

# 6

15/01500/FUL

**Revised application for the demolition of existing building and construction of 37 retirement living housing units (category II type accommodation), communal facilities, landscaping and car parking (reduction in car parking spaces from 36 to 35). at Land North of Stillington Road, Easingwold for McCarthy and Stone Retirement Lifestyles Ltd.**

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The proposal relates to a site on the north side of Stillington Road, between the residential estates of Ingleton Drive (also known as the Broadlea area) and Galtres Drive. To the east of the site there is a Fire Station and two depots. The site was formerly used as an office furniture supplies depot with incidental sales covering 2,023 square metres. The site area is noted to be 0.47 hectares (1.16 acres). Following the approval of application 14/01120/FUL the former buildings have been removed and construction has begun.
- 1.2 The revised application proposes a reduction in the size of the site such that the westernmost part of the site that provided car parking spaces would be removed from the scheme to "provide the neighbour Wainwright Bathrooms, the opportunity to buy the land to expand its business." (Addendum to Planning Statement supplied by the applicant.) The consequence is a reduction from the approved 36 spaces to 35 spaces.
- 1.3 The site is within the Development Limits of Easingwold.
- 1.4 The building would still comprise 37 market housing units, 17 of which would be one bedroom units and 20 would be two bedroom units. In line with the previous application, none of the units are proposed to be made available as affordable housing.
- 1.5 The application indicates that a post for one full time employee would be generated by the development.
- 1.6 An "Extended Phase 1 Habitat Survey" has been undertaken that concludes that a Bat Survey should also be undertaken. The applicant has commissioned a Bat Survey.

## 2.0 PLANNING AND ENFORCEMENT HISTORY

- 2.1 11/02245/FUL - Application for the construction of 5 dwellings and a retail food store with associated parking, servicing and landscaping. Resolved to be refused 1st March 2012, appeal against non-determination and appeal subsequently withdrawn.
- 2.2 14/01120/FUL - Demolition of building and construction of 37 retirement living housing units (category II type accommodation), communal facilities, landscaping and car parking; granted 23 January 2015.

## 3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP2 - Access

Core Strategy Policy CP4 - Settlement hierarchy  
 Core Strategy Policy CP8 - Type, size and tenure of housing  
 Core Strategy Policy CP9 - Affordable housing  
 Core Strategy Policy CP12 - Priorities for employment development  
 Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
 Core Strategy Policy CP17 - Promoting high quality design  
 Core Strategy Policy CP18 - Prudent use of natural resources  
 Core Strategy Policy CP19 - Recreational facilities and amenity open space  
 Core Strategy Policy CP21 - Safe response to natural and other forces  
 Development Policies DP1 - Protecting amenity  
 Development Policies DP2 - Securing developer contributions  
 Development Policies DP3 - Site accessibility  
 Development Policies DP4 - Access for all  
 Development Policies DP12 - Delivering housing on "brownfield" land  
 Development Policies DP13 - Achieving and maintaining the right mix of housing  
 Development Policies DP15 - Promoting and maintaining affordable housing  
 Development Policies DP17 - Retention of employment sites  
 Development Policies DP32 - General design  
 Development Policies DP34 - Sustainable energy  
 Development Policies DP37 - Open space, sport and recreation  
 Development Policies DP43 - Flooding and floodplains  
 Allocations Document Policy EM1 - Mixed Use Stillington Road/York Road, Easingwold -  
 adopted 21 December 2010  
 Supplementary Planning Document - Open Space, Sport and Recreation - Adopted 22  
 February 2011  
 Affordable Housing - Supplementary Planning Document - Adopted 7 April 2015

#### **4.0 CONSULTATIONS**

- 4.1 Easingwold Town Council - wish to see the application approved but wish to see provision of improved access for mobility scooters and pedestrians through George Long Mews and improved pavements on Stillington Road. (A request was made to the developer on 4 August however as yet a response has not been received).
- 4.2 Highway Authority - no objection subject to conditions.
- 4.3 Yorkshire Water - recommend conditions.
- 4.4 Environmental Health Officer - no response.
- 4.5 Environmental Health Scientific Officer - supports the remediation strategy prepared by the applicant to deal with land contamination on the site.
- 4.6 NYCC Head of Extra Care - no response.
- 4.7 Network Rail - no observations.
- 4.8 Forest of Galtres Society - no response.
- 4.9 NYCC Education - no response.
- 4.10 Internal Drainage Board - no response.
- 4.11 North Yorkshire Police Liaison Officer - satisfied with scheme overall but had some recommendations to make which were passed onto the developer.

4.12 RAF Linton on Ouse - no objection.

4.13 Neighbours and site notice - four responses have been received, three concerned with the reduction in parking spaces and the fourth querying the proposal.

