



**Notice of a public meeting of
Planning Committee A**

- To:** Councillors Crawshaw (Chair), Fisher (Vice-Chair), Ayre, Hollyer, Kelly, Merrett, Nelson, Steels-Walshaw, Steward, Waudby and Whitcroft
- Date:** Thursday, 16 May 2024
- Time:** 4.30 pm
- Venue:** West Offices - Station Rise, York YO1 6GA

AGENDA

- 1. Declarations of Interest** (Pages 1 - 2)
At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see attached sheet for further guidance for Members].
- 2. Minutes** (Pages 3 - 22)
To approve and sign the minutes of the last Planning Committee A meetings held on 3 March and 19 March 2024.
- 3. Public Participation**
At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at meetings. The deadline for registering at this meeting is 5:00pm on Tuesday 14 May 2024.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast, including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

4. Plans List

This item invites Members to determine the following planning applications:

**a) Bradleys Farm Shop New Lane Huntington (Pages 23 - 120)
York YO32 9TB [22/01733/FULM]**

Erection of charity children's centre with outdoor recreation facilities to also include; landscaping, footpaths, crossings, car parking and cycle parking following demolition of existing barn and polytunnel [Huntington/New Earswick Ward]

**b) North Selby Mine New Road Deighton York (Pages 121 - 154)
YO19 6EZ [23/01309/REMM]**

Reserved matters application for appearance, landscaping, layout and scale of redevelopment of the former North Selby Mine site to a leisure development comprising of a range of touring caravan and static caravans and associated facilities following the grant of outline permission 19/00078/OUTM [Wheldrake Ward]

**c) Pavers Ltd Catherine House Northminster (Pages 155 - 202)
Business Park Harwood Road Upper
Poppleton [23/00823/FULM]**

Extension to provide storage, integrated distribution and logistics centre (B8 Use) with ancillary office/welfare space, service yard, parking areas, and landscaping (resubmission) [Rural West York Ward]

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Contact details:

Angela Bielby

- Telephone: (01904) 552599
- Email: a.bielby@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

Meeting

Planning Committee A

Date

7 March 2024

Present

Councillors Crawshaw (Chair), Fisher (Vice-Chair), Hollyer, Kelly, Merrett, Nelson, Steels-Walshaw, Steward, Waudby, Whitcroft and Fenton (Substitute for Cllr Ayre)

Apologies

Councillor Ayre

86. Declarations of Interest (16:34)

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. Cllr Steels-Walshaw declared a non-prejudicial interest as a member of British Sugar Community Forum. No further interests were declared.

87. Minutes (16:35)

Resolved:

1. That the minutes of the meeting held on 18 January 2024 be approved and signed as a correct record.
2. That subject to the removal of the wording 'regarding future funding arrangements' at 3.12pm in minute for the application for Agricultural Land to the South of Low Moor Lane, Hessay, York [23/00626/FULM], the minutes of the meeting held on 8 February 2024 be approved and signed as a correct record.

88. Public Participation (16:36)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general matters within the remit of the Planning Committee A.

89. Plans List (16:36)

Members considered a schedule of reports of the Head of Planning and Development, relating to the following planning applications, outlining the

proposals and relevant policy considerations and setting out the views of consultees and officers.

90. St Peters School, Clifton YO30 6AB [22/02288/FULM] (16:36)

This application had been withdrawn and was therefore not considered by the Committee.

91. Enterprise Rent-a-car, 15 Foss Islands Road, York YO31 7UL [23/01647/FULM] (16:36)

Members considered a full application from Gregory Properties Ltd for the erection of 3, 4, and 5 storey student accommodation building with associated car parking and access following demolition of existing buildings at Enterprise Rent-a-car, 15 Foss Islands Road, York.

The Principal Officer Development Management outlined the application noting the reason for refusal in July 2023. He gave a presentation on the application noting the changes in floor plans and how these had been amended following the July 2023 refusal. He was asked and demonstrated the surrounding building heights in relation to the building. He was asked and explained that all of the rooms in the building were self-contained studio rooms and there was a condition for a detailed planting scheme.

Graeme Holbeck, Planning Consultant for the applicant, spoke in support of the application. He explained that the previous application for 136 bedrooms had been refused and an appeal for this had been lodged. The present application amended to a reduction to 133 rooms with additional communal facilities, an additional lift, and increased accessible car parking spaces (three spaces plus a maintenance space). He added that information regarding employment uses had been submitted and the application included a contribution to affordable housing. He detailed the building materials noting that the building was BREEAM excellent. He noted that the application made efficient use of a brownfield site.

- Graeme Holbeck was joined by Matt Parkins (Scheme Architect) to answer Member questions regarding their submission. They were asked and explained:
- How the student management plan would work. It was noted that this was produced by Hello Student, the operator of the accommodation.
- How the accessible car parking spaces would be used for drop offs.
- That there were two other sites managed by the same operator.
- All student drop off times would be allotted.
- The accessible car parking spaces were compliant.

- The retention of the cobbled sets depended on whether they could be reused.
- Provision for wildlife was identified in the ecology report.
- Students would be notified that there was no car parking on site. In response from a comment from the Chair, they undertook to feedback concerns regarding parking to the operator.
- The size of the rooms had not been reduced and were 20m² with 40% of rooms bigger than that.
- All rooms were self-contained with a kitchenette and there will be a private dining space on the communal area.
- The roof protection was shown on the boundary.
- Regarding affordability, students could apply for funding to help with their rent.

[At this point in the meeting, officers demonstrated the layout of rooms].

- The three rooms in the first floor made into communal space was structural.
- Regarding the loss of employment land they were not aware of any further expressions of interest and had submitted a statement which made a robust case for meeting the requirements for this.
- There had not been any further [marketing?] of the site for employment and the applicant had used the CYC Community Infrastructure Levy (CIL) charging schedule and it was explained why the use of class B was not viable on the site.
- The site was previously marketed by the previous site owner.
- Regarding provision for nesting birds on the site, there was limited vegetation on site. Demolition was likely to start after summer and if it was outside this time the ecologist would be on site to advise.

[At this point, the room plans were demonstrated on screen and it was confirmed that that these were as the previous application].

- The accessible rooms were distributed around the buildings and met building regulations.
- At that point in time, the accommodation was not linked to York St John University.

Members then asked officers a number of questions to which they responded that:

- They were satisfied that the employment land assessment was policy compliant and an explanation of this was given.
- Student car ownership would usually be written into the tenancy agreement. There were conditions for travel plans. Travel surveys showed that with that type of site students should not have cars. Regarding whether this could be required as part of the tenancy agreement, the Chair noted that this would be difficult to enforce and meet the test of whether it was a reasonable requirement.

- Regarding whether the committee could set a timescale for the marketing of the site as an employment site, officers detailed the reasons for the refusal of the application in July 2023. The Chair noted that the test of policy EC2 was discussed at that meeting and the Head of Planning and Development Services read out policy EC2 regarding the loss of employment land.
- Reference was made to Local Plan policy H7 regarding the provision of student accommodation on campus and Members were advised that it was not possible to understand how university accommodation on campus would be developed in the future and that officers had made a balanced judgement on the application. It was noted that the application had been looked at with the Local Plan team.
- It was queried whether York University East Campus was completely built and it was confirmed that it wasn't. The Chair noted the limitation given to Local Plan policy H7 and he suggested that information regarding student accommodation needed to be included in future committee reports.
- The information regarding similar student accommodation in Leeds was to illustrate a baseline.
- It was explained that the use of the S106 affordable housing funding would be determined by the housing delivery team.
- It was clarified that the Victorian Society was not a statutory consultee and the committee needed to take into account the comments of consultees.

During debate, the Chair reminded the Members that the officer recommendation needed to be tested first. The Head of Planning and Development Services advised why the committee could only afford Local Plan policy H7 limited weight. Cllr Fisher proposed the officer recommendation to approve the application. This was seconded by Cllr Steward. The Head of Planning and Development Services clarified that it was expected that affordable housing would be created using contributions from student housing. She was asked and confirmed that it would not be reasonable to condition an accommodation nomination. On being put to the vote with ten votes in favour and one abstention, it was:

Resolved: That delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to -

1. The completion of a Section 106 Agreement to secure the following planning obligations:
 - i. Affordable housing – £711,772.78 towards off-site affordable housing.

- ii. Open space - £14,647 - used to improve the amenity open space within the nearby Hull Road Park and/or St Nicholas Fields Nature Reserve.
2. The Head of Planning and Development Services be given delegated authority to finalise the terms and details of the Section 106 Agreement and the planning conditions.
3. Updates to conditions 2, 3 and 11 and the deletion of condition 20 as detailed in the additional information.
4. An additional informative regarding highway design to include LTN 1/20 compliance

Reasons:

1. Officers are satisfied that the previous reasons for refusal have been addressed. The NPPF states that so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. This means granting planning permission unless:
 - i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
2. On balance, regarding the weight to be given towards housing provision (which includes student accommodation) in the NPPF the loss of employment land in this case, given the site specifics, is not sufficient grounds to refuse the application. Further information has been provided, which relates to the Council's own evidence base; there is justification for the loss of employment land concerned. The economic objective in the NPPF is to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; this objective is not compromised as a consequence of this scheme.
3. The disabled car parking provision is appropriate, and the layout has been revised compared to the previous scheme; there is an additional lift, further communal space across the scheme (on each floor) and a reasonable number of accessible rooms. The social objectives of the NPPF are reasonably met

in this respect. Other material considerations and technical matters have reasonably been addressed.

[The meeting adjourned from 18:05 until 18:16]

**92. British Sugar Corporation Ltd, Plantation Drive, York
[23/02302/FUL] (18:16)**

Members considered a major full application from British Sugar for the variation of conditions of permitted application 15/00524/OUTM to alter green infrastructure, increase building heights, updates to detailed configuration of proposed Main Street access road, alterations to the drainage strategy and updates to approved illustrative phasing plan at British Sugar Corporation Ltd, Plantation Drive, York. The Chair clarified that the application was for a variation and he drew attention to paragraph 1.4 of the published report.

The Principal Officer Development Management detailed the plans for the application, in particular the phasing plans and building heights. He noted the scheme amendments. At a Member's request he demonstrated the location of the drain. In response to questions from the committee, officers explained:

- The difference between the 2.5 and 3 storeys.
- That the swale was an open drain, which was of higher ecological value than a closed drain. It was confirmed that the swale was for water run-off.
- The number of rooms and viability would come through the reserved matters application. There are provisions within the S106 agreement which enable further assessment of viability.
- This application would broadly set parameters and it fixed building heights not housing types.

The Principal Officer Development Management then gave an update noting updates to conditions 2, 3 and 11, the deletion of condition 20 and an additional informative regarding highway design to include LTN 1/20 compliance. A Member asked how the application would help reduce carbon emissions. The Chair explained that the committee was limited in its decision making as this was an application for a variation. In response to a comment regarding the railway halt he noted that informative 8 referred to the railway halt.

Neil Jones, Planning Consultant, spoke in support of the application on behalf of the applicant. He welcomed the officer report and explained that the application sought approval for minor amendments to the existing

permission. He noted the updates to the illustrative phasing plan, parameter plans, ground levels, and added that the green infrastructure had increased. He added that the increased building heights were away from the residential areas and that British Sugar were committed to the sustainable development of the site. He noted that there were no objections or material objections to justify refusal of the application. In response to Member questions he explained that:

- British Sugar was the sole land owner
- Concerning getting alternative providers for drainage, a number of private regulated operators had been appointed. The costs for this would be met through service charges.
- The rationale for the increase from 2.5 to 3 storeys was related to green infrastructure.

Members then asked officers further questions to which officers clarified that:

- Regarding the Council not adopting the drainage was due to issues around maintenance, the applicant was the landowner and developer would find a solution. The Chair noted that there was mitigation in place for service charges for affordable housing.
- The specifics around the Council not adopting the drainage was because of the specifics around the complexities of managing an open drain and swales. There had been a fundamental change in drainage there was not enough space in the masterplan to maintain the swales, which would need specialist equipment, and it would not be an efficient use of council resources to purchase and maintain the specialist equipment. Members were advised that there may be two separate service charges for open space and drainage.
- The principles of the drainage strategy of the site were the same as in the previous application. However, the drainage with this application now took up more space and the allowance for climate change was now higher than when the last application came forward.

Following debate, Cllr Merrett proposed the officer recommendation to approve the application including updates to conditions 2, 3 and 11, the deletion of condition 20 and an additional informative regarding highway design to include LTN 1/20 compliance. This was seconded by Cllr Waudby. Following a unanimous vote in favour, it was:

Resolved:

1. That delegated authority be given to the Head of Development Services to APPROVE the application subject to the completion of a Section 106 Agreement; to make that existing legal agreement applicable to this application, and for the Head of Planning and Development Services be given delegated

authority to finalise the terms and details of the Section 106 Agreement and the planning conditions.

2. That the s73 permission will repeat the same conditions as attached to the original outline permission, the conditions are only varied to incorporate the revised plans and condition 12 to include the agreed bee bank SINC protection measures.

Reasons:

1. This application is made only to vary the existing outline planning consent to update the phasing plan, so phase 1 is infrastructure only (access road and public open space) and to vary the parameter plans and the details of the spine road / main street. No material changes to the planning obligations are proposed or necessary. Conditions are only updated to reference the revised drawings and documents and where details have been approved since the previous permission in respect of protection for the Bee Bank nature conservation area (SINC) during construction.
2. The ecological appraisals regarding the site are up to date. There is no material change to the environmental effects associated with the scheme, which can be suitably addressed through planning conditions and there are no objection to the scheme amendments, which are justified and aligned with NPPF policies.

