

COMMITTEE REPORT

Date: 25 November 2010 **Ward:** Clifton
Team: Major and Commercial **Parish:** Clifton Planning Panel
Team

Reference: 10/01677/FULM
Application at: Nuffield Hospital York Haxby Road York YO31 8TA
For: Construction of 83 bed residential care home including ancillary facilities, external works and access
By: Primary Care Investments Ltd
Application Type: Major Full Application (13 weeks)
Target Date: 2 November 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 This is a full application for the erection of a new, 83 bed roomed, residential nursing care home at land adjacent to Nuffield Hospital, Haxby Road York

1.2 The site is an area of 0.46 ha located on the east side of Haxby Road. Access to the site is from Haxby Road via the access that serves the Nuffield Hospital. The site is currently used as a car park and has been leased out to the NHS hospital during the alterations/improvements that have been taking place at that site. To the north, east and south of the site is existing residential development and to the west is the car park for the Nuffield Hospital. Conservation area no.35 The Nestle/ Rowntree factory is located to the west and incorporates the majority of the Nuffield Hospital Buildings and the front part of the Nuffield Hospital car park.

1.3 The proposed development is designed to provide two and three storey communal and bedroom accommodation for a residential care home with ancillary facilities on a fourth floor. The care facility includes a 10 bed roomed young physically disabled (YPD) area at ground floor level. The building presents an L-shaped structure to the North-west of the site enclosing a 19 space car parking area, 16 space secure cycle parking and access arrangements. The north wing is two storeys with a flat, parapet roof, the west wing, is three storeys with ancillary facilities provided over part of the flat roofed area creating a fourth floor. A further wing to the building extends east wards at three storeys. The total internal floor area of the structure is 4,091 square metres.

1.4 The application has been amended since first submission in the following ways:-

-increase in separation distance between northern end of the building and the boundary.

- Alterations to the design and size of the top storey of the building

- Additional landscaping to the western boundary and south-eastern boundary adjacent to garages
- Visitor cycle hoops to entrance
- Relocation of drainage runs from under tree canopies
- Adjustment of external materials

1.5 The application is supported by a Design and Access statement incorporating a Sustainability Statement, Geo-Environmental report, Tree survey and Arboricultural report and Topographical survey.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

Floodzone 2 GMS Constraints: Flood zone 2

Schools GMS Constraints: Haxby Road Primary 0198

2.2 Policies:

CYH17
Residential institutions

CYGP1
Design

CYGP4A
Sustainability

CYGP9
Landscaping

CYHE2
Development in historic locations

CYNE1
Trees, woodlands, hedgerows

3.0 CONSULTATIONS

INTERNAL

3.1 Highway Network Management - Expected levels of traffic generation are low and are unlikely to have a material impact on the surrounding highway

network. The access arrangements are considered suitable to serve the level of development proposed. Although the site will employ 80-90 staff due to staff shift patterns the expected maximum staff on site at any one time is approximately 15 to 20. Car parking levels are therefore realistic and will be supported by the aims of a travel plan which will further reduce car borne trips generated by the site.

3.2 City Development - relevant policies are H17, HE2, HE4, GP4a and NE1. There are no policy objections to the application provided housing and adult services are supportive of the principle of the development. Officers should be satisfied with the design, heritage, landscape and sustainability considerations.

3.3 York Consultancy - The development is within flood zone 1 and is unlikely to suffer from river flooding. Object to the application which provides insufficient and conflicting information about drainage.

3.4 Countryside Officer - The development presents a good opportunity to carry out some habitat enhancement work to benefit a range of species. The enhancement works should include features included within the design of the building such as bat bricks and tiles. A condition is suggested to ensure that a habitat enhancement is achieved as part of the development.

3.5 Design and Conservation - The proposal represents an intensive development of the site. The built form whilst not directly impacting on the setting of the conservation area presents a functional west elevation which will be visible from the conservation area. The screen planting proposals to this elevation need to be clearly understood, and should be covered by an appropriate condition. The external materials proposed for the development are a mix of brick, render and metal cladding panels. Although these are the materials found on the adjacent Nuffield Hospital - the former recreation block to the Rowntree factory complex - the design intent still needs to be clear. Revisions to the scheme have increased the amount of facing brick which is welcome, but the external materials should still be covered by an appropriate condition. The external amenity space looks okay on plan, in reality the depth will feel smaller because of the more powerful vertical presence of the trees and the shade they will cast due to their location on the southern boundary. Nonetheless the physical distance between trees and buildings is acceptable. Because of the tightness of the development to the existing landscape margins appropriate construction phase protection and the subsequent landscape improvements to the perimeter of the site will need to be carefully controlled by condition.