## **5.0 OBSERVATIONS**

5.1 The main issues to consider in this application are:

- Design, particularly massing and materials;
- Impact on the setting and street scene of Stillington Road with particular reference to the TPO trees on the site frontage;
- Highway safety, particularly the capacity of the highway network, visibility at junctions and parking provision for the proposal;
- Drainage; and
- Affordable housing and matters of viability

### Design, setting and street scene

5.2 The proposed building would be larger than any neighbouring building and would have a greater height than neighbouring property. The design has attempted to reduce the visual impact of this large building by the use of dormer windows, breaks in wall lines and a step in the height of the main ridge. These techniques would collectively make the building appear smaller and enable a scale that is considered appropriate to its setting. The use of clay tiles to the roof and a brick that is of colour and texture common to the locality is considered important and enables the building to be judged to meet the requirements of Policy CP17 and DP32.

5.3 The landscaping proposals for the site show a mix of boundary walls topped with pillars and railings, boundary railings and boundary fencing. In combination with a detailed planting scheme the setting of the building is shown to be 'greened' and appropriate to the mainly residential surroundings.

5.4 The appearance of Stillington Road is dominated by the mature trees, commercial buildings adjacent to the application site, and residential property, particularly the two storey dwellings opposite the site. The retention of the trees that were made the subject of Tree Preservation Order 2012 No2 and the addition of new planting and wall and railing boundaries forward of the new building and car parking would maintain a strong character, where the trees and buildings continue to dominate the street scene. The scheme is therefore considered to meet the requirements of the LDF Policies CP17 and DP32.

### Highway safety

5.5 The proposals continue to seek to reuse the existing entrance to the site. Pedestrian footways would be provided to link from the entrance to the building to the existing footway on the north side of Stillington Road. Whilst Easingwold Town Council has sought improvements to the footway on Stillington Road this has not been a matter raised previously and as the number of apartment has not changed and the policy base for assessment has not changed it is not appropriate to seek any amendments to the scheme on this basis. The report previously noted:

“The pedestrian or other traffic flows anticipated to result from the proposed development are considered not to be sufficient to require further works of improvements to Stillington Road or the footway network.”

- 5.6 Car parking space would be provided within the site at a rate established through survey work by the agents to be matched to the needs of the site. The provision of parking is claimed by the applicants to match the needs. However the consultant to the applicant claims that the site is very sustainable. Given the relative lack of public transport, the lack of nearby railway station the description of “very sustainable” is considered to be exaggerated. The level of car ownership of residents is recorded to be low, however visits by friends, families and others are likely to be heavily reliant on the private car and appropriate provision for off-street parking is considered important to avoid congestion and a loss of highway safety on Stillington Road and other nearby streets.
- 5.7 The traffic flows on Stillington Road and the incidence of parking on the side of the roads is noted to cause obstruction to visibility to residential accesses on the south side of Stillington Road and may on occasions limit the visibility at the entrance to the site. The circumstances are recorded as existing and there is no evidence of significant and insurmountable highway safety concerns or that the use of the land for an older persons housing would exacerbate any existing problems or create new problems providing that appropriate provision is made on site. The Highway Authority has not objected to the proposal.
- 5.8 As noted above the applicant is seeking to reduce the application site boundary, therefore reducing the number of car parking spaces from 36 spaces to 35 spaces. Neighbour concerns have been raised about the inevitability of off-site parking problems arising adjacent to the site. However, and being mindful that the Highway Authority has not raised an objection, the net reduction of one parking space is not considered to justify a refusal of permission.
- 5.9 Changes to the junction of Stillington Road and York Road have been identified to be necessary in response to proposals for a new food store on York Road and housing proposals on Stillington Road. The pedestrian or other traffic flows anticipated to result from the proposed development are considered not to be sufficient to require further works of improvements to Stillington Road or the footway network.

#### Drainage

- 5.10 The area around the site is noted to have presented significant drainage problems due to a combination of factors including a high water table. The development proposals would reduce the amount of impervious area. Subject to the conditions recommended by consultees to require approval for the details of the drainage scheme for surface water, foul sewage and ground water, that may require attenuation of flow, it is considered that matters of drainage are not a barrier to the development of the site.

#### Affordable housing, housing quality and viability

- 5.11 The previous application was subject to a viability appraisal and was approved subject to committed sums of £186,255 towards affordable housing and £10,000 towards open space, sport and recreational facilities appropriate to the development. The applicant has confirmed that this proposal seeks to maintain that commitment. A Deed of Variation would be required to link the agreed contributions to this revised scheme.