Cllr J Crawshaw, Chair

[The meeting started at 4.30pm and finished at 7.07pm].

Meeting	Planning Committee A
Date	19 March 2024
Present	Councillors Crawshaw (Chair), Fisher (Vice-Chair), Hollyer, Nelson, Steels-Walshaw, Steward, Whitcroft, Baxter (Substitute for Cllr Kelly), B Burton (Substitute for Cllr Merrett), Fenton (Substitute for Cllr Waudby) and Widdowson (Substitute for Cllr Ayre)
Apologies	Councillors Ayre, Kelly, Merrett and Waudby
In Attendance	Becky Eades – Head of Planning and Development Services Mark Baldry – Development Projects Senior Officer Sandra Branigan – Senior Lawyer Ian Stokes – Principal Development Control, Engineer (Planning) Helene Vergereau – Head of Highway Access and Development Julian Ridge – Quality Bus Contract Advisor

93. Declarations of Interest (14:39)

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. Cllr Fisher noted that he was a member of the Foss Internal Drainage Board and added that he had never passed a firm opinion on the application. Cllr Steward noted that he was a member of York Environment Forum and had not taken part in any discussions regarding the outer ring road. There were no further declarations of interest.

94. Public Participation (14:40)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general matters within the remit of the Planning Committee A.

95. Plans List (14:40)

Members considered a schedule of reports of the Head of Planning and Development, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

96. A1237 York Outer Ring Road A19 Roundabout Up To And Including Little Hopgrove Roundabout York [22/02020/FULM] (14:41)

Members considered a major full application for Improvements to the A1237 York Outer Ring Road including dualling of existing carriageway, improvements to roundabouts, provision of 5.1km shared use cycle and pedestrian route, signalised crossing facilities for active travel users, 2no. overbridges and no.6 underpasses for pedestrians and cyclists with ancillary development including sustainable drainage measures, flood compensatory storage areas, woodland planting/landscaping, habitat creation, noise barriers, revised field accesses, associated infrastructure and earthworks on the A1237 York Outer Ring Road A19 Roundabout Up To And Including Little Hopgrove Roundabout York.

The Principal Officer Development Management outlined the application and gave a presentation on it. Members then asked a number of questions to which he and officers responded that:

- The speed limits were taken into account as part of highway safety. [At this point the Chair explained the difference between the Planning Authority and Highway Authority].
- A demonstration of the locations of the cycle and pedestrian routes was given including the orbital route, underpasses and crossings, including where there was already existing cycle routes and bridges.
- The points where the bridleway was a public right of way crossing the carriage was part of the stopping up process and it was noted that there road restraint barriers.

The Head of Planning and Development Services gave an update on the published report which included amendments to paragraphs 2.14, 5.37 and 5.202 and the insertion of paragraphs 5.161a – e after 5.161. Members were advised of additional representations, comments and objections, including an additional response from the Environment Agency agreeing with conditions. The additional information had been assessed and the planning balance and the recommendation were unchanged from the published report.

Public Speakers

Dominic Tooze spoke in objection to the application. He explained that he worked voluntarily with vulnerable people and that a person he worked with did not receive support because of budget cuts at the council. He noted that increasing roads had an impact on air quality and that there was enough scrutiny on the impact of dualling the ring road.

Lisa Hilder spoke in objection to the application. She noted that as a York resident and global citizen she had returned to York in 2022 and was pleased to see the council's action on climate change including the action plan which included a reduction in car use. She cited a number of statistics regarding emissions and added that there was more objection than support for the application, mainly from environmental organisations. She added that global warming had increased and asked for the brakes to be put on the application.

Pax Butchart, an MA student on environmental and social justice, spoke in objection to the application. The reasons for this included more car journeys meaning more car crashes, road expansion cutting across ecosystems, more traffic worsening air pollution and the work on active travel being eclipsed by dualling the ring road. Following a request to the Chair, the remainder of the three minute speaking slot was held as a moment's silence.

Sarah Worthington spoke in objection to the application on behalf of Mr Harrison. She stated that none of the comments from Mr Harrison had been included in the committee report. She explained that there were no special circumstances for the proposed fourth arm of the Clifton Moor roundabout, which would not comply with green belt policy. In answer to a question from a Member she confirmed that Mr Harrison was a long term resident living near the Heslington Lane roundabout.

Richard Lane spoke in objection to the application on behalf of Extinction Rebellion. He noted that the NPPF stated a need to be sustainable. He noted that scared teenager had spoken on climate change at a 2019 Council meeting and he noted that 2023 was the hottest year on record. He added that evidence was building that more roads would equal more traffic and that the council's statistics showed a traffic increase of 30% on roundabouts. He noted the need to take responsibility for impacts on the world. In response to Member questions he explained that when additional road capacity was built, there was an increase in the number of journeys. He added that this was old transport policy and there was a need to move on because of the climate crisis.

Tom Franklin spoke in objection to the application on behalf of the Green Party. He explained that the evidence was that widening road schemes increased traffic. He stated that there was a need to improve public transport and he noted that there were problems in the assumptions made in the traffic modelling. He noted that there was nothing in the planning application to say that traffic in the city centre would not increase. He noted that transport was one of the largest causes of emissions in York and the council could not be serious about reducing emissions and dualling the ring road.

Tony May was asked and explained that when the Green Party was in coalition administration, they were in a minority and voted for sustainable travel on the ring road. He was asked what the evidence base was for the dualling of the ring road increasing traffic and he explained that it had happened on the A59 roundabout and there was increased traffic with people driving into York. He added that this was taken from council data. He was asked and explained that there was evidence of an increase in traffic on Boroughbridge Road.

Tony May spoke in objection to the application on behalf of York Civic Trust. He explained Trust's concerns regarding the application which included the applicant's submission not including evidence of traffic reduction. He explained that the traffic reductions in inner York were very small and their suggested solution was for a condition for the applicant to develop measures to divert traffic from inner York to the outer ring road. With this in place the application would have the support of the Civic Trust.

In response to questions from Members, Tony May explained that:

- Regarding the Highway Authority improving the scheme, the difficulty was that if nothing was done at the outset, the scheme would achieve nothing. He added that the scheme needed to demonstrate a reduction in pollution and congestion.
- Concerning the Local Plan setting out developments, he asked what assessment had been done in the demand from the road and dwellings and noted that it was hard to answer because the developments were not in place at the time of the dualling of the outer ring road. He added that it was crucial that new developments were planned to have reduced car use.
- He could not see how dualling the ring road would help developments through increased S106 or SIL contributions
- Regarding a condition regarding a movement and place plan, it would be appropriate to specify a range of measures to achieve a reduction in traffic.

Mark Corrigan, British Horse Society Access Officer for Yorkshire spoke in objection to the application on behalf of The British Horse Society. He noted that there had been a number of incidents with horses and the Society would welcome pegasus crossings. He noted that the proposal did not include a reference to horse riders on the 5.4km shared use route and underpasses. He added that horse riding was a recreational active travel mode.

In response to questions from Members, Mark Corrigan explained that:

- There was no mention of equestrian users on the shared cycling and pedestrian routes.
- He was referring to routes such as the Cinder Pass in the North York Moors.
- Regarding data on the amount of horse riders accessing routes, for the YO32 postcode there was 641 horse passport holders

Andy Shrimpton spoke in objection to the application on behalf of York Cycle Campaign. He noted that the Campaign had objected to the original application on three points and he outlined those points. He noted that the changes in relation to the scheme were relatively minor and raised additional concerns, which he detailed. He stated that the council should concentrate on active travel. Members asked him a number of questions to which he clarified that:

- He could not comment on Active Travel England not raising any concerns on the application.
- Regarding the LTN 1/20 provision rising from 44% before the dualling to 82% afterwards, the scheme would not take traffic out of the city centre and there were still significant deficiencies to the east of the scheme.

[The meeting adjourned from 16:04 until 16:11]

Luke Charters (Labour Parliamentary Candidate for York Outer) spoke in support of the application. He explained that the scheme was not perfect and the dualling of the ring road could not afford any more delay. He noted that the scheme would take traffic out of the city centre. He advocated for further active travel provision and noted that it was a shame that the scheme did not include an underpass at the Wigginton Road roundabout. He was confident in the benefits of dualling the ring road in reducing congestion.

Neil Rowley spoke in support of the application on behalf of York Private Hire Association. The Association was fully in support in the dualling of those parts of the ring road. He noted the expansion of the York population and the need for the road network to be improved. He suggested that

controlled crossings were unnecessary and requested that other road improvements not be carried out at the same time as the work to dual the ring road. He was asked why controlled crossings were unnecessary and explained that this was more to do with there being underpasses and he suggested that it would be better to have an underpass at the Wigginton Road roundabout.

Cllr Ravilious (Executive Member for Environment and Climate Emergency) spoke on the application. She noted that she had been sent the modelling data and she explained the data. She explained that the Local Plan was counting on the ring road being dualled but there was a need for further requirements which would result in more congestion. She noted that there should be underpasses and not crossings and that there needed to be changes in the active travel routes to be more accessible. She expressed concern that the data she shared with the committee was not included in the report and she suggested that the application be deferred. She was asked and explained that she had been given a verbal update on the data in November which didn't include data on traffic flow.

Cllr Kilbane (Deputy Leader and Executive Member for Economy and Transport) spoke in support of the application. He asked the committee to support the application. He noted that he had inherited the plan when he came into office. He added that Members needed to decide if the application met national planning policy and noted there were four housing developments and one business park served by the application. He noted that they had tried to improve active travel connectivity.

In response to Member questions, Cllr Kilbane explained that:

- Policy T4 subsection 8 referred to housing sites in the Local Plan and the dualling of the ring road.
- It was incumbent on the local authority that the scheme was delivered and it was largely funding by the West Yorkshire Combined Authority (WYCA) with the cost to York Council tax funding of £3.4million.
- There was a need to make sure that the combined authority managed the road and a need to get agreement from the Mayor on how active travel would be enacted.
- Changes had been made to the active travel infrastructure and the design was built to the budget available. The focus had been on bus prioritisation measures.

[At this point he was asked how many trees would be removed and the Chair detailed the removal of trees to the committee]

- The management of the road network was yet to be agreed with the combined authority.

Clare Davies (Senior Transport Project Manager, CYC) spoke in support of the application on behalf of the Applicant, City of York Council. She explained that the application met the Leeds city region aims of connecting home or work. She explained that the application supported policy T4 and she outlined how the proposed scheme included improvements. She noted that the scheme freed up space for those that wanted to use the ring road. She explained that the application was subject to robust environment assessment. She noted the aspirations of the scheme, adding that 3500 respondents supported or strongly supported the scheme. She supported the recommendation to support the scheme.

Claire Davies was joined by Gary Frost (Head of Major Transport Projects, CYC) and Adrian Wightman (Scheme designer, Pell Frischmann) to answer questions from Members. They were asked and explained:

- The crossings were borne out of consultation. Traffic would come to a halt at the crossings for 30 seconds and it was estimated that a person would take 10 seconds to cross the carriageway.
- The survey was done during lockdown and the use of the was low with more people cycling and walking.
- The data referred to by Cllr Ravilious was not part of the remit for planning officers.
- Regarding options for using crossings and underpasses, there was a need to balance resource with where the need was.
- The underpass could be built under the road.
- Concerning horses on route, the route would be designated as a restricted byway.
- In regard to the location of the underpasses, after public consultation they had looked at what underpass options would look like and undertook an initial assessment of it.
- Regarding whether there had been a conversation with the White Rose Forest, there was an Executive decision to plant 30 acres of additional trees as well as 32 acres of trees. The scheme would retain 60 acres of trees.
- On the former RAF site the former runway will be used for the compound and the field to the north for storage. Most of the trees loss would be to accommodate the road.

[Following a Member question regarding the purchase of land, the Chair advised that the committee could only consider the application before it.

- Regarding an acoustic barrier for the Strensall roundabout, there was a combination of bunds.
- A number of measures could be used to mitigate noise during construction.

- The business case for the scheme was built on strategic local and economic needs and whilst the scheme was being process interventions could be made in the city centre to reduce traffic flow.
- The scheme created capacity at roundabouts to let more traffic through and there would be improvements in journey times in certain sections.

Matthew Stopforth (Agent for the Applicant) spoke in support of the application. He noted that there were no outstanding objections from statutory respondees. He detailed the very special circumstances to justify the harm caused. He noted that the application reduced traffic flow from the centre of York and that the application included mitigation measures.

Matthew Stopforth was joined by Fiona Wilson (Environmental matters, Pell Frischmann) and Richard Ellam (Transport matters, Pell Frischmann) to answer questions from Members. They were asked and explained that: There was induced demand and model had been built for the whole of the city. The scheme had been reviewed by the Department for Transport (DfT) and it also included Local Plan growth, background growth and the testing of future years scenarios. It had been demonstrated that the dualling on its own would have benefits.

- There was an overall net gain in woodland and the landscaping of the plan was being developed.
- Regarding traffic levels to the north of the ring road, the modelling looked at how traffic was reassigned.
- There was a biodiversity net gain plan and what it included was explained to Members.
- The modelling looked at changes in routes and showed reductions in traffic flow.
- There were lots of opportunities for the local authority to consider active travel measures and the modelling looked at the benefits across all of York.
- An explanation of induced demand was given and it was not thought that people would be dissuaded from using public transport.
- The evidence business case considered all of the benefits of the scheme.
- The air quality assessment was carried out as per guidance. There were reductions in nitrogen levels in some traffic flows and it was clarified that it was an assessment of that part of the rad network.