3.6 Engineering Consultancy - The site is in flood zone 1 and should not suffer river flooding. Insufficient and conflicting information has been provided to determine the potential impact the proposal may have on the existing drainage systems. Engineering consultancy therefore currently object to the application.

3.7 Environmental Protection - No objections in principle subject to extensive conditions covering protection of surrounding properties during the

construction of the building through a Construction Environmental Management plan, ensuring noise from plant and machinery is at an acceptable level, protection of residents from road noise, controlling odour from kitchens, contamination and levels of external lighting.

3.8 Sustainability Officer – Comments awaited

EXTERNAL

3.9 Clifton Ward Planning Panel - The size of the building footprint and the bulk of the building raises some concern because of the impact of the development on the neighbouring houses to the south and the east, although it is considered that a good attempt has been made to reduce the overall appearance of the development through the elevational treatment of the building. Concerned about overshadowing; there appeared to be no sun-path diagram in the documents, this might be especially relevant to properties on the north side of the development. Question the size of the cycle store and the ability to expand this area if necessary. It is assumed that the care staff will be the main users of cycle places. The panel question whether 19 parking spaces will be sufficient for the number of beds and staff.

3.10 Police Architectural Liaison Officer - Analysis of police recorded incidents show no significant issues related to crime and the location of the site. The design and access statement demonstrates that crime prevention has been considered. The applicant is encouraged to apply for the Police secure by design award. There are no concerns regarding crime and community safety in relation to this development.

3.11 Environment Agency - No objections provided a condition is imposed to ensure that surface water drainage details, based on sustainable drainage principles, is conditioned.

3.12 2 letters of objection have been received covering the following points:-

- There were tunnels under the car park do these tunnels still exist
- The building covers the greater part of the land area and is intrusive to surrounding residential properties, impacting on the privacy of individuals.
- The proposal is effectively a three storey structure, the surrounding properties are only two; the building will overwhelm by its size and construction
- Reduce natural light to surrounding properties
- Parking will be a problem. The public rely less on public transport than the council would have us believe
- There are better sites for this scheme such as Vickers Instruments site on Haxby Road.
- The block is very high and near the back of properties on Kitchener Street
- Noise levels will increase because the proposal is a 24 hour operation
- There is already a parking problem in Kitchener Street this will be made worse by the development

Publicity

3.13 The application has been advertised by means of a site notice posted on the 17th August 2010, a press advert dated 28th August 2010 and via neighbourhood notification letters.

4.0 APPRAISAL

4.1 Key Issues:-

- Policy Background
- Principle of the development
- Design and Landscaping
- Highways, access and parking
- Residential Amenity
- Policy H17 considerations
- Ecology
- Drainage
- Sustainability

4.2 The proposal is for an 83 bedroomed care home, 10 of the beds are envisaged to accommodate young physically disabled (YPD).

4.3 Government guidance in Planning Policy Statement 1 ("Delivering Sustainable Development") (PPS1) states that a number of key principles should be applied to ensure that decisions taken on planning applications contribute to the delivery of sustainable development. In particular, PPS1 promotes high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact, not just for the short term but over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted. High quality and inclusive design should create well-mixed and integrated developments which avoid segregation and have well planned public spaces that bring people together and provide opportunities for physical activity and recreation.

4.4 Planning Policy Statement 4 (PPS4) 'Planning for Sustainable Economic Growth' says that economic development includes public and community uses and that policies in the PPS also applies to other development that either provides employment opportunities, generates wealth or produces or generates an economic output. Policy EC10 of PPS4 says that Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. All development should be assessed against the following impact considerations:-

- a. whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change
- b. the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured

- c. whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions
- d. the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives
- e. the impact on local employment

4.5 Planning Policy Statement 5 - 'Planning and the Historic Environment' says the Government's overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. To achieve this the Government's objectives for planning for the historic environment are to deliver sustainable development, to conserve England's heritage assets in a manner appropriate to their significance and to contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

4.6 PPS5 is supported by a practice guide which provides more detailed advice on how to deal with applications in an historic environment. In particular paragraph 80 says policies HE7.5, HE9.5 and HE10 require attention to the extent to which the design of new development contributes positively to the character, distinctiveness and significance of the historic environment. The paragraph acknowledges that a successful scheme will be one whose design takes into account sites historical features including views into and from the site and surroundings and green landscaping.