## 6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **GRANTED** subject to (a) the satisfactory completion of a Deed of Variation to secure the commuted sums of £186,255 towards the provision of affordable housing and £10,000 towards the improvement of off-site public open space previously agreed under application 14/01120/FUL; and (b) the following conditions:
1. The development hereby permitted shall be begun within three years of the date of this permission.
  2. No vehicles, equipment or materials may enter the site, and no construction work may commence on site until protective fencing has been erected around the trees to be retained on site. All existing trees shown on the plans hereby approved as being retained on site shall be protected by fencing in accordance with BS5837:1991 'Trees In Relation To Construction', in accordance with a scheme and specification which shall have been submitted to and approved in writing by the local planning authority. Within the protected area(s) there shall not be carried out or permitted, during the construction period, any building or other operations, parking or passage of vehicles, or storage of building or other materials or any other object.
  3. Prior to development commencing, details and samples of the materials to be used in the construction of the external surfaces of the development shall be made available on the application site for inspection and the Local Planning Authority shall be advised that the materials are on site and the materials shall be approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
  4. No development shall be commenced until an assessment of the risks posed by contamination, carried out in line with the Environment Agency's Model Procedures for the Management of Land Contamination CLR11, has been submitted to and approved by the local planning authority. A scheme for the remediation of any contamination shall be submitted and approved by the local planning authority before any development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a validation report detailing all works carried out has been submitted to and approved in writing by the local planning authority.
  5. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.
  6. No construction work shall commence until the details of the access shall have been approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements. The existing access shall be improved and reconstructed in accordance with the approved drawing number 14/421/DE/100/001 Rev B and Standard Detail number A1. Thereafter the works shall be maintained in accordance with the approved scheme.

7. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 43 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times
8. No part of the development shall be brought into use until the existing unused access on Stillington Road has been restored to full faced kerb and footway. These works shall be in accordance with the approved drawing number 14-421-DE-100-001 Rev B. No new access shall be created without the written approval of the Local Planning Authority . No new access shall be created without the written approval of the Local Planning Authority.
9. No part of No part of the development shall be brought into use until the approved vehicle parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (Reference 1971-02-02). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
10. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority agrees in writing to their withdrawal.
11. Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of: (i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway; (ii) on-site materials storage area capable of accommodating all materials required for the operation of the site. The approved areas shall be kept available for their intended use at all times that construction works are in operation.
12. No residential unit shall be occupied until the boundary walls, fences and other means of enclosure have been constructed in accordance with the details shown on drawing 1971-02-02 Rev A. All boundary walls, fences and other means of enclosure shall be retained and no part thereof shall be removed without the prior approval of the Local Planning Authority
13. Prior to development commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.
14. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

15. 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.
16. No person shall occupy any part of the residential accommodation unless they are aged over 65 years or co-habit with a person over the age of 65 or have been shown to be in need of specialist housing and meets the eligibility criteria of the relevant Social Services Department for Type II accommodation.
17. The permission hereby granted shall not be undertaken other than in complete accordance with the drawings numbered and received by Hambleton District Council on the dates set out below unless otherwise approved in writing by the Local Planning Authority: Location 1971-01-01 received 29 May 2014; Context 1971-01-03 Rev A received 31 July 2014; Elevations 1971-01-04 Rev B received 7 August 2014; Landscaping SF 2282 LL01 received 7 August 2014; Floor plans 1971-01-05 Rev A received 7 August 2014; Section 1971-01-10 received 20 November 2014; Tree protection 8322-02 received 20 November 2014; Layout 1971-01-02 Rev D received 2 December 2014.
18. Prior to the development commencing details that show how 'Secured by Design' principles have been incorporated into the scheme shall be submitted for the written approval of the Local Planning Authority and once approved the development shall be implemented in accordance with the approved 'Secured by Design' details prior to occupation or use of any part of the development hereby approved.

The reasons for the above conditions are:

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that the trees on the site are protected during construction works in the interests of local amenity and in accordance with the Local Development Framework Policies CP17 and DP32.
3. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.
4. In order to take proper account of the risks to the health and safety of the local population, builders and the environment and address these risks and in accordance with the Hambleton Local Development Framework CP21.
5. In accordance with Policy CP1 and DP4 and in the interests of highway safety.
6. To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience and in accordance with the Local Development Framework Policies CP1 and DP4.
7. In the interests of road safety.
8. To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience and in accordance with the Local Development Framework Policies CP1 and DP4.

9. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in accordance with Local Development Framework Policy CP1 and DP3.
10. In accordance with Policy CP1 and DP4 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
11. In accordance with Policy CP1 and DP3 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
12. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.
13. To ensure that the development is appropriate to environment in terms of amenity and drainage in accordance with Local Development Framework Policies CP1, CP17 and DP32 of the Hambleton District Wide Local Plan.
14. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43
15. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43
16. The development provide specialist accommodation with a lower provision of parking space, no contribution for children, young person or youth sport or recreation facilities, makes no provision for education needs, to allow the property to be occupied by people of any age would therefore undermine the policy basis for the decision to approve this scheme in respect of the known needs for additional housing for the older person.
17. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies particularly CP1, DP1, CP17 and DP32.
18. Prior to the development commencing details that show how 'Secured by Design' principles have been incorporated into the scheme shall be submitted for the written approval of the Local Planning Authority and once approved the development shall be implemented in accordance with the approved 'Secured by Design' details prior to occupation or use of any part of the development hereby approved.