[The meeting adjourned from 17.37 to 17.49]

The committee asked officers questions to which they responded that:

- Regarding the illumination of the new walking and cycling infrastructure, there was a balance of requests received.
- For the consideration of solar lighting to be used, there would be an extra condition delegated to officers in conjunction with the Chair and Vice Chair.
- The process for the three stages of road safety audits was explained.
- The traffic signalled controlled crossings were safe and the other crossings in place were what were already in place.
- Officers were not aware of safety issues on the two other controlled crossings on the dual carriageway.
- Regarding what was in the committee's remit to add further controls, the Head of Planning and Development Services advised Members that they had to consider the application before them and it was not felt that additional conditions would meet the five tests. She added that an informative regarding the applicant being aware of the movement and place strategy. She then clarified informatives and conditions.
- The Hopgrove roundabout was part of the strategic road network and came under National Highways who would have the capacity to modify the timing of the crossing on the Hopgrove roundabout.
- Regarding concern about induced demand, the Head of Planning and Development Services advised that the committee had to take into account the application before it and that Highways Authority had a different set of requirements.
- Traffic flow was explained and the DfT report on induced traffic was noted.
- Concerning assurance that the scheme would affect the possibility of dualling the A64, at Little Hopgrove it was a case of dualling the A1237 at the Hopgrove roundabout.
- Some of the roads had less and more than a 500 vehicle reduction and the impact on air pollution was negligible.
- There were some substantial reductions in diverting traffic away from the city centre and these were listed to Members. The results of the consultation on the local transport strategy were noted.
- The DfT methodology for the business case was explained.

[Following a question from a Member regarding an informative on active travel, the Senior Lawyer advised Members that it was not a function of the local Planning Authority to seek changes to the proposals. The Head of Planning and Development Services added that there could be conversation with the council as the applicant outside of the meeting]

- All of the underpasses were illuminated.
- There was phasing in the scheme.

- The process of stopping up public rights of way was a separate process. Officers were not aware of public rights of ways being used as commuting routes and they were largely used for leisure use.
- Condition 22 secured landscaping.
- All comments received were summarised in the case officer's report.
- There was no impact on heritage assets and archaeology.
- Concerning impact on the footprint of Clifton airfield, the council archaeologist had not objected but had requested a condition.
- The airfield would revert back after being used as a construction compound.
- In regard to the NPPF, officers had considered all information and had come to a balanced view.
- There was a CEMP.
- Officers could not answer questions on the carbon impact being outweighed by carbon reduction and had made a balanced view in the report. The proposals allowed for virtual savings in carbon reduction.
- There were a number of measures to reduce noise and there would be post monitoring of it.
- The air quality of residents would be slightly higher and this was affected by the weather and different types of vehicles, engines, size and speed of vehicles and congestion.
- The air quality projections were based on traffic modelling.
- Concerning the protection of pollutants entering the river, vortex separators had been proposed.
- Regarding traffic disruption during the construction phase, there would be air quality monitoring and some traffic diversions.
- Officers drew attention to condition 19 and explained how air quality would be monitored.
- With regard to whether properties would be eligible for compensation by being adversely affected by noise, after scheme was completed noise would be assessed and they would see if further mitigations regarding properties and after which it would be for residents to seek compensation.
- There had been work with the applicant and drainage engineers and the internal drainage boards and they were satisfied with the drainage. The drainage was enhanced by flood compensation measures.
- The protection of the airfield runway was covered by condition 23 and it was noted that it was not a heritage asset.
- There was a request for an interpretation board from the city archaeologist that was removed in updated comments. Interpretation would take place as part of a wider engagement project.

- Regarding whether the scheme could be without a fourth arm, Members were advised that they were looking at the scheme as a whole. Following a Member question they were advised that it was not reasonable to condition harm versus public benefit.

[The meeting adjourned from 19.13 to 19.22]

Members debated the application in detail. In response to comments made during debate, the Head of Planning and Development Services clarified that conditions needed to meet the five tests.

Cllr Hollyer moved the officer recommendation for delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to the application being referred to the Secretary of State and to delegate the final wording of the conditions to the Head of Planning and Development Services. This was seconded by Cllr Steward. Following a unanimous vote in favour it was;

Resolved: That delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to the application being referred to the Secretary of State in accordance with the provisions of The Town and Country Planning (Consultation) (England) Direction 2021; and in the event of the Secretary of State confirming that they do not wish to call the application in. For the Head of Planning and Development Services be given delegated authority to finalise the planning conditions.

Reasons:

- 1) The application seeks planning permission for Improvements to the A1237 York Outer Ring Road including dualling of existing carriageway, improvements to roundabouts, provision of 5.1km shared use cycle and pedestrian route, signalised crossing facilities for active travel users, 2no. overbridges and no.6 underpasses for pedestrians and cyclists with ancillary development including sustainable drainage measures, flood compensatory storage areas, woodland planting/landscaping, habitat creation, noise barriers, revised field accesses, associated infrastructure and earthworks.
- 2) The majority of the application site and the proposed development is located within the general extent of the York Green Belt. The proposals would be regarded as constituting inappropriate development within the Green Belt. This would by definition be harmful to the Green Belt. Substantial weight is

given to the harms to the Green Belt in the planning balance. However, in this case there are considered to be very special circumstances which exist (as set out in paragraphs 5.181.- 5.187.) which would collectively clearly outweigh the harm to the Green Belt and the harms identified within the above report, which justify the development.

- 3) Based on the merits of the case it was recommended that the application be referred to the Secretary of State in accordance with the provisions of The Town and Country Planning (Consultation) (England) Direction 2021; and in the event of the Secretary of State confirming that they do not wish to call the application in, planning permission be granted, subject to conditions set out in the published report.

Cllr J Crawshaw, Chair

[The meeting started at 2.34 pm and finished at 8.00 pm].

Scheme

1.4. This application seeks permission to erect a Children's Charity Centre with outdoor recreation facilities. It is proposed to erect a two storey building, with single storey elements, of u shape form with an entrance courtyard. It is to be constructed in a variety of materials including timber cladding, cork, aluminium curtain walling, metal standing seam roof and a green sedum roof. PV panels are proposed.

1.5. Facilities will include a public café, public shop, mentor kitchen, arts and crafts area, dance studio, music studio, beauty studio, podcast room, sensory room, a recreation space, a climbing wall, meeting rooms, offices, fitness suite, sports hall and workshop alongside toilet, shower and changing facilities. Outdoor space will be landscaped and includes the provision of a public park, picnic area, vegetable garden, orchard garden, pond, wildflower meadows, a bike trail and a multi-use games area.

1.6. Vehicular access would be taken from New Lane, alongside 2no. new pedestrian/cycle accesses into the site. A car park will lie to the front of the site and will host 53no. spaces (3no. of which would be disabled and 2no. reserved for mini-buses). 8no. EV car charging points are proposed, alongside a grasscrete car parking area for overspill parking which could host approximately 9no. vehicles. Covered, secure cycle parking (18no. spaces) is proposed near the site entrance and uncovered cycle parking (40no. spaces) is proposed in front of the café within the car park. A new pedestrian crossing is proposed on New Lane, alongside the widening of New Lane and a new bus shelter with footpath connection to the site. A covered refuse store is provided to host 8no. 1100litre bins.

1.7. The site would be occupied by 'The Island' - a registered charity (1120420) which delivers a service supporting disadvantaged, vulnerable and isolated young people in the city through positive mentoring relationships and activities. The Charity was founded in 2007 and is currently experiencing a lack of physical space and resources to meet demand. The site would be open 7 days a week with the following operating hours:

Island Centre:

Monday to Saturday	08:30 – 21:00
Sundays and Bank Holidays	09:30 – 17:00

Public Café and Farm Shop:

Monday to Saturday	10:00 – 16:00
Sundays and Bank Holidays	Closed

Application Reference Number: 22/01733/FULM

Item No: 4a

Planning History

1.8. With regards to planning history, permission was granted in 2013 for the change of use of the existing agricultural building to a fruit and vegetable shop and the retention of the polytunnel for agricultural use. The farm shop was the last use of the site.

1.9. The parcel of land immediately north is currently subject to a planning application for residential development and is pending consideration at the time of writing this report (23/01016/OUTM). The land north of the cemetery was granted planning permission on appeal for residential development of up to 300 dwellings (21/00305/OUTM). The reserved matters application for 275 dwellings is currently pending consideration (24/00282/REMM).

2.0 POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK

2.1. The revised National Planning Policy Framework (NPPF) was published in 2023 and sets out the government's planning policies for England and how these are expected to be applied.

2.2. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

2.3. The statutory Development Plan for the City of York comprises the saved policies and key diagram of the otherwise revoked Yorkshire and Humber Plan Regional Spatial Strategy (2008) and any made Neighbourhood Plan.

HUNTINGTON NEIGHBOURHOOD PLAN

2.4. The Huntington Neighbourhood Plan (HNP) was adopted in 2021. The following policies are relevant to this application:

H4 Design principles

H8 New and enhanced community facilities and buildings

H14 Green Belt

H17 Biodiversity

H18 Flooding and water management

H20 Car parking

H21 Walking and cycling
H22 Developer contributions

PUBLICATION DRAFT LOCAL PLAN (DLP 2018)

2.5. The Publication Draft Local Plan 2018 was submitted for examination on 25th May 2018. It has now been subject to full examination and is expected to be adopted late 2024. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF. Draft policies relevant to the determination of this application are:

DP2 – Sustainable Development
HW2 – New Community Facilities
HW3 – Built Sports Facilities
D1 – Placemaking
D2 – Landscape and Setting
D6 – Archaeology
GI2 – Biodiversity and Access to Nature
GI4 – Trees and Hedgerows
GB1 – Development in the Green Belt
CC2 – Sustainable Design and Construction of New Development
ENV1 – Air Quality
ENV2 – Managing Environmental Quality
ENV3 – Land Contamination
ENV4 – Flood Risk
ENV5 – Sustainable Drainage
WM1 – Sustainable Waste Management
T1 – Sustainable Access
T7 – Minimising and Accommodating Generated Trips
T8 – Demand Management
DM1 – Infrastructure and Developer Contributions

3.0 CONSULTATIONS (most recent responses recorded)

INTERNAL

Archaeology – 13th September 2022

3.1. Commentary on development site and adjacent fields with recommended archaeological conditions.

Carbon Reduction – 15th September 2022

3.2. The sustainability and energy statement states the following will be used to achieve an 85.8% reduction of carbon emissions:

- Air Source Heat Pump
- Solar Photovoltaics (Solar PV) for energy generation
- High performance building fabric
- Low energy lighting
- Compact and efficient floor plan
- Double-glazing to limit heat gains and losses
- Solar shading
- Extensive energy monitoring systems for performance reporting and ongoing
- Monitoring

3.3. Recommend a condition to achieve reduction in carbon emissions of at least 28% compared to the target emission rate required under building regulations and a BREEAM excellent condition.

Ecologist – 15th November 2023

3.4. No objections but recommend a biodiversity enhancement condition, great crested newts condition, nesting birds condition and Landscape and Ecological Management Plan (LEMP). Informatives are recommended with regards to nesting birds, hedgehogs, wildlife and lighting.

Strategic Planning – 10th November 2023

3.5. Concluded: The submitted Plan (Publication Draft) shows the site as being in the York Green Belt. However, in accordance with the saved policies of the RSS, the Green Belt boundaries will be established through the City of York Local Plan, once adopted. Having applied the Wedgewood principles, it is recommended that this site is considered to be in the Green Belt.

3.6. As the proposed development does not accord with any of the uses outlined in paragraph 149 of NPPF 2023, the proposed development should be regarded as inappropriate development in the Green Belt and consideration should be given to whether or not very special circumstances exist and any harm resulting from the proposal is clearly outweighed by other considerations.

Landscape Architect – 31st August 2023

3.7. Summarised:

- Significant harm to simple open landscape character and views between New Lane and Monks Cross resulting from building and car park.
- Remaining landscape in eastern half of site presents a change to landscape character but not a harmful one.
- Mitigation could be improved by setting car park further back from New Lane and adding hedgerow trees.
- Notwithstanding the harmful impact on the open tract of land between Huntington and Monks Cross, the landscape scheme is considerate, functional, and potentially attractive.
- Landscape condition to be included if consent is given.

3.8. Comments based on revisions:

- The width of roadside planting is marginally increased and includes some tree planting which is a slight improvement though does not significantly alter the effect of the landscape mitigation on the visual impact of the car park.
- Revisions have been submitted with alterations to the parking, which results in more parking, which in turn increases the visual impact of this element of the scheme, especially at the site entrance.
- Otherwise there are no significant changes, therefore please refer to my comments from 31st August 2023.

Public Protection – 15th October 2023

3.9. Recommend conditions with regards to; a construction environmental management plan, working hours condition, odour control, land contamination, noise.

3.10. Advice regarding electric vehicle charging points and a recommended condition (however this is now covered by Building Regulations).

3.11. A lighting report has been provided with the application. Consideration has been given to light from the facility however the impact on the nearest residential properties has not been quantified. Therefore a condition is recommended to cover this.

CYC Waste Management – 3rd October 2023

3.12. Whilst these types of developments are not under remit for collections as they are not entitled to a domestic waste collection service, they can use any commercial waste vendor.