4.7 PPS9 'Biodiversity and Geological Conservation' says development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, Local Planning Authorities should maximise such opportunities in and around developments, using planning obligations where appropriate.

4.8 The following local plan policies are considered to be relevant to the application:-

- Policy H17 which states that planning permission will only be granted for residential institutions where the development, together with existing residential institutions or unimplemented planning permissions 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.

- Policy C1 says that planning applications for social, health, community and religious facilities will be granted provided that the proposed development is of a scale and design appropriate to the character and appearance of the locality and it would meet a recognised need.

- Policy GP1 'Design' 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.

- 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 and sets out those issues to consider as part of a sustainably designed development. The interim planning statement on Sustainable Design and Construction supports Policy GP4a in setting out ways to achieve sustainability furthermore the document requires that 10% onsite renewables are achieved.

- Policy GP9 requires where appropriate developments to incorporate a suitable landscaping scheme

- Policy HE2 'Development in Historic Locations' says within or adjoining conservation areas, and in locations which affect the setting of listed buildings development proposals must respect adjacent buildings, open spaces, views, landmarks and other townscape elements which contribute to the character or appearance of the area.

- Policy NE1 requires that trees, woodlands and hedgerows which are of landscape, amenity, nature conservation or historical value will be protected.

PRINCIPLE OF THE DEVELOPMENT

4.9 The site is located within the built area of the city as defined in the City of York Draft local plan. The site has previously been used for industrial purposes in connection with the former use of the site by Nestle/Rowntrees and is currently used as a car park. Originally allocated for employment use the site has not been included as employment land within the employment land review and its retention as employment land is not required. PPS4 says Local Planning Authorities should be supportive of economic development subject to the detailed design of the scheme. There are no policies in the Local Plan that would preclude the use of the site for a residential care home subject to the details of the scheme being acceptable. The principle of the development is therefore considered to be acceptable.

DESIGN AND LANDSCAPING

4.10 The proposed building is predominantly 3 storey with a significant 4 storey element housing the ancillary accommodation and a two storey north wing. The site is currently used as a car park. Nuffield Hospital, which fronts the Haxby Road to the west of the application site, occupies the former Rowntree staff welfare/canteen building. The hospital building is an imposing red brick building with a tall and detailed parapet with later additions to the roof storey in grey metal clad set behind. The adjoining theatre building is listed and the Nestle Rowntree Conservation Area includes these buildings

and the Haxby Road frontage. The proposed form of the development attempts to reflect the form of the Nuffield Hospital using facing brick/render panels with a parapet and flat roof to the 2/3 storey elements and metal cladding to express the vertical circulation cores and to the 4th storey element which has a pitched roof. The design and access statement suggests that the building adopts the form of the industrial buildings of the Rowntree complex and specifically the Nuffield hospital building.

4.11 Both PPS1 and PPS4 says that new developments should secure high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions. Policy GP1 of the Local Plan includes the expectation that development proposals will respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces. PPS5, in the accompanying practice guide acknowledges that the views into and out of the conservation area are an important consideration.

4.12 The application site has a varied visual context; the Haxby Road frontage has distinctive industrial design associated with the former use of the area by the Rowntree factory. The north, south and east is domestic scale development of varying ages. The design of the scheme very much aligns itself with the design of the industrial qualities of the surrounding development and there is as much legitimacy for this approach as for the alternative approach of a more domestic design approach. In the context of policies the issue is whether the design undermines the character and qualities of the area, respects the local environment or detracts from views into or out of the conservation area.

4.13 The building is set back from Haxby Road and from this vantage point the main visual references are the existing former industrial buildings (now Nuffield Hospital). In this context the proposed building will not, in officer's view, be out of character with its surroundings. The domestic properties to the north, east and south are less visually related to the site because of the planting to the site boundaries and the intervening rear access roads. Taking reference for the design from these structures is not necessarily a more legitimate approach than that taken by the architect and may make it difficult for the applicant to achieve the level of floor space required on site. In Officer's opinion the scheme has evaluated its surroundings and identified a design that has regard to the character and qualities of the area. Subject to the conditions as suggested by the Conservation Officer the form of development would be it is felt be appropriate for the site.

