

COMMITTEE REPORT

Date: 21 May 2020 **Ward:** Guildhall
Team: East Area **Parish:** Guildhall Planning Panel

Reference: 19/01880/FULM
Application at: York District Hospital Wigginton Road York YO31 8HE
For: Erection of vascular imaging unit
By: Mr Richard Atwood
Application Type: Major Full Application
Target Date: 23 April 2020
Recommendation: Approve

1.0 PROPOSAL

1.1 Planning permission is sought for an extension to the southern elevation of the hospital to provide a vascular imaging unit (VIU). The proposed development would be 14.2 metres in height and would be sited on land currently used as a car park (resulting in the loss of 40 staff parking spaces) the building would be three storeys internally. The access to the building would be internal and externally from the east elevation. Vehicle access would still be provided between the proposed building and the footpath to the south. The proposed materials will be brick to the south and east elevations and grey cladding to the north and west elevations.

1.2 The application is for the consideration of Main Planning Committee at the request of the Assistant Director for Economy and Place.

1.3 The site is adjacent to the Central Historic Core Conservation Area and the Grade 1 listed Bootham Hospital. The site is adjacent to a well-used footpath, and would also be clearly visible from Wigginton Road. The site is within Flood Zone 1.

1.4 The catchment for the proposed unit would be York District, Selby District. Hambleton, Ryedale and east Yorkshire, Bridlington and Scarborough). The unit would be used by a variety of departments and would be run and staffed by Radiology and its core activity is undertaken by the vascular and cardiac specialists. The type of procedures include: diagnosing problems with blood flow (aneurysms etc), insertion of balloons, stents, pace makers etc. The extension will provide a Hybrid Theatre on the first floor (with associated Post Anaesthesia Care Unit) and Vascular Labs (and ancillary accommodation) on the ground floor to provide solutions for a number of clinical services across Radiology, Cardiology and Vascular Surgery. The existing VIU unit consists of two labs with a shared control room, prep/recovery space, nurse station/reception and ancillary spaces.

Application Reference Number: 19/01880/FULM

Item No:

1.5 During the application process revised plans (revising the appearance) and additional information have been submitted.

1.6 The proposed development does not comprise 'Schedule 1' development. The proposed development is however of a type listed at 10 (b) in column 1 of Schedule 2 (Urban Development Projects) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is the view of Officers that the proposed site is not within or adjacent to an environmentally sensitive area (as specified in the regulations) and taking into account the characteristics of the proposed development, the location of the development, and characteristics of the potential impact, the proposed development would not result in significant environmental effects and therefore an Environmental Impact Assessment is not required.

2.0 POLICY CONTEXT

2.1 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005:

- SP3 Safeguarding the Historic Character and Setting of York
- GP1 Design
- GP4A Sustainability
- GP15A Development and Flood Risk
- HE2 Development in Historic Areas
- C4 York District Hospital

2.2 The Publication Draft York Local Plan, 2018:

- HW5 Healthcare Services
- D1 Placemaking
- D4 Conservation Areas
- D5 Listed Buildings
- CC1 Renewable and Local Carbon Energy Generation and Storage
- CC2 Sustainable Design and Construction of New Development
- ENV2 Managing Environmental Quality
- ENV5 Sustainable Drainage
- T1 Sustainable Access
- T8 Demand Management

2.3 Please see the Appraisal Section (5.0) for national and local policy context.

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

Application Reference Number: 19/01880/FULM

Item No:

HIGHWAY NETWORK MANAGEMENT (“HNM”)

3.1 Object, there are recurring issues with queuing on Wigginton Road caused by tailbacks from the Hospital entrance. This is significantly affecting general traffic and bus journey times. This started in November 2019 (linked to construction activity on the site as well as issues with traffic management through the site and multi storey car park management (MSCP)) and CYC Transport staff have had meetings with Hospital staff to draw a plan to resolve the issues. Actions have been agreed. These measures have helped but HNM are still getting some complaints so it would appear that the problem has not been solved fully.

3.2 The submitted information dated December 2019 states “at present, there are 611 marked parking spaces on the site for staff. This number will be reduced to 461 during the VIU construction phase and to 511 once the building is finished and open”. This does not account for contractor parking requirements during the construction phase so it is likely that additional spaces will be removed in practice. The information further clarifies that these spaces are used by staff, not visitors who are directed to the MSCP, and that this will be managed through a reduction in the number of staff car parking passes allocated and travel plan actions. It then goes on to listing the various alternative options available to staff without any commitment to the number of car parking passes that will be removed, restrictions on MSCP use by staff or improvements to alternative modes to ensure that staff can travel to work without using the MSCP or parking in surrounding residential streets.