3.13. City of York Council will not collect waste via unadopted highways on new developments.

3.14. The route between the bin store is flat and even. The loading point for the refuse collection vehicle is safe and legal where they will not obstruct other traffic, pedestrians or access. Bin storage areas should be contained within a suitable enclosure to prevent nuisance from the spread of waste, odour or noise and must be suitably designed to prevent entry by vermin. The walls and doors should be able to withstand impacts from fully-loaded 1100 litre bins. Where necessary, the installation of a suitable buffer can prevent contact between the bins and the inside faces of the walls and doors.

CYC Corporate Director of Children Services and Education

3.15 The Island is an established charity in the City of York, who are a very well-respected part of the wider community and early help system. They support some of our most vulnerable and disadvantaged children in the city through an increasing offer of engaging relationships and support activities. Their work has developed over many years and this proposal provides considerable opportunity to grow and develop the service further, extending their offer to provide greater inclusivity in working with young people and their families. This proposal is a welcome addition to support a comprehensive and early offer to children and young people alongside other voluntary and statutory providers. It is well placed in the city given other amenities in the location whilst there is a comprehensive plan to engage young people across all areas, through their exiting community relationships. As the Corporate Director of Children Services and Education, welcome and support the extension of provision for young people by a provider which is well established over many years.

Conservation and Design – 2nd October 2023

3.16 Development Management to assess. Informal meeting if need to discuss specific design issues.

Public Realm Manager – 29th September 2023

3.17 As it is a private development, rather than a public open space issue, no comments to make.

Flood Risk Management Team – 15th March 2024

3.18 With regards to surface water disposal, although the applicant has not yet carried out site specific infiltration testing to determine whether soakaways would work, the onsite foul and surface water drainage principles have been agreed in principle but there remains a requirement to rule out of the use of soakaways before connection to surface water sewers is permitted.

3.19 With regards to the offsite surface water sewer, the submitted CCTV survey provides evidence of an obstruction between 40m and 90m from existing surface water manhole (SWMH1), this has the potential stop the flow of water and discharge from the proposed development if not addressed. Both landowners have riparian responsibilities/duties of the drainage laid within their land. Note, the CCTV survey also provides evidence of existing land drainage connection from the site into MH1.

3.20 The Council has an Easement Agreement which gives the right to enter 3rd party land to carry out maintenance and repair, the adjacent landowner will remain the riparian owner.

3.21 The submitted Drainage Strategy is acceptable - Sheet 1 – Re: 21181-100 Revision P4, the Drainage Strategy Sheet 2 Foul Destination – Re: 21181-101 Revision P3, both dated 7th September 2023 and the Drainage Strategy Sheet 3 Surface Water Destination – Re: 21181-102 Revision P3, dated 9th October 2023. These show foul water being pumped offsite to the public foul water sewer in Ferguson Way and surface water making use of the existing private land drainage connection manhole (MH1) within the site which in turn connects to the wider local watercourse at a restricted rate of 1.1 (one point one) litres per 2 second with appropriate attenuation up to and including the 1 in 100 year event with 40% climate change event and are generally acceptable in principle. If planning permission is to be granted, recommend 2 conditions - separate systems for foul and surface water and a pre-commencement condition with regards to soakaways and if proved to be unsuitable then drainage in accordance with the drainage strategies put forward.

Highways – 18th March 2024

3.22. With some minor changes to the proposed layout, 50 standard spaces + 3 accessible parking spaces can be provided within the main car park, two more next to the proposed mini-bus parking (possibly for drop-offs only), plus a further nine in the 'grasscrete' 'overspill' parking area (61+3 overall). This is slightly less than the 68 'target' for primarily 'education' use with some 'business' and 'health (Medical)' uses, plus daytime use of sports hall, fitness suite and dance studio.

3.23. It should be noted that a 17-seater mini-bus includes the driver, so a maximum of 32 pick-ups by minibus will be possible in any one pick-up round, unless minibuses with more than 17 seats are proposed. A minibus with up to 16 passenger seats can, however, be driven using a current car driving licence (Category B) The applicant should clarify whether minibuses with up to 16 passenger seats or a higher no. of passenger seats are to be used.

3.24 If use is to made of the proposed 'overspill' car parking area It is recommended that the landscaping be amended.

3.25 Recommend conditions in relation to the following:

- o Full details of vehicular access
- o Vehicle areas surfaced
- o Cycle parking details to be agreed
- o Car and cycle parking laid out
- o Internal turning areas
- o Pedestrian visibility splays protected
- o Highway safety audit
- o Method of works statement
- o Travel plan
- o Parking survey
- o Off-site highway work details (widening of New Lane, pedestrian crossing, shared use cycle track/pedestrian route, footway on New Lane, installation of a new bus shelter, relocation of 30mph/40mph speed limit signs)

3.26 Seek financial contributions via S106 for the following;

- £6,000 towards amending the Traffic Regulation Order (TRO) to be able to introduce the extension of the 30mph speed limit to a point approx. 130m south of its current extent
- £10,000 towards City of York Council Travel Plan Support (@ £2,000/per year for 5 years)
- £130,000 (tbc) towards the introduction and enforcement of a residents parking zone (RPZ) in the vicinity of the Site (subject to the outcome of annual parking surveys);

EXTERNAL

Huntington Parish Council – 27th September 2023

3.27 Object on the following grounds;

1. The proposed development is within the Green Belt
2. There is no identified need for this facility within the Neighbourhood Plan
3. The proposed development has poor public transport access, making it less accessible to sections of the wider York Area
4. The proposed development is over-bearing, out-of-scale or out of character in terms of its appearance compared with existing development in the vicinity
5. There are better situated brownfield sites within the city which would make any proposed centre more accessible to potential beneficiaries.

Cadent – 13th September 2022

3.28 This application falls outside of Cadent's distribution network. Please contact local Gas distributor and/or National Grid for comments on this application.

Yorkshire Water – 3rd October 2023

3.29 Recommend conditions with regards to development carried out in accordance with the details shown on the submitted plan, " 'Flood Risk Assessment & Drainage Strategy' 21181 FRA01 (rev B) prepared by Dudleys, dated September 2023," unless otherwise agreed in writing with the Local Planning Authority.

1.) The submitted 'Flood Risk Assessment & Drainage Strategy' 21181 FRA01 (rev B) prepared by Dudleys, dated September 2023, is acceptable.

3.30 In summary, the report states that

a.) Foul water will discharge to public foul water sewer via pumping station at a rate of 5 litres per second.

b.) Sub-soil conditions likely do not support the use of soakaways however infiltration testing has yet to be carried out.

c.) A watercourse exists near to the site - connection subject to Environment Agency / Local Land Drainage Authority - surface water will discharge to this.

North Yorkshire Police Designing Out Crime Officer – 16th October 2023

3.31 It is pleasing to note from a security and safeguarding perspective that there is a secure control line highlighted in the Design & Access Statement at paragraph 7.3 to control access into the premises and to the wider site.

3.32 The only reservation I have concerns the use of bollard lighting for walkways to the building instead of lamp columns. Bollard lighting should be avoided as it does not project sufficient light at the right height and distorts the available light due to the 'up-lighting' effect; making it difficult to recognise facial features and as a result

causes an increase in the fear of crime. It is also susceptible to deliberate or accidental damage.

3.33 It is considered that this application accords with the core principles and design objectives set out in the National Planning Policy Framework.

Foss (2008) Internal Drainage Board – 2nd October 2023

3.34 Watercourse to the eastern boundary - Strictly on the basis that it is just a grip, and not a watercourse, on the eastern boundary, the Board does not feel that we need to request a 3 metre easement area for this.

3.35 Soakaways - The Board always recommends that soakaways are first considered in accordance with the Planning Practice Guidance hierarchy for the management of surface water. The Board notes the comments regarding soakaways but we would still recommend formal soakaway testing is carried out and witnessed by Richard Wells.

3.36 Discharge into watercourse - The Board will only accept a discharge into a watercourse (directly or indirectly) where soakaways are not feasible.

3.37 Details - The Board notes that the applicant is proposing to connect into an existing manhole within the site which appears to discharge into a system running along the A1036 and ultimately discharges into South Beck. Where there is a new connection to a watercourse (directly or indirectly), the maximum discharge that will be accepted is at the “greenfield” rate of 1.4 litres per second per hectare. The Board notes that the proposed developed area is 0.77 hectares and therefore a discharge rate of 1.1 litres per second is proposed. Strictly on the basis of soakaway testing being carried out, this discharge rate can be agreed in principle.

3.38 Flow control device - Whilst the Board is not the “approving authority” for flow control devices, the Board notes that the applicant is proposing a Hydrobrake as the flow control device. Provided this flow control device restricts the discharge rate to 1.1 litres per second, and the applicant will be putting a maintenance schedule in place, the Board has no objection to the proposal.

3.39 Existing Land Drainage- The Board notes that there appears to be four existing inlets at manhole EXSWMH1. One is coming from Monks Cross/Vangarde, one is assumed to come from the Caravan Park and the other two are assumed to be disused land drains and can be grubbed up. Further investigations will need to be carried out as to where these existing land drains definitely come from and then a decision made as to where they should ultimately go to. If the land drains are just

serving the “red line boundary” then these will need to be grubbed up/redirected into the proposed drainage system. If they are serving other properties, they must remain to ensure that the proposal does not affect other people’s drainage systems.

3.40 Foul drainage - The Board notes that the applicant is proposing to, ultimately, use the mains sewer for the disposal of foul sewage. If Yorkshire Water is content with the proposed arrangement and is satisfied that the asset has the capacity to accommodate the flow, then the Board would have no objection to the new proposed arrangement.

3.41 Recommend a pre-commencement surface water and foul drainage condition.

Yorkshire Wildlife Trust – 13th October 2022

3.42 No comments.

York Civic Trust – 27th September 2022

3.43 Consider that the public benefits of the proposed children's centre along with the ecological benefits of the proposed landscaping outweigh our concerns, so we support the application.

3.44 Current structures do not make a positive contribution to the area.

3.45 The proposed children's centre is a two-storey building with a much larger footprint than the existing structures, however, it offers a wide range of facilities which would enable The Island to expand its support for children and young people.

3.46 The design, massing and material choices are well considered.

Although the project is not aiming to achieve a specific standard such as BREEAM or Passivhaus, a focus on sustainability is apparent and to be commended.

3.47 The landscaping and planting proposed for the site will provide a stimulating environment for children's activities as well as habitat for wildlife, increasing biodiversity and helping to offset the impact of the building on the green belt.

3.48 Although the site is located some distance from the city centre, it is well served by public transport, and connected to pedestrian and cycling routes, so is accessible to those without access to private cars.

3.49 In summary, York Civic Trust supports the application as we feel that the public benefit created by the proposed children's centre and the increased biodiversity offered by the proposed landscaping and planting outweigh the impact of such a large building in the green belt, and the project will make a positive contribution to the city.

4.0 REPRESENTATIONS

4.1. The application has been advertised via site notice, local press notice and neighbour notification letter. The application has been advertised twice due to receipt of amended plans (including an increase in the red line application site boundary to include public highway), a change in the description (to include crossings) and the signing of a new ownership certificate.

4.2. 24no. letters of support (including Julian Sturdy MP, Rachael Maskell MP and the Archbishop of York) received on the following grounds:

- Excellent and sympathetic design.
- Sustainable and high quality materials.
- Much needed facility for the Charity.
- Will improve the lives of some of the most disadvantaged children in York along with their families and carers.
- Charity is currently based at a temporary facility.
- Welcome plans to collaborate with other charities and community groups.
- This site provides the space and availability required to progress.
- Offer an expanded service.
- Take some of the pressure off York service.
- Welcome empty site being put to good use.
- The Charity will have ownership and take control of their own premises.
- Provide outstanding facilities.
- Young people involved in the pre-application design.
- Loss of other youth facilities in the city.
- Asset to the City.
- Sufficiently detached from residential properties.
- Need for reliable buses, safe walking and cycling routes.
- Need for good road crossings.
- Development should be regarded as providing the very special circumstances required in the Green Belt.
- Quality landscaping
- Improved biodiversity.
- Positive use of the Green Belt.
- Need for a large green site to provide all the activities.
- Seen in context with the large commercial buildings at the nearby shopping centre and industrial estate.
- Green Belt Assessment and Planning Statement is fair and well-balanced.
- Brownfield site and can only be improved upon what is already there.
- Will provide income generating opportunities for the Charity.

4.3. 1no. general comment received by the Voluntary Warden of the adjacent wildlife area on the following grounds;

- Previously encountered problems with illegal access to the site however have managed to make the site more secure.
- Development will create more chance to access the site due to the proximity of boundaries and lead to an increase in the problems experienced in the past.
- Assured by developer that adequate provision will be made to secure the boundary and prevent access via their property and at the same time prevent any trespassers on our site gaining access to their land.
- Happy to support application with the proviso that obtain undertakings as to the security of our site.

5.0 APPRAISAL

Key Issues

5.1. The key issues are as follows:

- Green Belt
- Principle of Proposed Use
- Visual and Landscape Impact
- Residential Amenity and Public Protection
- Archaeology
- Highways and Access
- Biodiversity and Ecology
- Trees
- Drainage and Flood Risk
- Sustainability
- Waste
- The Case for Very Special Circumstances
- Public Sector Equalities Duty
- Planning Obligations

Green Belt

Policy

National Policy

5.2. Paragraph 152 of the NPPF states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5.3. Paragraph 153 of the NPPF states when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

5.4. Paragraph 154 of the NPPF states a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

5.5. Paragraph 155 of the NPPF states certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) Mineral extraction
- b) Engineering operations
- c) Local transport infrastructure which can demonstrate a requirement for a Green Belt location
- d) The re-use of buildings provided that the buildings are of permanent and substantial construction

- e) Material changes in the use of land (such as changes of use for outdoor sport or recreation or for cemeteries and burial grounds) and
- f) Development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Local Policy

5.6. This is reflected in Policy GB1 of the Draft Local Plan (as amended) which is wholly consistent with the Framework. In this context and at the time of writing this report and given that only one minor objection to policy GB1 remains, policy GB1 can be afforded moderate weight.