4.14 The application is supported by a landscaping scheme and Arboricultural report. The Landscaping scheme seeks to retain existing boundary planting and to enhance this planting. New trees are proposed to the west and eastern boundaries and existing hard surfacing around the new building is to be replaced with grassed areas, new shrub planting and patio areas. The application has been amended since first submission to pull the building away from planting on the northern boundary, incorporate more trees in to the car park area and to the east and west boundaries. Drainage runs have been relocated from under tree canopies. Protective fencing is proposed during the

construction period. The alteration of the building on the northern side overcomes some of the concerns of the Landscape Architect. However some concern remains about the overshadowing of the main garden area to the south of the care home by existing trees and hence the usefulness of the garden as an outside space. The applicant's agent takes a different view on this garden area. In their experience the garden will not be used significantly by residents, but residents will be able to look out at the trees from the communal areas and bedrooms providing them with a pleasant outlook.

4.15 There are no planning policy requirements for minimum garden areas, garden orientation or provision of outdoor facilities for care homes. Nonetheless, the landscaping both existing and proposed and the space around the development will provide a good setting for the building and Officers are satisfied with the principles of the proposed landscaping scheme. Conditions are proposed to ensure that existing planting is protected during construction and that the landscaping scheme submitted is properly detailed and implemented.

HIGHWAYS, ACCESS AND PARKING

4.16 Access to the development is from Haxby Road via an existing access which also serves Nuffield Hospital. The proposal includes 19 car parking spaces, 16 covered and secure cycle spaces and three Sheffield hoops for visitor cycle parking. The parking area is located on the north-west side of the building adjacent to the former sweet shop building used by Rowntree and now housing plant associated with the Nuffield hospital.

4.17 The supporting information with the planning application is based upon nationally recognised TRICS data and the applicant's experience of running a number of these types of homes. From this information it can be ascertained that the expected levels of traffic generation are low, in the region of 8 movements during the peak network periods, and are unlikely to have a material impact on the surrounding highway network. Access to the site is via the existing junction onto Haxby Road, which is also used by the Nuffield Hospital. The access arrangements are considered suitable to serve the level of development proposed.

4.18 The site will employ in the region of 80 to 90 staff; however due to staff shift patterns and the differing nature of roles (clerical/nurses/maintenance etc) the expected maximum number of staff on site at any one time is approximately 15 to 20. Car parking levels are therefore realistic and will be supported by the aims of a travel plan which will further seek to reduce car borne trips generated by the site.

4.19 The site can be considered to be in a sustainable location and is well served by bus stops served by frequent public transport services on Haxby Road, footways and cycle ways.

4.20 Highway Network Management raise no objections to the application subject to conditions which ensure the proper implementation of the development, cycle parking provision and travel plan.

RESIDENTIAL AMENITY

4.21 Existing residential development is located to the north, south and east of this proposed site. To the south are two storey Victorian terrace properties located on Kitchener Street. The properties are separated from the site by a rear alley approximately 3 metres wide. To the west, located on Huntington Road are more modern terraced properties. The properties have a shared vehicular access to the rear and are at a lower level than the application site. To the north at the rear of Haley's Terrace there is a pair of semi-detached properties. All the surrounding properties have main rear elevations facing the site.

4.22 The foot print of the building is such that to the north there will be a two storey end elevation of the building facing the boundary at a distance of between 7 and 8.5 metres. This end elevation, which is 16.5 metres wide and has within it two bathroom windows, a ground floor door and first floor stairway windows, is two storey height with maximum height of 6.6 metres. The distance between the rear face of the properties to the north and the building will be approximately 16.5 metres. To the southern boundary one of the main elevations of the building is proposed. This elevation runs 47 metres parallel with the boundary, the main part of the elevation is 3 storeys high but also there is a fourth storey provided on the roof which joins in to the main structure along the elevation so that along the length of the elevation the height of the building varies between 9.5 metres and 10.7 metres. The remaining part of the fourth storey is set back from the roof line by 1 to 2 metres and itself stand 2.1 metres high to eaves and 3.6 metres high to apex. The main bedroom windows face this boundary as well as some of the communal areas. The building is between 11 and 13 metres from the southern boundary with a single storey element and first floor balcony being 8 metres from the boundary. The distance between properties on Kitchener Street and the main face of the building is between 23 and 25 metres (this discounts the ground floor outriggers to the properties). To the western boundary the end elevation of the eastern wing of the building faces the site at a distance of between 11.5 and 12 metres, the elevation stands 9.5 metre high and is 11.5 metres wide. The distance between the properties and the building on this side is between 24 and 26 metres.