3.3 The York Teaching Hospital NHS Foundation Trust (“the Trust”) has been made aware of repeated complaints by bus operators and members of the public and there seemed to be an agreement that “whilst various junction and traffic features on Wigginton Road all slow traffic down, more effective management of both the Hospital multi-storey car park and the blue badge parking in the Hospital forecourt have an important role to play in improving speeds and reducing delays on this corridor”. HNM have evidence of severe delays for bus services on the Clarence Street - Wigginton Road corridor. This also reflects delays for other road users as buses and other vehicles all use the same road (no bus priority or segregated traffic lanes). The issues with access to the MSCP and blue badge parking have been identified with the Trust, along with the increase in journey times.

3.4 The provided information makes no mention of additional car parking being provided for staff and makes no commitment with regard to the number of car parking passes that will be removed, restrictions on MSCP use by staff, or improvements to alternative modes to ensure that staff can travel to work without using the MSCP or parking in surrounding residential streets. On this basis, Highways object based on the development’s unacceptable impact on highway

safety and severe residual cumulative impacts on the road network (as per NPPF section 109) is fully justified in their opinion.

3.5 HNM require the following additional information be provided: access route to these Bootham Park spaces), management of the spaces, what is the current use of these Bootham Park spaces/is this new arrangement displacing existing users
Request following conditions: No works to start without Bootham Hospital 108 spaces available and CEMP agreed, clear commitment to restrict staff MSCP use during the day. Stronger travel plan to be agreed with the planning authority within 6 months of works starting on site to address the longer term reduction in car parking spaces on site. Seek S106 for further financial support for dedicated Park & Ride services (amount TBC)

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT (CONSERVATION OFFICER)

3.6 Understood that the scale of the building and its location is necessary for clinical reasons. Following negotiations, the height of the building has been slightly reduced (reduction in height of the parapet wall). The elevational treatment of the building and proposed materials have also been improved.

3.7 The proposals will still cause harm to the setting of the conservation area, but the level of harm is at the lower end of less than substantial, and is therefore likely to be offset by the public benefits of improved healthcare provision. The improvements to the architectural quality of the building are just sufficient for it to meet the policy requirements in design terms.

3.8 Should the application be approved, request condition for materials samples to be submitted; and details of any edge protection measures that may be required on the roof.

LEAD LOCAL FLOOD AUTHORITY

3.9 Insufficient information was submitted with the application, however the Engineer considered that the information can be sought via condition.

PUBLIC PROTECTION

3.10 No objections. Request conditions for the followings: details of the any machinery, plant etc that is audible outside the premises to be submitted to the LPA; Submission for Construction and Environmental Management Plan; and the reporting of unexpected contamination.

PUBLIC RIGHTS OF WAY

3.11 No objections

NEIGHBOURHOOD ENFORCEMENT TEAM

3.12 No comments received

EXTERNAL CONSULTATIONS/REPRESENTATIONS

GUILDHALL PLANNING PANEL

3.13 No comments received

NETWORK RAIL

3.14 No objections

4.0 REPRESENTATIONS

4.1 No representations received

5.0 APPRAISAL

KEY ISSUES

Impact to heritage assets
Visual amenity
Highways and parking
Sustainability

PLANNING POLICY

5.1 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. The site is not considered to serve any greenbelt purposes and is not considered to be within the general extent of the greenbelt.

PUBLICATION DRAFT YORK LOCAL PLAN (2018)

Application Reference Number: 19/01880/FULM

Item No:

5.2 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 as revised in February 2019, the relevant 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).

5.3 The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications.

DRAFT DEVELOPMENT CONTROL LOCAL PLAN (2005)

5.4 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, 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 as revised in February 2019, although the weight that can be afforded to them is very limited.

National Planning Policy Framework (NPPF)

5.5 The revised National Planning Policy Framework was published February 2019 (NPPF) and its planning policies are material to the determination of planning applications. It is against the NPPF (as revised) that this proposal should principally be assessed.

5.6 The presumption in favour of sustainable development set out at paragraph 11 of the NPPF does not apply when the application of policies relating to impacts on the heritage assets indicates that there is a clear reason that permission should be refused.

