers, use of water bowsers and spraying, location of stockpiles and position on site. In addition I would anticipate that details would be provided of proactive monitoring to be carried out by the developer to monitor levels of dust to ensure that the necessary mitigation measures are employed prior to there being any dust complaints. Ideally all monitoring results should be measured at least twice a day and result recorded of what was found, weather conditions and mitigation measures employed (if any).

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 I would also expect the CEMP to 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.

7. PLANT AND EQUIPMENT

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed 5dB below the background noise level at 1 meter from the nearest noise sensitive façade when assessed in accordance with BS4142: 1997 (or exceed the background noise level 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. Whilst it is acknowledged that at background levels of less than 30dB(A) use of BS4142 is inappropriate, EPU consider that in such circumstances the combined rate level of plant inclusive of any character correction should not exceed 30dB(A).

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