4.23 From the above analysis the distance on all boundaries between the building and the properties is considered to ensure the amenity of the residential properties will not be unduly affected by the development; furthermore all boundaries are reasonably well screened by existing planting, and to the east and south the site is separated from the houses by intervening access roads. GP1 of the Local Plan requires that developments should ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures. Whilst it is clear that the structures will be visible to adjacent residents and that the overall outlook from the rear of their properties will be changed, the details of the scheme are considered to provide an acceptable relationship between existing and proposed development sufficient to accord with the requirements of GP1.

4.24 Environmental Protection are not objecting to the application but require a number of condition relating to the detail of the development to ensure neighbours are not affected by the development. Issues covered by condition include Construction Environmental Management plan, noise from plant and machinery, internal noise levels, odour from kitchens, contamination and external lighting.

POLICY H17 CONSIDERATIONS

4.25 Policy H17 only supports residential institutions where there development 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. Officers have examined appeal cases where this issue has been considered and it appears that there is little support for refusal on the basis of a lack of local facilities. In the main this is because the registering authority for care homes (Care Quality Commission) considers this issue through the licensing process. Consideration of the issue through the planning process would, therefore, merely duplicate controls that already exist under licensing legislation. Furthermore paragraph 65 of circular 3/2005 states that in relation to care homes that have to be registered, registration can be refused on the grounds that the home would not provide adequate services or facilities reasonably required by residents or patients. However in the case of this development the site is close to Haxby Road which is well served by public transport and it is a short walk down the road to local shops. The care home location is considered to be well located in terms of local facilities. City Development is not objecting to the principle of the development and has not identified a concentration of care home schemes within the area. The application is considered to accord with the requirements of Policy H17.

BIODIVERSITY

4.26 The Countryside Officer acknowledges that the site as existing provides little of nature conservation value. However the development provides opportunities to provide wildlife habitat enhancement works. The design of the building should include measures for habitat enhancement especially for bats and birds. Use of British native landscaping within the planting scheme will also help increase the wildlife value of the site. The requirements of the Countryside Officer are legitimate planning considerations within the context of PSS 9, and a condition is proposed to ensure the measures suggested are incorporated in to the design and landscape for the development.

DRAINAGE

4.27 The site is in flood zone 1 and should not suffer river flooding. Engineering Consultancy considers that insufficient and conflicting information has been provided to determine the potential impact the proposal may have on the existing drainage systems. Whilst it is considered that there has been enough information submitted to show that the site can be drained and that outstanding issues can be subject to conditions, an update will be provided to

committee providing details of conditions and any additional information submitted by the applicant to address the concerns of raised.

4.28 The Environment Agency is not objecting subject to a sustainable drainage condition being imposed on any permission granted.

SUSTAINABILITY

4.28 The application is supported by a sustainability statement which commits to the principles set out in Policy G4a of the Local Plan and the IPS on sustainable design and construction. It is proposed to condition the application to require a BREEAM 'very good' rating is achieved and to ensure 10% of energy generated for the building is from renewable sources. The Sustainability Officer's comments on the proposals are awaited and will be reported direct to Committee.

5.0 CONCLUSION

5.1 The site is located within the built area of the city as defined in the City of York Draft Local Plan. The site has previously been used for industrial purposes in connection with the former use of the site by Nestle/Rowntree and is currently used as a car park. Originally allocated for employment use, the site has not been included as employment land within the employment land review and its retention as employment land is not required. PPS4 says Local Planning Authorities should be supportive of economic development subject to the detailed design of the scheme. There are no policies in the Local Plan that would preclude the use of the site for a residential care home subject to the details of the scheme being acceptable. The principle of the development is therefore considered to be acceptable.