Neighbourhood Plan Policy

5.7. Full weight is given to adopted policy H14 of the Huntington Neighbourhood Plan. This policy states the general extent of the York Green Belt within Huntington Parish is shown on the RSS Key Diagram (Map 5). The Green Belt will be defined through the Local Plan process. This policy shall apply to land included within the Green Belt boundary that is defined under an adopted Local Plan. Decisions on whether to treat land as falling within the Green Belt for development management purposes in advance of the adoption of the Local Plan will be taken in accordance with the approach supported in the case of *Christopher Wedgewood v City of York Council* [2020] EWHC 780 (Admin), taking into account the RSS general extent of the Green Belt, the draft Local Plan (April 2005) (Map 6), the emerging Local Plan and site specific features in deciding whether land should be regarded as Green Belt. It is of the view that very little weight should be attached the Green Belt proposals contained within the draft Local Plan (April 2005) and its related evidence, which are superseded by the 2018 Local Plan that is now at an advanced stage of examination.

5.8. Policy H14 states within the general extent of the Green Belt inappropriate development will not be supported except in very special circumstances. New buildings are regarded as inappropriate development and will not be supported other than in the circumstances identified in the National Planning Policy Framework. Development proposals for the following uses will be supported provided that they preserve the openness of the general extent of the Green Belt and do not conflict with the purposes of including land in the Green Belt:

- Minerals extraction;
- Engineering Operations;
- Local Transport Infrastructure that can demonstrate a requirement for a Green Belt location;

- The re-use of buildings provided that the buildings are of permanent and substantial construction; and
- Development brought forward under a Community Right to Build Order

Assessment as to whether the site falls within the Green Belt

5.9. Retained parts of the RSS (saved under the Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013) are the only formally adopted policies or plans that relate to York's Green Belt. These policies are YH9(C) and Y1(C1 and C2). They state that the detailed inner and rest of the outer boundaries of the Green Belt around York (described as being 'about 6 miles' from the city centre) should be defined to protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas. The application site lies within the extent of the draft Green Belt, close to the built up part of Huntington.

5.10. It is the role of the new Local Plan to define land within the Green Belt following assessment and interpretation of Green Belt purposes in the context of York. The Wedgewood decision makes clear that the RSS is deliberately short of detail and precision on Green Belt boundaries owing to its high-level strategic nature. The point was subsequently affirmed by the Local Plan Inspectors, explaining that "the RSS did not purport to provide the detailed inner and outer boundaries of the Green Belt" and recognising that this was also clear from the key diagram (figure 6.2), which identified hatching around York representing the 'general extent of Green Belt' (Policy YH9).'

5.11. With regards to the emerging Local Plan, Phase 4 hearings concluded in September 2022 and consultation on Main Modifications took place in February / March 2023. Further hearings took place in March 2024. The Inspectors' report is anticipated in mid-late 2024. The detailed inner boundaries have also now been considered as part of the local plan examination hearings (during the phase 4 hearings). It is within this context that regard should be given to the evidence underpinning the emerging plan – itself a material consideration.

5.12. The site is identified within the Green Belt to the east of New Lane, Huntington, in the emerging Plan. In this context and at the time of writing this report and given that only one minor objection to policy GB1 remains, policy GB1 can be afforded moderate weight, in accordance with paragraph 48 of NPPF (2023). However, the evidence base underpinning the emerging plan is capable of being a material consideration in the determination of planning applications.

5.13. The 'Topic Paper 1: Approach to defining York's Green Belt Addendum (2021) Annex 3 Inner Boundaries Part 2; Sections 5-6' (EX/CYC59d) assesses the inner boundary of the York Green Belt in this area. In particular, Section 5, boundary 30 - 31 (pages A3:467 – A3:474) should be considered, in relation to this particular site. The land in question forms part of a wider network of mixed fringe farmland, which contributes to the wider open countryside setting of York. The application site also contributes to the wider strip of land, which provide a very clear separation between two very distinct areas which have widely divergent characters, the compact bulk of residential properties which forms part of the village of Huntington, to the west, and the modern large scale retail / leisure / commercial industrial development of Monks Cross, the Community Stadium, Vanguard Shopping Park and Monks Cross Park & Ride. The site therefore forms part of the land which is important to keep open, to prevent the coalescence of 2 distinct areas. Taking the above factors into account, it is concluded the site falls within the Green Belt.

Assessment

5.14. The proposal seeks the demolition of the existing farm shop and the erection of a new Children's Charity Centre, alongside associated landscaping of the majority of the site. The proposal does not meet any of the exceptions set out within paragraphs 154 and 155 of the NPPF (2023) or policy H14 of the Huntington Neighbourhood Plan with regards to Green Belt development. As such the development is considered inappropriate development in the Green Belt, which is harmful by definition.

5.15. The essential characteristics of the Green Belt is their openness and permanence. Openness has spatial as well as visual aspects. The predominantly open, arable landscape to the east of New Lane defines the separation between the residential area of Huntington and the commercial zone of Monks Cross.

5.16. The proposed building would be larger than the barn it would replace, leading to a development footprint which would undoubtedly impact on the openness of the site both visually and spatially, especially given its public visibility. The size of the building is significant both in terms of its floor area and thereby land-take but also its mass. The associated landscaping works such as the car park, pond and planting would also impact on the openness of the current site, due to the creation of man-made features leading to a more engineered environment on land which is currently undeveloped. The openness experienced along New Lane, would be significantly reduced due to the scale and location of the proposed building and car park. The development would conflict with the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open. It is therefore concluded

that the development is both inappropriate in the Green Belt and is also harmful to its openness both visually and spatially.

5.17. In line with paragraph 152 of the NPPF, policy H14 of the Huntington Neighbourhood Plan and policy GB1 of the Draft Local Plan (as amended), very special circumstances would need to be demonstrated to outweigh the harm identified to the Green Belt and any other harm resulting from the proposal. Whether Very Special Circumstances exist to justify this inappropriate development in the Green Belt are explored at the end of the report when all the key issues have been assessed and determined whether any other harm as a result of the proposed development has been identified.

Principle of Proposed Use

Policy

5.18. Policy H8 of the Huntington Neighbourhood Plan states development proposals involving the provision of new or enhanced community facilities, will be supported where it can be demonstrated that they meet an identified and evidenced Parish need and subject to accessibility, amenity, landscape and environmental considerations. The NPPF encourages Local Authorities to proactively support the development of accessible community facilities that meet the needs of existing and future residents.

5.19. Policy HW2 of the Draft Local Plan will support applications for new or expanded community facilities when an existing deficit or future need has been identified. Facilities should be designed to be adaptable and multi-purpose, in order to future-proof services and enable a wide range of community uses. Any new or expanded facilities must be accessible and well-served by public transport, footpaths and cycle routes. Policy HW3 relates to new built sports facilities which are supported where a deficiency in or a future provision has been identified. Similar to Policy HW2 it should be well located, accessible to all in terms of age and ability, subject to the specific sports uses proposed, and when suitable infrastructure exists or can be created to manage and maintain the facility.

Assessment

5.20. The proposal seeks a new premises for The Island Children's Charity (Registered Charity Number 1120420) and by way of its function will become a new community facility for the City of York. It will provide opportunities for recreation and for people to come together – two important contributors to individual's mental health and wellbeing. The site will meet the day-to-day needs of the local

community, with significant weight attached to the importance of the contribution the Charity provides to the City. Whilst it is acknowledged there will be an element of educational and sports facilities, the predominant function when taking all elements into account, is a community facility.

5.21. The scheme will provide a permanent base for the Charity. Since its foundation in 2007, the charity has provided life-changing help to over 3000 young people across the city. The Charity seeks to expand its reach further and in recent years has been constrained by a lack of available physical space and resources. It is stated within The Planning Statement there is a nationwide trend of shrinking youth provision and an increasing number of people being referred to the Charity, following cuts elsewhere.

5.22. The Planning Statement states that until recently, The Island operated from the St. Columba's United Reformed Church on Priory Street in the city centre, where the charity rented approximately 370m² of lower ground floor / basement floorspace. The accommodation was limited in size and storage capacity, significantly constraining the activities and services the Island could provide. The site had no outside recreational space and, sharing with St Columba's, the Island typically had to timetable training and activities around other uses at the church. Moreover, The Island's position as tenants without a permanent home of its own severely limited its ability to generate income and capital expenditure costs to improve its services, further restricting the charity's capacity to expand its operations.

5.23. To overcome some of the above problems, The Island relocated to Beverley House on Shipton Road in York, which allowed some increase in activities. This was on a temporary basis ahead of the redevelopment of the site to provide 21 senior living apartments. The Island had to vacate in January 2023 and are currently based at an office space at Tower Court in York. However due to a continuing increase in numbers, The Island seeks a larger and permanent facility. The Island have explored other options to relocate to existing commercial properties within York, but it is stated the rents were unaffordable and the spaces unviable.

5.24. A statement on site options has been submitted which indicates there are no suitable, available or viable alternate sites within the City of York area. Within existing developed boundaries, sites have been discounted due to insufficient indoor and outdoor space. Rents and purchase costs were also prohibitive. Additionally allocated sites within the Local Plan do not represent a viable option. Outdoor space is important and it is argued this would be difficult to achieve in a non-green belt location given the proposed Green Belt boundaries in the Local Plan. The Charity

consider the application site to be of a sufficient size to meet their current and future needs and have subsequently purchased the site.

5.25. Officers consider that it has been demonstrated there is a need for this type of facility. The site and its provisions provide much needed space (including outdoor space), allow for adaptability and are multi-purpose for The Island's needs. The proposals contribute to the provision of built sports facilities to promote active and healthy lifestyles and provide a community function. Subject to a review of other material planning considerations, the principle of development is considered acceptable and is in line with policy H8 of the Huntington Neighbourhood Plan and policy HW2 and HW3 of the Draft Local Plan (2018).

Visual and Landscape Impact

Policy

5.26. Policy H4 of the Huntington Neighbourhood Plan relates to design and states development proposals should respect the character of their local environment having regard to scale, density, massing, height, landscape, layout materials and access, as appropriate to their nature and location. They should take account of the design principles set out in the City of York Character Area studies for Huntington Parish. Development proposals should also take into account the amenity of neighbouring occupiers. Where appropriate, development proposals should provide safe and attractive public and private spaces, and well defined and legible spaces that are easy to get around, especially for older people.

5.27. Planning decisions should ensure developments will function well and add to the overall quality of the area (paragraph 135 of the NPPF). This is supported by Policy D1 of the Draft Local Plan (2018) which seeks to ensure the density, massing and design of development respects the local character and its setting. Landscaping is covered within policy D2 of the Draft Local Plan (2018) and this seeks to ensure high quality hard and soft landscaping including suitable lighting.

Assessment

5.28. Huntington itself is a relatively expansive area with few areas of significant open space this side of the river Foss, therefore there is considerable value to the open nature of the application site which provides a natural sense of place at present. This is considered to contribute to the wider landscape character and quality and provides separation between Monks Cross and Huntington. The string of open fields between New Lane, Jockey Lane and Monks Cross is part of the context and setting for Huntington, which consciously links with Monks stry and the wider

open countryside beyond the built edge of the city. This tract of land therefore plays a significant role in the sense of place for the south-eastern extent of the village of Huntington.

5.29. Due to the footprint and height and location of the proposed building, and the car park adjacent to New Lane, the proposed development would have a significant physical and visual impact on the simple open character of the field that makes up the application site, as viewed from both New Lane and Malton Road. The proposed development would therefore result in a loss of a sense of the open countryside which is part of the setting and division between Huntington and Heworth and Monks Cross and an important landscape feature.

5.30. The proposed tree and meadow planting provides some mitigation for this effect. The proposed tree planting would soften, though not screen, the proposed built development from Malton Road. The loose tree cover, grassland and water body is not dissimilar to the landscape components seen on the adjacent land, to the south of the park and ride site and along Jockey Lane.

5.31. The proposed landscape arrangement results in a significant change in landscape character across the remaining eastern half of the site, however this change in character is not harmful (with the exception of the built form and car park in the western half). The proposed planting would create greater enclosure, which would be very different to the remaining tract of fields, though not entirely out of place. The proposed landscape scheme presents several benefits to the landscape resource by way of new tree cover and a variety of plant communities, delivering a number of ecosystem services, including recreational and social benefits.

5.32. Proposed tree and hedge planting along New Lane, would soften the appearance of the car park but not screen it entirely; and would do little to screen the proposed building. Visibility of the site would be particularly marked during five months of the year when leaf cover is reduced/absent. The visual impact during operational hours in the winter months and in hours of darkness would be increased when lighting would be highly visible, including for the carpark, multi-use court, wayfinding bollard lighting, and lighting emanating from the building. External lighting and overspill internal lighting would be a new feature in this landscape.

5.33. The floorspace of the building including the ground floor and first floor, creates over 3700m² of internal space (approximately). The building is much larger than the existing farm shop and its scale is of some concern when taking into account the existing open character of the site. However by using natural looking materials such as a green roof and timber cladding, the appearance would generally resemble an agricultural building, albeit it is acknowledged there is a significant amount of glazing

proposed. Overall the design of the building will be viewed as a contemporary addition with materials chosen fit for its purpose. External works including the car park, access roads, parks, a MUGA and landscaping would create a more engineered environment therefore the proposal would ultimately change the character of the landscape.