HERITAGE ASSETS

Application Reference Number: 19/01880/FULM

Item No:

5.7 In accordance with sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, the Local Authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and the setting of a listed building in exercising its planning duties. Where there is found to be harm to the character or appearance of the Conservation Area, or the setting of a listed building, the statutory duty means that the avoidance of such harm should be afforded considerable importance and weight.

5.8 Paragraph 192 of the NPPF states that with regard to heritage assets, (which include conservation areas) when determining applications local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

5.9 NPPF states at paragraph 190 advises that the particular significance of a heritage asset that may be affected by the development proposal should be identified and assessed.

5.10 Paragraph 193 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset the greater the weight should be. Paragraph 194 states that any harm to the significance of a designated heritage asset from development within its setting should require clear and convincing justification.

5.11 The Courts have held that when a local planning authority finds that a proposed development would harm a heritage asset the authority must give considerable importance and weight to the desirability of avoiding such harm to give effect to its statutory duties under sections 66 and 72 of the 1990 Act. The finding of harm to a heritage asset gives rise to a strong presumption against planning permission being granted.

5.12 The NPPG states that "It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting."

5.13 The application site runs along the edge of Bridge Lane which cuts through the hospital site, and defines the edge of the Central Historic Core Conservation area (Bootham Park character area). The high brick wall along the southern side of Bridge Lane, defines the historic curtilage of Bootham Park Hospital which is a grade I listed building, set in its own grounds, alongside other associated heritage assets. The current York Hospital Building are set back from the walled boundary of the conservation area and the listed buildings. The proposed development would bring the hospital buildings to almost adjacent to this clearly defined boundary, separated from the boundary along Bridge Lane by a narrow service road. The proposed development would be one of the taller elements of the York Hospital complex. The views from the conservation area will largely be of the upper parts of the building.

5.14 The existing buildings adjacent to the central historic core conservation area, are harmful to its setting. The hospital complex does not compliment the character of the adjacent conservation area in scale and massing, architecture or materials, the tightly packed arrangement of buildings with no meaningful landscaping between buildings, and large areas of car parking. Bringing development further towards the conservation area, in a form that does not compliment the character of the area, and actually increases in height and massing beyond the existing buildings, is not considered to preserve or enhance the setting of the conservation area or adjacent listed building.

5.15 Policies D4 (Conservation Areas) and D5 (Listed Buildings) of the Draft Local Plan (2018) sets out when there is harm to heritage assets, open spaces, trees, views or other elements which make a positive contribution to the heritage assets development will be permitted only where this is outweighed by the public benefits of the proposal. The NPPF sets out where a proposed development would lead to substantial harm or to total loss of significance consent should be refused, unless this is necessary to achieve substantial public benefits that outweigh that harm or other specified factors apply (para 195); where a development proposal would lead to less than substantial harm to the significance of the asset, this harm should be weighed against public benefits of the proposal (para 196).

5.16 Whilst the revisions improve the appearance of the proposed development they do little to mitigate the massing and prominence of the proposed building, the alterations in the materials and façade have brought some improvement to the appearance of the building. The harm to the setting of the conservation area and the adjacent listed building is considered to be less than substantial. The proposed

development would provide significant public health benefits. The public benefit of the proposed development is considered to outweigh the harm to the setting.

DESIGN AND VISUAL AMENITY

5.17 Chapter 12 of the NPPF gives advice on design, placing great importance to the design of the built environment. At paragraph 130, it advises against poor quality design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The advice in Chapter 12 is reflected in DCLP policy GP1 (Design) and 2018 Emerging Local Plan policy D1 (Placemaking) and, therefore, these policies are considered to accord with the NPPF. The policies require new development to respect or enhance its local environment and be of an appropriate density, layout, scale, mass and design compatible with neighbouring buildings and using appropriate materials.

5.18 The proposed building would be 14.2 metres in height. The height of the building is dictated by the constraints of the hospital site: the little available space adjacent to the hospital buildings; level access to the neighbouring building; and the height requirements of the plant on the second floor. The south and east elevations would be finished in red brick, with a buff brick to the ground floor of the south elevation. External access to the building would be from the east elevation. The access road would be moved closer to the southern boundary, the railings dividing the site from the footpath would remain. The mass and bulk of the proposed building would result in a prominent development. The proposed development has been reduced in height, though it is relatively minor in relation to the overall building height. The proposed building will be noticeably taller than the adjacent immediate hospital buildings. The changes to the elevations represent a substantial improvement over the previously submitted scheme. The materials proposed (red brick) will give the building a higher quality appearance, and relate much more positively to the adjacent listed Bootham Park Hospital and Historic Core Conservation Area as well as the adjacent brick hospital buildings. The relief provided by the additional openings and contrasting brickwork, will help to enliven the building and go some way to reduce the perceived bulk of the building and improve the pedestrian experience along Bridge Lane.