5.2 In Officers' opinion the scheme has evaluated its surroundings and identified a design that has regard to the character and qualities of the area. The building takes reference for its design from its surroundings as required by Government Guidance and Local Plan policies. In terms of landscaping there are no planning policy requirements for minimum garden areas, garden orientation or provision of outdoor facilities for care homes. The landscaping both existing and proposed will provide a good setting for the building and officers are satisfied with the principles of the proposed landscaping scheme. Conditions are proposed to ensure that existing planting is protected during construction and that the landscaping scheme submitted is properly detailed and implemented.

5.3 Highway Network Management raise no objections to the application subject to conditions which ensure the proper implementation of the development, cycle parking provision and travel plan.

5.4 The distance on all boundaries between the building and the adjoining residential properties is considered to ensure the amenity of the properties will not be unduly affected by the development; furthermore all boundaries are reasonably well screened by existing planting and to the east and south the site is separated from the houses by intervening access roads. GP1 of the

Local Plan requires that developments should ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures. Whilst it is clear that the structures will be visible to adjacent residents and that the overall outlook from the rear of their properties will be changed the details of the scheme are considered to provide an acceptable relationship between existing and proposed development sufficient to accord with the requirements of GP1.

5.5 Additional drainage details are awaited and conditions and further comments will be reported direct to committee.

5.6 The comments of the Sustainability Officer are awaited.

5.7 In all other respects the application is considered to be acceptable subject to appropriate conditions.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

L3066 (9-)902 Rev C
L3066 (- -)21 Rev C
L3066 (- -)22 Rev C
L3066 (- -)13 Rev D
L3066 (- -)20 Rev C
L3066 (9-)904 Rev A
L3066 (- -)25 Rev B
L3066 (- -)23 Rev B
L3066 (- -)12 Rev D
L3066 (- -)11 Rev D
L3066 (- -)10 Rev D
L3066 (9 -)901 Rev B
L3066 (5 -)500 Rev A
11081 - 166 - Topographical survey
2212/3 Revision B

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

3 VISQ7 Sample panel ext materials to be approv

4 VISQ8 Samples of exterior materials to be app

5 Prior to commencement of the development, an 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

6 All construction and demolition 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.

Reason: To protect the amenity of local residents

7 Details of all machinery, plant and equipment to be installed in or located on the development hereby permitted, which is audible at any business, residential or hotel accommodation, shall be submitted to the local planning authority for written approval. These details shall include maximum (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 protect the amenity of local residents and occupants of the care home

8 The building envelope shall be constructed so as to provide sound attenuation against externally generated noise to achieve internal noise levels of not more than 30dB(A) Leq 8 hour from 11.00pm to 7.00am, 45 dB(A) L_{max} between 11.00pm and 7.00am, and 35dB(A) Leq from 7.00am to 11.00pm in all bedrooms of the development, with alternative methods of ventilation where required. The detailed scheme shall be approved in writing by the local planning authority and fully implemented before the development hereby approved is constructed. All works which form part of the scheme shall be completed before any part of the development is occupied. The works provided as part of the approved scheme shall be permanently retained and maintained as such except as may be agreed in writing by the Local Planning Authority. The aforementioned written scheme shall demonstrate that the noise levels specified will be achieved.

Reason: To protect the amenity of future occupants

9 Upon completion of the development, delivery vehicles shall be confined to the following hours

Monday to Saturday	07.00 to 23.00
Sundays and Bank Holidays	9.00 to 18.00

Reason: To protect the amenity of future residents and local neighbours

10 There shall be adequate facilities for the treatment and extraction of cooking odours from kitchens in the care home. Details of the extraction plant or machinery and any filtration system required shall be submitted to the Local Planning Authority for written approval. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the amenity of local residents.

11 Prior to the commencement of the development or within such longer period as may be agreed in writing prior to commencement full details of all external lighting including a full Lighting Impact Assessment for all proposals, undertaken by an independent assessor (not the applicant or the lighting provider), shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Impact Assessment shall include the following:

- A description of the proposed lighting: number of lighting columns and their height, and proposed lighting units.
- Drawings showing the illuminance levels (separate drawings for each item listed):
 - A plan showing horizontal illuminance levels(Eh), showing all buildings within 100 metres of the site boundary
 - A plan showing vertical illuminance levels (Ev), showing all buildings within 100 metres of the site boundary.
 - A specification of the Environmental Zone of the application site, as defined in The Institution of Lighting Engineers' Guidance Notes for the Reduction of Light Pollution.
 - A statement of the need for floodlighting.