5.34. Overall it is concluded that there would be harm to the existing landscape character arising from the proposal therefore the proposal is in conflict with paragraph 135 of the NPPF, policy H4 of the Huntington Neighbourhood Plan, policy D1 and parts i, ii, v, viii, ix of policy D2 of the Draft Local Plan (2018). This harm is set out in the assessment for very special circumstances at the end of the report.

5.35. The proposed landscape scheme is however considered appropriate and does provide environmental and recreational benefits, in line with part vii of policy D2 of the Draft Local Plan (2018). Additionally the development creates opportunities for the public to use the newly created open space to the front of the site in line with part iv of policy D2 of the Draft Local Plan (2018).

Residential Amenity and Public Protection

Policy

5.36. Policy ENV2 of the Draft Local Plan (2018) states development will not be permitted where future occupiers and existing communities would be subject to significant adverse environmental impacts such as noise, vibration, odour, fumes/emissions, dust and light pollution without effective mitigation measures. Policy ENV3 of the Draft Local Plan (2018) states where there is evidence that a site may be affected by contamination or the proposed use would be particularly vulnerable to the presence of contamination, planning applications must be accompanied by an appropriate contamination assessment.

Assessment

5.37. The building is sited over 50m from the nearest residential dwelling – Thornfield Farm. It will be partially visible from Thornfield Farm Camping and Caravan site and from viewpoints within the curtilage of Thornfield Farm, however it is not considered the physical structure would be overbearing or would overshadow the neighbouring dwelling when taking into account the height of the building, the distances between the two sites and the screening proposed. There are no first floor windows proposed facing this neighbour.

5.38. The Public Protection Team recommend a Construction Environmental Management Plan for minimising the creation of noise, vibration and dust during demolition and construction, alongside a working hours condition. This is considered an appropriate condition to attach given that there are nearby residential and commercial buildings.

5.39. The proposed café has a commercial kitchen therefore a condition is recommended with regards to the treatment and extraction of cooking odours.

5.40. Due to the previous land use of the site and the use proposed, the Public Protection Team recommend conditions with regards to land contamination and these have been added.

5.41. In terms of noise from the proposed use, a condition is recommended to ensure all machinery, plant and equipment installed is approved by the Local Planning Authority prior to its installation. This is to ensure the service noise is acceptable with regards to noise audible outside the site.

5.42. Noise will inevitably arise from the development, including from the comings and goings and use of outdoor areas such as the pitches or bike trails. The Public Protection Officer recommends a scheme via condition to be submitted which specifies the provisions to be made from noise emanating from the site. However the Local Planning Authority consider that controlling the operating hours is sufficient in this case. This is controlled by condition 3 which conditions strict compliance with the submitted operator statement and the hours within it. In this case the site's opening hours being Monday to Saturday 08.30 to 21.00 and Sundays and Bank Holidays 09.30 to 17.00.

5.43. A lighting report is provided with the application produced by Troup, Bywaters and Anders, dated 1st July 2022, alongside a lighting site plan dated 5th April 2022. Consideration has been given to the type of lighting required for the facility however the impact on the nearest residential properties has not been quantified, therefore the Public Protection Team recommend details of the lighting lux levels at the nearest residential dwelling be submitted for approval. The lighting levels at the nearest residential façade shall not exceed 5 lux between 0700-2300 hours and 1 lux between 2300-0700 hours. The lux must be measured in illuminance in the vertical plane. This condition has been added.

5.44. Subject to the inclusion of the above conditions with regards to construction management, extraction facilities, land contamination, lighting and noise, it is not considered that the proposed use would give rise to any residential amenity concerns in line with policy ENV2 and ENV3 of the Draft Local Plan (2018).

Archaeology

Policy

5.45. Draft Local Policy D6 relates to archaeology. Development must not result in harm to the significances of the site or its setting. It should be designed to enhance or better reveal the significances of an archaeological site or will help secure a sustainable future for an archaeological site at risk. Where harm to archaeological deposits is unavoidable, detailed mitigation measures must be agreed with City of York Council that include, where appropriate, provision for deposit monitoring, investigation, recording, analysis, publication, archive deposition and community involvement.

Assessment

5.46. The proposed development site is situated within an area which contains prehistoric and Romano-British features including two temporary Roman camps, possible enclosures and pits. One of the camps is a Scheduled Monument of national importance. The area was later used for agricultural purposes during the medieval and post-medieval period.

5.47. A geophysical survey has taken place across this site and the fields to the north. The most recent survey (2021) carried out on this proposed development site has demonstrated the presence of potential buried archaeological features within the centre of the site. The fields surveyed in 2014 immediately to the north were interpreted as containing possible pit alignments. None of these have been evaluated intrusively.

5.48. Further north on New Lane a recent archaeological evaluation following a geophysical survey revealed a limited number of archaeological features with the majority of potential archaeological features proving to be of natural origin. However, an undated track-way (possibly Roman) defined by two parallel ditches was also identified. It is likely that the track-way post-dated the camp but must have been constructed during a period when the monument was well defined as an earthwork. The geophysical survey had not shown the track way in its results. While evaluation nearby has proved that a limited archaeological resource remains there has not been any intrusive investigation immediately adjacent or within the proposed development site.

5.49. Any archaeology that is present across this site will be impacted upon by the proposed development as it will exist at shallow depths. Therefore, the same

process of archaeological evaluation will be required as for other fields in this area. A program of trial trenching is now required to investigate the limited anomalies identified within the survey and to test other elements of the results. Given the limited results from nearby investigations this can take place under planning conditions and these have been added in line with policy D6 of the Draft Local Plan (2018).

Highways and access

Policy

5.50. Paragraph 115 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.51. Policy H20 of the Huntington Neighbourhood Plan states development proposals should incorporate sufficient, safe and convenient car parking provision in accordance with the most up to date City of York Council standards. Policy H21 of the Huntington Neighbourhood Plan requires as appropriate to their scale and location that development proposals should be designed to provide safe and convenient connections to the network of footpaths and cycleways in the immediate locality. Priority should be given to those that create or improve links between the main residential areas and (i) key local services such as shops and schools (including the Vangarde/Monks Cross Shopping Park and (ii) the existing network. As appropriate to their scale and location development proposals may be required to contribute to improvements to the network of footpaths and cycleways outside the development site and in the immediate locality.

5.52. Policy T1 of the Draft Local Plan (2018) requires safe and appropriate access, layout and parking arrangements (including cycle storage). Development will be supported where it is in compliance with the Council's up to date parking standards (policy T8). Policy T7 of the Draft Local Plan (2018) states development proposals that can be reasonably expected to have a significant impact on the transport network must be supported by a Transport Statement (TS) or by a Transport Assessment (TA) and Travel Plan (TP), as appropriate, depending on the scope and scale of the development. The application is accompanied by a Transport Statement produced by WSP, dated August 2022 and an addendum.

Assessment

Existing site

5.53 The previous use of the site was a public farm shop with no restrictions on access or number of vehicles. The Transport Statement states the site had 150-200 cars accessing the site on weekdays and 200-300 vehicles accessing the site on weekends. At peak seasonal demand it is stated the site had over 500 vehicles in one day.

Access

5.54 Vehicular access to the site will utilise the existing access on New Lane, located immediately north of the substation. A separate pedestrian/cycle entrance is to be provided further north of the site. Service vehicles can enter the site and leave in forward gear from New Lane. The Highways Officer raises no concerns with regards to the access points.

Parking

5.55. Given the mixed uses of the site, the Highways Officer states there should be a target of 68 car park spaces, given the primarily 'education' use with some 'business' and 'health (Medical)' uses, plus daytime use of sports hall, fitness suite and dance studio.

5.56. The Transport Statement considered a 'First Principles' approach to calculate trip generation. The Addendum to the Transport Statement (provided by the Agent) states the maximum parking requirement for The Island use would be 18 regular spaces, 2 mini-bus spaces based on the largest session possible, 10 car park spaces for the café (maximum occupancy being 30) and 48 car park spaces for use by other organisations. The addendum concludes the cumulative maximum parking requirement would be 50 car park spaces.

5.57. The proposal seeks 53 car park spaces (which includes 3 accessible spaces) with an overspill grasscrete area which could host approximately 9 car park spaces. This gives a total of 62 spaces if all spaces are utilised. This is below the highways recommendation by 6 spaces but above the recommendation in the Transport Statement by 12 spaces.

5.58. The core use of the facility will be The Island staff and young people. Staff from third-party organisations (up to a maximum of 5) will be able to use a limited number of desks/rooms on site and accommodate up to 12 young people, which is the maximum number of young people to whom the Island will provide alternative education. The maximum number of young people The Island can accommodate is 60, which is in accordance with The Island's maximum group provision and

student/staff ratio to ensure safeguarding. The Island currently operates a mini-bus service for young people which will continue to be utilised.

5.59. Evening third party use of the sports facilities will be controlled through the Island's managed booking system and will ensure access is timetabled and available for registered participants only, and that there is no overlap in the use of facilities with sufficient changeover time to avoid visitor and traffic crossover. Access arrangements by groups will be confirmed at booking stage so numbers are known and can be safely managed and accommodated on site by the Island, as managers of the site.

5.60. The scheme proposes 8no. EV charging points within the car park. CYC's draft low emission planning guidance requires a minimum of 5% of all parking spaces to be provided with EV charging points. A condition is recommended to secure this provision.

5.61. Officers consider when taking into account the nature of the proposal and the managed booking system for external uses, the proposed parking arrangement including the overspill area is considered adequate in this instance. The parking requirement is short by 6no. spaces as recommended by the Highways Officer, however it is not considered that the placement of 6no. vehicles in the vicinity of the site would cause highway safety issues. New Lane is a clearway therefore parking and stopping is restricted however there are a number of unrestricted, residential streets to the west of New Lane, accessible by foot.

Cycle parking

5.62. Covered, secure cycle parking is proposed near the site entrance and uncovered cycle parking is proposed in front of the café within the car park. A condition is recommended to approve these details via a condition to ensure their number, style and spacing is considered adequate. Additionally a Travel Plan is conditioned as recommended by the Highways Officer to promote sustainable transport methods to the site rather than relying on the use of cars.

Bus services

5.63. The number 12 bus service currently operates on New Lane, which is an hourly service Monday-Saturday with no service on Sunday. It is acknowledged the bus services are limited along New Lane, which presents some harm in terms of the sustainable travel options for access to the site. The existing bus stop along New Lane is difficult to access and is in poor condition. The Applicant agrees to upgrade the existing bus shelter on New Lane as part of this development and to include a

footpath to access this. A replacement cantilever bus shelter is proposed to local authority standards and to enable the visibility splay to be achieved. This has been secured by condition and is to be implemented prior to the site coming into use.

5.64. Buses can be sought from the nearby Monks Cross site, however this would be a 0.5 mile walk via the existing northern cemetery footpath or a 0.6 mile walk along the A1036. This is not convenient however would provide further bus travel options than the New Lane Bus Stop.

Pedestrian crossing

5.65. A new 2m wide pedestrian refuge island is proposed on New Lane, alongside a new 3m wide shared footway/cycleway to the north. A dropped kerb and tactile paving is proposed on both sides of the crossing. As part of this, the road is slightly widened at this point to include land within the ownership of The Island, however the existing cycle lane on the western side of New Lane is retained. A cycle turning facility is included on the north side of the island. The pedestrian crossing is an important feature to ensure a safe crossing point along New Lane. The proposal also seeks to relocate the 30mph/40mph speed limit signs on each side of New Lane further south, however this is subject to an associated traffic regulation order being made and agreed to extend the 30mph limit 130m south of its current extent. The reduction in speed limit is welcomed.

S106 obligations and conditions

5.66. The Highways Officer recommends a number of conditions and S106 obligations. The standard highway conditions include vehicle areas surfaced, cycle parking details to be agreed, car and cycle parking laid out, internal turning areas, pedestrian visibility splays, travel plan and a method of works statement. These have been added. Off site highways works have been conditioned as recommended to ensure they are in place prior to the development coming into use.

5.67. The condition regarding full details of vehicular access and associated sightlines as requested by the Highways Officer has not been added as the only vehicular access proposed is from New Lane, which is an existing access. There will be some slight improvements to this however any works would be subject to a highways agreement. An informative regarding the road safety audit has been added as this will be required as part of any S278 highway works.

5.68. It is considered reasonable to request S106 planning obligations to £6,000 towards amending the Traffic Regulation Order to introduce the extension of the

30mph speed limit and for £10,000 towards CYC Travel Plan Support. This is to be secured via a S106 agreement.

5.69. Officers consider it unreasonable to request £130,000 towards the introduction and enforcement of a residents parking zone in the vicinity of the site, given that it has been estimated that 6no. car parking spaces are short overall. Additionally it is considered unreasonable to request on street parking surveys given that the shortfall and subsequent impact on the network is fairly minor. As such this request would not meet the legal tests for planning obligations.

Conclusion on transport matters

5.70. To conclude, the proposed access arrangements for cars, service vehicles, mini-buses, cycles and pedestrians is considered acceptable. The new pedestrian crossing and widening of New Lane will aid in creating a safe crossing point for pedestrians and dedicated areas for cyclists on the public highway. The parking requirement is short by 6no. spaces (as recommended by the Highways Officer) however, it is not considered the placement of these vehicles in the vicinity of the site would cause highway safety issues. Cycle parking is secured and further details of this are controlled by condition. The bus service provision is currently limited along New Lane and this does result in some harm to sustainable travel options to the site. The Applicant agrees to upgrade the existing bus stop and create a suitable footpath from this to the application site. Overall however and taking into account the conditions recommended, it is not considered that the proposal would create an unacceptable impact on highway safety. Additionally it is not considered the residual cumulative impacts on the road network would be severe.