RENEWABLE ENERGY AND SUSTAINABLE DEVELOPMENT

5.19 Policy CC2 'Sustainable Design and Construction of New Development' states that Developments which demonstrate high standards of sustainable design and construction will be encouraged. Development proposals will be required to demonstrate energy and carbon dioxide savings in accordance with the energy

hierarchy and water efficiency. All new non-residential buildings with a total internal floor area of 100m² or greater should achieve BREEAM 'Excellent' (or equivalent).

5.20 The development is an extension to the existing building and the agent advises that they are unable to achieve BREEAM 'Excellent' rating, but could achieve BREEAM 'Very Good'. In addition the agent advises that the budget of the development is restricted. Policy HW5 of the emerging Local plan (2018) supports the redevelopment of the hospital to enable it to expand its capacity and improve the quality of care provided. There is a compelling requirement for the vascular imaging unit to be provided. The Local Plan policy is considered to have moderate weight given the evidence base that supports it. However on balance it is considered that the need for the development outweighs the non-compliance with policy CC2.

DRAINAGE

5.21 The NPPF requires that suitable drainage strategies are developed for sites, so there is no increase in flood risk elsewhere. Local Plan Policy GP15a (Development and Flood Risk) and Publication Draft York Local Plan (2018) Policy ENV5 (Sustainable Drainage) advise discharge from new developments should not exceed the capacity of receptors and water run-off should, in relation to existing runoff rates, be reduced.

5.22 The proposed development is on a hardstanding area currently used for vehicle parking. No details have been submitted with the application of the proposed surface water disposal method as such it is considered necessary to seek an acceptable drainage scheme via condition.

HIGHWAYS

5.23 The NPPF encourages development that is sustainably located and accessible. Paragraph 108 requires that all development achieves safe and suitable access for all users. It advises at paragraph 109 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Further, paragraph 110 requires development to, inter alia, give priority first to pedestrians and cycle movements and create places that are safe, secure and attractive thereby minimising the scope for conflicts between pedestrians, cyclists and vehicles. Policy T1 of the 2018 emerging Local Plan supports the approach of the NPPF in that it seeks the safe and appropriate access to the adjacent adopted highway, giving priority to pedestrians and cyclists.

5.24 The proposal would result in the loss of 40 – 50 parking spaces, the supporting information states there would be a loss of 100 staff parking spaces as there is an

intention to prevent staff using parking spaces in the multi-storey car park. The parking spaces would be reduced by 150 during construction. The Highways Network Management team have set out their concerns (above) regarding the parking issues and the impact on the surrounding road network. The Highway Network Management Team have provided evidence that there has been an increase in congestion on Wiggington Road resulting from queuing onto the road from the hospital. The HNM team advise they have had discussions with the Hospital to try and overcome the issues however the issues appear to be still ongoing. Whilst temporary additional staff parking has been agreed at the adjacent Bootham Hospital site, this is just for a year. This parking is outside of the ownership of the hospital (and not within the red line of the application) and it is not considered that neither this parking or the access to this parking provision could be secured by a condition, it would not fulfil the condition tests. The HNM have requested a Travel Plan to address the parking issues of the hospital as a whole. It is considered that it would be unreasonable to use this application for a relatively minor development (when viewed in the context of the hospital as a whole) to seek a full a reorganisation of the travel for the hospital.

5.25 There may be an issue with the displacement of parking into the surrounding area, and this can be addressed to some extent by a Travel Plan. However on balance it is considered that the benefit of the vascular unit for the population for the wider area would outweigh the harm to the traffic congestion and parking displacement. A travel plan updated to take account of the development is considered to be reasonable and can be sought via condition.