Reason: To protect the amenities of adjacent residents.

12 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts a to c of this condition have been complied with:

a. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The

investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination (including ground gases, where appropriate);
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

b. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended development by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and 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.

C2 Reporting of Unexpected Contamination

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 in accordance with the requirements of the previous condition, 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 in accordance with the previous condition.

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.

13 HWAY40 Dilapidation survey

14 The site shall not be occupied until a Full Travel Plan has been submitted and approved in writing by the Local Planning Authority. The travel plan should be developed and implemented in line with local and national guidelines. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan.

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

Reason: To ensure the development complies with advice contained in PPG13 (Transport), and in policy T20 of the City of York deposit Draft Local Plan, and to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site, together with parking on site for these users.

15 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 Local Planning Authority. Such a statement shall include at least the following information;

- the routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours
- where contractors will park
- where materials will be stored within the site
- details of how the car parking area will be managed during the construction period to ensure adequate car parking remains

- measures employed to ensure no mud/detritus is dragged out over the adjacent highway.

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.

16 HWAY21 Internal turning areas to be provided

17 HWAY18 Cycle parking details to be agreed

18 HWAY19 Car and cycle parking laid out

19 No development shall take place until details have been submitted to and approved in writing by the Council of the measures to be provided within the design of the new building and landscaping to enhance the biodiversity of the site. The works shall be completed in accordance with the approved details in accordance with a timescale to be agreed in writing as part of the submitted scheme.

NB. Features suitable for incorporation include measures for species that use buildings such as bats and birds and enhancement of the existing landscape areas that form the boundaries of the site.

Reason: This is proposed to take account of and enhance the habitat and biodiversity of the locality in accordance with PPS9 'Biodiversity and Geological Conservation'.

20 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscape scheme which shall include the species, density (spacing), stock size, and position of trees, and details of ground preparation. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing. This also applies to any existing trees that are shown to be retained within the approved landscape scheme. Any works to existing trees that are protected by a tree preservation order (TPO) or are in a conservation area are subject to local authority approval and notification respectively within and beyond this five year period.

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

21 No development shall take place, including demolition, site clearance and the installation of utilities, until there has been submitted and approved in writing by the Local Planning Authority a method statement regarding protection measures for the existing trees to be retained. This statement shall

include the following: details and locations of protective fencing to BS 5837:2005 to be shown on a plan; phasing of demolition/clearance and landscape works; type of machinery/vehicles to be used (including excavators); parking arrangements for site vehicles; locations for off-loading and storage of materials; location of site cabin.

The protective fencing line shall create exclusion zones that will be adhered to at all times during operations associated with the development. None of the following activities shall take place within the exclusion zones: excavation below existing surface construction, raising of levels, mechanical cultivation, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles, mixing of cement, disposing of washings, storage of fuel. Within the exclusion zone there will be no new trenches or pipe runs for utilities or drains, and no site huts et al. The fencing shall remain secured in position throughout the demolition and construction process. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing. All contractor's staff on site shall be made aware of the content of the method statement and its gravity.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area and/or development.

22 The development hereby approved shall be constructed to a BREEAM standard of 'very good'. A formal Post Construction assessment by a licensed BREEAM assessor shall be carried out and a copy of the certificate shall be submitted to the Local Planning Authority prior to occupation of the building. Should the development fail to achieve a 'very good' BREEAM rating a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a 'very good' rating. The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of GP4a of the City of York Development Control Local Plan and the Interim Planning Statement 'Sustainable Design and Construction'

23 No building work shall take place until details have been submitted and approved in writing by the Local Planning Authority to demonstrate how the development will provide, from on-site renewable energy, 10 per cent of the developments predicted energy demand. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of the development. The site thereafter shall be maintained to at least the required level of generation.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of GP4a of the City of York Development Control Local plan and the Interim Planning Statement 'Sustainable Design and Construction'

24 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:-

- a minimum of 30% reduction in surface water discharge for any new development from the site
- a design that ensures that storm water resulting from a 1 in 100 year event and surcharging the drainage system can be stored on the site without risk to people or property and without overflowing into the watercourse
- details of how the scheme shall be maintained and managed after completion

Reason: To prevent the increased risk of flooding to improve and protect water quality, improve habitat and ensure future maintenance of the surface water drainage system.

7.0 INFORMATIVES:

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