Biodiversity and Ecology

Policy

5.71. Policy H17 of Huntington Neighbourhood Plan states in order to protect and where possible, provide net gains in biodiversity, development proposals should, as appropriate to their scale, nature and location;

- a) Maintain and where practicable enhance existing ecological corridors and landscape features (such as species rich grassland, watercourses, ponds, woodland and species rich hedgerows) for biodiversity wherever appropriate and demonstrate how any adverse impact will be managed and mitigated. These measures should be targeted to benefit local conservation priorities as identified in the York Biodiversity Action Plan and

- b) Where practicable incorporate into new developments, features that would lead to net gains in biodiversity including pollinators, bats, birds and mammals. Landscape schemes should use traditionally and locally appropriate species to support and enhance biodiversity.

5.72. Policy GI2 of the Draft Local Plan (2018) relates to biodiversity and access to nature. Paragraph 186 (d) of the NPPF (2023) seeks to ensure development contributes and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures. These enhancements are required in addition to the protected species licence requirements to mitigate for bats.

Assessment

5.73. The application is accompanied by a Preliminary Ecological Appraisal by Wold Ecology (dated October 2023), alongside an amended illustrated landscape plan (revision P7) by Landscape Architecture.

5.74. As identified within the PEA, the proposed works will impact the terrestrial habitat for known Great crested newt populations. As such, a European Protected Species licence issued by Natural England will be required prior to the commencement of works.

5.75. The species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended), contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm a European Protected Species (EPS). Notwithstanding the licensing regime, the Local Planning Authority must also consider these three tests when deciding whether to grant planning permission for a development which could harm an EPS.

5.76. The "derogation tests" which must be applied for an activity which would harm a European Protected Species (EPS) are contained within the species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended) are as follows:

- 5.77. 1) that the action is for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;
- 2) that there is no satisfactory alternative; and

3) that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

5.78. With regards to the third test, the conservation status of species will be taken as 'favourable' when:

- a) population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- b) the natural range of the species is neither being reduced for the foreseeable future, and
- c) there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

5.79. There is overriding public interest which includes those of a social nature when taking into account the principle of development (test 1) and there is evidence, as presented in the Statement on Site options, that there is no satisfactory alternative site (test 2). With regards to test 3, the requirement for a European Protected Species Licence will prevent any direct harm and the provision of a new on-site pond and suitable terrestrial habitat will provide appropriate conditions and extend the availability of suitable habitat for the local population. Therefore, the third test for maintenance of favourable conservation status is met.

5.80. A condition is recommended to ensure the Great Crested Newt and their habitat are protected during the proposed works. The Applicant will either need to provide a license from Natural England, or a statement from a relevant licensing body that a license isn't required, or confirmation the site is registered as low impact class or a countersigned IACPC certificate issued by Natural England.

5.81. As noted in section 8.4 (Birds) of the PEA, the application site offers suitable habitat for nesting birds. Precautionary methods will therefore be required to ensure active nests are not destroyed during any vegetation clearance or tree works. This can be secured by condition.

5.82. From a review of the proposed landscape design, it is clear that the development will be beneficial to local ecology, through the provision of wildflower areas, wetland and aquatic habitat, tree and hedge planting. It is however recommended that the applicant continues to work with a consultant ecologist to ensure the ecological enhancements set-out in the Preliminary Ecological Appraisal (PEA) are included within the final design (sections 8.4.7 and 8.7.4 Biodiversity Gains and Recommendations). As the application was submitted in 2022, the requirement for 10% biodiversity net gain does not come into effect.

5.83. To ensure wildlife mitigation, compensation and enhancement measures are managed and maintained, the provision of a LEMP is considered appropriate and this has been conditioned. Subject to ecological conditions, the proposal is considered to be in compliance with policy H17 of the Huntington Neighbourhood Plan and policy GI2 of the Draft Local Plan (2018).

Trees

Policy

5.84. Policy GI4 of the Draft Local Plan (2018) states development will be permitted where it:

- i. recognises the value of the existing tree cover and hedgerows, their biodiversity value, the contribution they can make to the quality of a development, and its assimilation into the landscape context;
- ii. provides protection for overall tree cover as well as for existing trees worthy of retention in the immediate and longer term and with conditions that would sustain the trees in good health in maturity;
- iii. retains trees and hedgerows that make a positive contribution to the character or setting of a conservation area or listed building, the setting of proposed development, are a significant element of a designed landscape, or value to the general public amenity, in terms of visual benefits, shading and screening.
- iv. does not create conflict between existing trees to be retained and new buildings, their uses and occupants, whether the trees or buildings be within or adjacent to the site
- v. supplements the city's tree stock with new tree planting where an integrated landscape scheme is required and
- vi. Provides suitable replacement planting where the loss of trees or hedgerows worthy of retention is justified.

Assessment

5.85. The application is accompanied by an Arboricultural Survey by Barnes Associates. The report recommends the removal of the following trees;

- 4no. Crack Willow (T6, T7, T12, T14) category C2 trees – located on the south western boundary
- 1no. Goat Willow (T18) category U tree – located on the southern boundary
- Butterfly Bush (G19) category C2 – located on the southern boundary
- 1no. Crack Willow (T20) category C1 tree – located in the position of the new building.

- A group of Common Alder, Silver Birch, Crack Willow (G21) category C3 trees – currently located in the position of the new entrance square.
- Part of the Hawthorn Holly hedge (H31) is to be removed to accommodate the new path entrance.
- 2no. Ash tree crowns are to be removed (category U) however their stems to be retained.

5.86. It is acknowledged the proposal involves the loss of tree cover and hedging which forms part of the existing character of the site, however the trees are all category C or U therefore the quality of the trees is low. The loss of the mature trees in this instance is therefore minor and the trees would not warrant a Tree Preservation Order. Replacement planting is proposed in the landscape scheme. The Design and Access Statement at 5.4.4. proposes a combination of woodland trees, pond trees, orchard trees, feature trees and street trees. In terms of planting, a wildflower meadow is proposed centrally within the site and around the car park. A wet grassland is proposed around the pond and a perennial and grass mix close by. Native hedgerows are proposed near New Lane and around the car park. A finalised planting schedule is to be conditioned.

Drainage and Flood Risk

Policy

5.87. Policy H18 of the Huntington Neighbourhood Plan relates to flooding and water management. Development should not increase the risk of flooding and/or exacerbate existing drainage problems.

5.88. Development proposals must consider their impact on surface water management and, where appropriate, demonstrate that they have a surface water management plan, which shows that the risk of flooding both on and off site is minimised and managed. The management of surface water run-off from new development should incorporate sustainable drainage techniques and should be designed to deliver wildlife benefits, where possible.

5.89. Development proposals should protect existing watercourses and wetlands. The creation, extension and linking of wetland habitats to enhance the storage capacity of the landscape and reducing downstream flooding will be supported.

5.90. Policy ENV5 of the Draft Local Plan (2018) emphasises the need for Sustainable Drainage Systems (SuDS) in new development. Existing land drainage systems should not suffer any detriment as a result of development. Landscaping should be designed to reduce surface water flooding and to enhance local

biodiversity. Areas of hardstanding such as driveways and parking areas should be minimised and porous materials used.

5.91. In line with Policy ENV4 of the Draft Local Plan (2018) a site specific flood risk assessment that takes account of future climate change must be submitted with any planning application related to sites in Flood Zone 1 larger than 1ha.

Assessment

5.92. The application is accompanied by Flood Risk Assessment and an updated drainage strategy (produced by Dudleys). The development is classed as a more vulnerable use, however as the site lies within Flood Zone 1, an exception test is not required. The proposed development is located at a higher level than the South Beck and the land drain flowing around the east of the property. It is considered there is a very low flood risk from water flow from the river. No specific measures are required due to fluvial flooding.

5.93. The Flood Risk Assessment confirms to prevent any flooding from surface water and pluvial sources, there will be drainage channels around the building draining surface water away, as well as around the site where required. The levels of the centre will be located at a height to ensure that water will not enter the premises if drains become blocked and water will be contained within the site around the pond. The level of the building has been set to 14.75m to ensure that there is a 600mm freeboard to the expected maximum water level for the pond. This will provide resilience within the development and ensure that water will be managed without a residual risk of flooding.

5.94. The drainage strategy shows the foul water being pumped offsite to the public foul water sewer in Ferguson Way. Yorkshire Water have no objections to this. Surface water will make use of the existing private land drainage connection manhole (MH1) within the site, which is turn connects to the wider local watercourse at a restricted rate of 1.1 litres per 2 second with appropriate attenuation up to and including the 1 in 100 year event with 40% climate change event. This is less than the maximum as stated by the Internal Drainage Board. The surface water run-off rate proposed is compliant with policy ENV4. The site will also utilise swales, filter drains, permeable pavements, rainwater harvesting, rain gardens and green roofs.

5.95. In terms of infiltration methods for the disposal of surface water disposal, the applicant has not yet carried out site specific infiltration testing, therefore a condition is recommended to ensure this testing is carried out, to determine whether a soakaway approach would be suitable, rather than connection into existing drainage

systems. This is a pre-commencement condition. In the event soakaway testing fails, the alternate drainage strategy put forward is acceptable.

5.96. With regards to the offsite surface water sewer, the submitted CCTV survey provides evidence of an obstruction in the drain (outside of the red line application boundary), which has the potential to stop the flow of water and discharge from the proposed development if not addressed (along with the existing site it serves). The landowner(s) have riparian responsibilities/duties (outside of the planning process) of managing and maintaining the drainage laid within their land. The Council has an Easement Agreement which gives the right to enter 3rd party land to carry out maintenance and repair, the adjacent landowner will remain the riparian owner.

5.97. The Council's Drainage Engineer has reviewed the reports and drainage plans and recommends two conditions. The first being separate systems for foul and surface water drainage and a pre-commencement condition with regards to soakaways. If soakaways are proved unsuitable then development is to be carried out in accordance with the drainage strategies put forward. Subject to the inclusion of the two drainage conditions, the proposed development is in compliance with policy H18, policy ENV4 and policy ENV5 of the Draft Local Plan which seeks to ensure development will not increase the risk of flooding and suitable drainage methods are in place for the disposal of foul and surface water.

Sustainability

Policy

5.98. Policy CC2 of the Draft Local Plan (2018) states all new non-residential development with a total internal floor area of 100m² or greater should achieve:

- i. a 28% reduction in carbon emissions over and above the requirements of Building Regulations (2013) unless it is demonstrated that such reductions would not be feasible or viable; and,
- ii. BREEAM 'Excellent' (or equivalent), where feasible and viable and where development proposals are for 1,000m² or more

Assessment

5.99 The application is accompanied by a Sustainability and Energy Statement produced by Hoare Lea, dated 23.05.2022. The following measures are to be utilised on site; Air Source Heat Pump, solar Photovoltaics (Solar PV) for energy generation, low energy lighting, double-glazing to limit heat gains and losses, solar

shading and extensive energy monitoring systems for performance reporting and ongoing. With regards to policy CC2 and as the non-residential floorspace is over 1000m², a condition is recommended to secure BREEAM excellent (which is the recognised policy measure for sustainability) and a reduction in carbon emissions.

Waste

Policy

5.100 Policy WM1 of the Draft Local Plan (2018) requires the integration of facilities for waste prevention, re-use, recycling, composting and recovery in association with the planning, construction and occupation of new development for commercial sites.

Assessment

5.101. Servicing and refuse access will be via the main entrance on New Lane and the layout ensures provision for turning and manoeuvring of collection vehicles, so they can enter and leave in forward gear. This is evidenced on the Refuse Collection Swept Path Assessment produced by SCP. The route between the bin store is flat and even. The bin store is enclosed and is to host 8no. 1100l bins. It is the Applicant's responsibility to arrange a commercial waste collection service. The proposal is considered to comply with policy WM1 as covered waste facilities are to be provided on site.

The Case for Very Special Circumstances

Policy

5.102. NPPF paragraph 153 states that "when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".

Assessment

5.103. The identified harm is as follows;

- The development is considered inappropriate in the Green Belt (substantial harm identified).
- Harm to the openness of the Green Belt visually and spatially (substantial harm identified).

- Urban sprawl (substantial harm identified).
- Harm to landscape character between Huntington and Monks Cross (substantial harm identified).
- Loss of 6no. trees, 2no. Ash crowns, 2no. groups of trees and hedging (minor harm identified).
- Limited bus services to the site along New Lane (minor harm identified).
- Parking requirement short by 6no. car parking spaces (minor harm identified).

5.104. The following considerations and benefits to justify the proposal are as follows;

- Meeting an essential need for a permanent base with enhanced facilities to support the operations of a local children's charity, including expanding visitor numbers (substantial weight afforded)
- Providing a space for youth mentoring provision in York, by supporting young people with mental health difficulties and raising aspirations (substantial weight afforded).
- Opportunities for outdoor sport (moderate weight afforded).
- Recreational and social benefits from the proposed uses (moderate weight afforded).
- Public access to the site (moderate weight afforded).
- Habitat creation and environmental improvements, including new tree cover (substantial weight afforded).
- Creation of jobs (both during the construction phase and during operation) (moderate weight afforded).
- The use of the site by other charities, community groups and agencies (this will be limited therefore minor weight afforded).
- Lack of alternate non Green Belt sites (moderate weight afforded).
- Upgrading of an existing bus stop and pedestrian access to this (minor weight afforded).