6.0 CONCLUSION

6.1 The proposed development is considered to result in 'less than substantial harm' to the setting of the Central Historic Core Conservation Area and the adjacent Grade I listed Bootham Hospital. The Courts have held that when a local planning authority finds that a proposed development would harm a heritage asset the authority must give special regard to the relationship with heritage assets (including conservation area) and give considerable importance and weight to any harm identified in order to give effect to its statutory duties under sections 66 and 72 of the 1990 Act. The finding of harm to a heritage asset gives rise to a strong presumption against planning permission being granted. Where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal. The proposal would also result in visual harm and would likely result in further disruption and congestion to the neighbouring road network. However the proposal would provide a purpose built vascular unit which would expand the hospital capacity and benefit the health of the wider population of the city and surrounding areas. On balance it is considered that

the public benefits of the scheme outweighs the aforementioned specified harm. Approval is recommended subject to the following conditions.

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:-

Drawing Number YTHVIU-IBI-B1-00-PL-A-200-003 Revision 6 'Proposed Level 0 Floor Plan' received 02 April 2020;

Drawing Number YTHVIU-IBI-B1-01-PL-A-200-004 Revision 7 'Proposed Level 1 Floor Plan' received 02 April 2020;

Drawing Number YTHVIU-IBI-B1-02-PL-A-200-005 Revision 2 'Proposed Level 2 Floor Plan - Plant' received 02 April 2020;

Drawing Number YTHVIU-IBI-B1-02-PL-A-240-001 Revision 3 'Proposed Roof Plan' received 02 April 2020;

Drawing Number YTHVIU-IBI-B1-XX-EL-A-251-003 Revision 3 'Proposed Elevations' received 02 April 2020;

Drawing Number YTHVIU-IBI-B1-XX-PL-A-700-000 Revision 2 'Site Location Plan' received 02 April 2020;

Drawing Number YTHVIU-IBI-B1-XX-PL-A-700-002 Revision 1 'Proposed Site Plan' received 02 April 2020;

Drawing Number YTHVIU-IBI-B1-00-PL-A-700-003 Revision 5 'Proposed External Works' received 02 April 2020;

Drawing Number YTHVIU-IBI-B1-XX-SE-A-200-001 Revision 1 'Building Sections' received 02 April 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 VISQ8 Samples of exterior materials to be app

4 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 and approved in writing by the Local Planning Authority. 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 maintained thereafter.

Note: The combined rating level of any building service noise associated with plant or

Application Reference Number: 19/01880/FULM

Item No:

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.

5 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 shall reference 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 CEMP, unless otherwise agreed in writing by the Local Planning Authority.

Informative:

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, shall be detailed within the CEMP. Where particularly noisy activities are expected to take place then details shall 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 situations, including the location of positions, recording of results and identification of mitigation measures required.

Vibration details shall 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 shall 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 shall 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

Application Reference Number: 19/01880/FULM

Item No:

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 reference 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.

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

The CEMP shall include plans for deliveries and contractor parking, restricted construction access at peak times (to be agreed based on York Teaching Hospital NHS Foundation Trust information and data as peak hospital times differ from network peaks).

Reason: To protect the amenity of the locality

6 In the event that unexpected contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme must be prepared, which shall be submitted to and approved in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by 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 Prior to construction, details of the edge protection measures to the roof of the approved extension shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include large scale details/sections. The development shall be constructed in accordance with these approved details.

Reason: So as to achieve a visually cohesive appearance. The information is sought prior to commencement to ensure so the Local Planning Authority may be satisfied with these details for the visual amenity of the proposed development.

8 Prior to the commencement of development details of the proposed means of surface water drainage, including details of any balancing works and off site works, shall be submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: No information was submitted with the application. Information is required so the Local Planning Authority may be satisfied with these details for the proper drainage of the site. The information is sought prior to commencement to ensure that drainage details are approved in advance of the carrying out of any groundworks on the site, which may compromise the implementation of an acceptable drainage solution for the development.

9 Prior to first occupation of the development, a revised travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall set out how the loss of the parking resulting from the development shall be adequately managed.

Within 12 months of occupation of the development, a first year travel survey shall have been submitted and approved in writing by the Local Planning Authority. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan coordinator for approval.

Reason: Insufficient information was submitted during the application process. To ensure the development complies with advice contained in local and national transportation and planning policy, and to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other modes of transport to and from the site, together with provision of parking on site for these users.

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

Application Reference Number: 19/01880/FULM

Item No:

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:

- Requested revised plans
- Requested additional information
- Use of conditions

2. 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.

3. INFORMATIVE:

Application Reference Number: 19/01880/FULM

Item No:

You are advised that this proposal may have an effect 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.

Contact details:

Case Officer: Victoria Bell

Tel No: 01904 551347