5.105. Officers attach significant weight to the provision of a permanent base for The Island Charity and allowing it to expand to provide enhanced facilities. The provided Operator Statement states The Centre will provide The Island with a base to provide individual mentoring, group mentoring, nurture groups, tutoring, counselling, life skills, education, work experience and collaboration with the police. The site will be owned and operated by The Island with the primary focus being the charity, however the statement envisages that it will share facilities with other local charities and community groups however this will be kept to the minimum, arranged around The Islands core activities and safeguarding measures will be put in place. Public access will be strictly limited to the café/farm shop area.

5.106. The very special circumstances identified are specific to The Island and its purpose, therefore conditioning the Operator Statement would secure the overall ethos of the development and the benefits set out above. Whilst there is identified landscape harm, Officers acknowledges that a site of this scale is required in order to provide appropriate indoor and outdoor facilities. Many brownfield sites / non-green belt locations within close proximity to the City would not offer outdoor opportunities or space to extend to this capacity. Additionally The Island is a York based charity therefore sites outside of the city would not be feasible or logical.

5.107. Taking the above into account and recognising that it is a matter of planning judgement and attaching substantial weight to the harm to the Green Belt and harm to landscape character, cumulatively there are very special circumstances which, as is required by the NPPF, clearly outweigh the harm to the Green Belt and the other identified harms. It is considered that very special circumstances exist which justify the development.

Public Sector Equalities Duty

5.108. Section 149 of the Equality Act 2010 contains the Public Sector Equality Duty (PSED) which requires public authorities, when exercising their functions, to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share relevant protected characteristic and persons who do not share it.

5.109. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to the characteristic;
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.110. The PSED does not specify a particular substantive outcome but ensures that the decision made has been taken with “due regard” to its equality implications.

5.111. Officers have given due regard to the equality implications of the proposals in making this recommendation. Age is a protected characteristic and due regard has been given to the youth service provision The Island provides to the young people of York.

Planning Obligations

5.112. To confirm, the following S106 obligations are sought in relation to the Traffic Regulation Order and the Travel Plan;

- A) £6,000 towards amending the Traffic Regulation Order to introduce the extension of the 30mph speed limit.
- B) £10,000 towards City of York Council Travel Plan Support (@ £2,000/per year for 5 years)

6.0 CONCLUSION

6.1. To conclude the application seeks permission to erect a Children’s Charity Centre with outdoor recreation facilities. It is proposed to erect a two storey building, with single storey elements, of u shape form with an entrance courtyard, landscaping and parking. The site would be occupied by ‘The Island’ - a registered charity (1120420) which delivers a service supporting disadvantaged, vulnerable, and isolated young people in the city through positive mentoring relationships and activities.

6.2. The application site lies within the Green Belt. The development is classed as inappropriate in the Green Belt, which is harmful by definition. Harm has also been identified to the openness of the Green Belt, urban sprawl, landscape character, loss of trees, limited bus accessibility and a parking shortfall of 6no. vehicles. The benefits of the scheme include; providing a permanent base with enhanced facilities for the Charity, opportunities for outdoor sport and recreation, public access to the site, habitat creation, environmental improvements, creation of jobs, upgrades to the existing bus stop and use of the site by other community groups. It is considered that there are very special circumstances that would clearly outweigh any harm to the Green Belt and other harm identified as required by paragraph 153 of the NPPF, policy H14 of the Huntington Neighbourhood Plan and policy GB1 of the Draft Local Plan (2018). Matters such as landscaping, archaeology, amenity, biodiversity, trees, drainage, sustainability, contamination, waste and highways are adequately addressed either within the plans or via a specific condition.

6.3. On planning balance and based on the merits of this case, approval is recommended subject to the referral of the application to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2024 and the application not being called in by the Secretary of State for determination. The application is required to be referred to the Secretary of State as the development is considered to be inappropriate development in the Green Belt and the proposal would consist of floorspace in excess of 1000m² (the floorspace threshold set out in the Direction).

6.4. Following the referral of the application to the Secretary of State and subject the application not being called in, that delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to:

a. The completion of a Section 106 Agreement to secure the following planning obligations:

- £6,000 towards amending the Traffic Regulation Order to introduce the extension of the 30mph speed limit.
- £10,000 towards City of York Council Travel Plan Support (@ £2,000/per year for 5 years)

b. The Head of Planning and Development Services be given delegated authority to finalise the terms and details of the Section 106 Agreement.

c. The Head of Planning and Development Services be given delegated authority to determine the final detail of the planning conditions.

7.0 RECOMMENDATION: Approve following Sec of State Decision

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in strict accordance with the following plans and drawings:

Location Plan; 21050-VB-ZZ-DR-A-0001 Rev. P1, dated 13.09.2023.

Proposed Site Sections; 21050-VB-ZZ-DR-A-1070, dated 14.07.2022.

Proposed Elevations; 21050-VB-ZZ-DR-A-1300, dated 14.07.2022.

Proposed Elevations; 21050-VB-ZZ-DR-A-1301, dated 14.07.2022.

Proposed Sections; 21050-VB-ZZ-DR-A-1500, dated 14.07.2022.

Proposed Sections; 21050-VB-ZZ-DR-A-1501, dated 14.07.2022.

Proposed Bay Study A; 21050-VB-ZZ-DR-A-2000, dated 14.07.2022.

Proposed Bay Study B; 21050-VB-ZZ-DR-A-2001, dated 14.07.2022.

Proposed Bay Study C; 21050-VB-ZZ-XX-DR-A-2002, dated 14.07.2022.

Proposed Ground Floor Plan; 21050-VB-ZZ-DR-A-1100 Rev. P4, dated 11.04.2024.

Proposed First Floor Plan; 21050-VB-ZZ-DR-A-1110 Rev. P4, dated 11.04.2024.

Proposed Roof Plan; 21050-VB-ZZ-DR-A-1120 Rev. P4, dated 11.04.2024.

Proposed Site Plan Ground Floor Plan; 21050-VB-ZZ-DR-A-1051 Rev. P6, dated 11.04.2024.

Proposed Site Plan Roof Plan; 21050-VB-ZZ-XX-DR-A-1052 Rev. P6, dated 11.04.2024

Proposed Highways Plan; SCP/230643/SK02 Rev. L, dated 15.04.2024.

Proposed Highways Plan; 21050-VB-ZZ-DR-A-1053 Rev. P8, dated 11.04.2024.

Proposed Highways Dedication Plan; 21050-VB-ZZ-DR-A-1054 Rev. P1, dated 11.04.2024.

Landscape General Arrangement Plan; 0892-RFM-XX-00-M2-L-0001 P07, dated 18.04.2024

Illustrated Landscape Plan; 0892-RFM-XX-00-M2-L-0002 P07, dated 02.02.2024.

Reason: For the avoidance of doubt and in the interests of proper planning.

3 The site shall operate in strict accordance with the submitted Operator Statement (dated July 2023) at all times.

Reason: To secure the benefits put forward by the Charity in order to grant very

special circumstances for the development, in line with paragraph 153 of the NPPF and policy GB1 of the Draft Local Plan (2018).

4 No archaeological evaluation or development shall take place until a written scheme of investigation (WSI) for evaluation has been submitted to and approved by the Local Planning Authority in writing. The WSI should conform to standards set by the Local Planning Authority and the Chartered Institute for Archaeologists.

Reason: This condition is imposed in accordance with Section 16 of NPPF. The site lies within an area of archaeological interest. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ.

5 The site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 4 and the provision made for analysis, publication and dissemination of results and archive deposition will be secured in accordance with the WSI. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: This condition is imposed in accordance with Section 16 of NPPF. The site lies within an area of archaeological interest. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ.

6 A copy of a report on the evaluation and an assessment of the impact of the proposed development on any of the archaeological remains identified in the evaluation shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 weeks of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: This condition is imposed in accordance with Section 16 of NPPF. The site lies within an area of archaeological interest. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ.

7 Where archaeological features and deposits are identified proposals for the preservation in-situ, or for the investigation, recording and recovery of archaeological remains and the publishing of findings shall be submitted as an amendment to the original WSI. It should be understood that there shall be presumption in favour of preservation in-situ wherever feasible.

Reason: This condition is imposed in accordance with Section 16 of NPPF. The site lies within an area of archaeological interest. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ.

8 No development shall take place until:

- details in condition 7 have been approved and implemented on site as so approved.

- provision has been made for analysis, dissemination of results and archive deposition has been secured in accordance with condition 5.

- a copy of a report on the archaeological works detailed in condition 7 has been completed and deposited with City of York Historic Environment Record.

Reason: This condition is imposed in accordance with Section 16 of NPPF. The site lies within an area of archaeological interest. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ.

9 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 must include a site specific risk assessment of dust impacts in line with the guidance provided by IAQM 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 advance in writing by the Local Planning Authority.

Reason: To protect the amenity of the locality

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

Reason: In the interest of satisfactory and sustainable drainage.

11 Prior to the commencement of the development hereby approved, the suitability of soakaways as a means of surface water disposal shall be ascertained in accordance with BRE Digest 365 to the satisfaction in writing of the local planning authority. If soakaway details are not approved in writing by the Local Planning Authority (due to being unsuitable), the drainage shall be carried out fully in

accordance with the submitted foul and surface water drainage strategy detailed on the Drainage Strategy Sheet 1 - Re: 21181-100 Revision P4, the Drainage Strategy Sheet 2 Foul Destination - Re: 21181-101 Revision P3, both dated 7th September 2023 and the Drainage Strategy Sheet 3 Surface Water Destination - Re: 21181-102 Revision P3, dated 9th October 2023, unless otherwise approved in writing by the Local Planning Authority, the development shall be implemented in strict accordance with the details thereby approved.

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

12 All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to the following hours:

Monday to Friday 0800 to 1800 hours

Saturday 0900 to 1300 hours

Not at all on Sundays and Bank Holidays

Reason: To protect the amenity of the locality.

13 There shall be adequate facilities for the treatment and extraction of cooking odours. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval prior to its installation. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained and serviced thereafter in accordance with manufacturer guidelines.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

14 Details of the lighting lux levels at the nearest residential dwelling façade shall be submitted to the Local Planning Authority for its written approval, prior to the installation of any external lighting. Lighting levels at the nearest residential façade shall not exceed 5 lux between 0700-2300 hours and 1 lux between 2300-0700 hours. The lux will be measured in illuminance in the vertical plane.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area.

15 Prior to development commencing, an investigation and risk assessment (in addition to any assessment provided with the planning application) must be undertaken to assess the nature and extent of any land contamination. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be prepared, submitted to and approved in writing by the Local Planning Authority prior to development commencing.

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).

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.

16 Prior to development, a detailed remediation scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) must be prepared, submitted to and approved in writing by 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 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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.

17 Prior to first occupation or use, the approved remediation scheme must be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out must be prepared, 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.

18 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

19 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 the local planning authority for approval in writing. 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 as so approved shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Note: The combined rating level of any building service noise associated with plant or 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+ A1 2019, 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.

20 A biodiversity enhancement plan/drawing shall be submitted to and be approved in writing by the local planning authority prior to the commencement of works. The content of the plan shall include, but not be limited to the recommendations set-out in the Preliminary Ecological Appraisal, provided by Wold Ecology Ltd., October 2023, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. Once

approved, the details shall be provided and implemented on site within 12 months of first use and retained thereafter.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraph 174 (d) of the NPPF (2021) to contribute to and enhance the natural and local environment by minimising impacts on, and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

21 No works on site, including site clearance, shall take place in any circumstances unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence; or
- c) confirmation that the site is registered on a Low Impact Class Licence issued by Natural England; or
- d) a countersigned IACPC certificate issued by Natural England can be provided, stating the site is eligible for District Level Licencing (where applicable).

Reason: To ensure Great crested newts and their habitat are protected during the proposed works. Great crested newts and their habitat are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

22 A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The LEMP shall include, but not be limited to the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward.
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved LEMP shall be implemented in accordance with its terms.

Reason: To ensure wildlife mitigation, compensation and enhancements measure are managed and maintained appropriately.

23 No tree works, or vegetation clearance shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful and detailed check of suitable habitats for active nests immediately before the works commence. Written confirmation should be submitted to the local planning authority, detailing where works within suitable habitats have been undertaken within the above-mentioned nesting bird period, the outcome of checking surveys, and identify requirements for protection measures.

Reason: To ensure that nesting birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended.

24 Within three months of commencement of development a detailed landscape scheme shall be submitted to the Local Planning Authority for approval in writing in accordance with the approved Landscape General Arrangement. This scheme shall include the species, stock size, density (spacing), and position of trees, shrubs and other plants; and seed mixes, sowing rates and mowing regimes. It will also include details of tree planting, surface treatments, and street furniture. The approved scheme shall be implemented within a period of six months of the practical completion of the building. Any trees or plants which within a period of ten years from the substantial completion of the planting and 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.

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

- 25 HWAY9 Vehicle areas surfaced
- 26 HWAY18 Cycle parking details to be agreed
- 27 HWAY19 Car and cycle parking laid out
- 28 HWAY22 Internal turning areas, details reqd
- 29 HWAY25 Pedestrian visibility splays protected

30 The development hereby permitted shall not come into use until the following highway works have been carried out in accordance with the details previously submitted to and approved in writing by the Local Planning Authority. The highway works are as follows:

- a) widening New Lane on the eastern side, to facilitate the construction of an informal pedestrian crossing, as shown indicatively on Dwg. No. 21015-VB-ZZ-RP-DR-A1053 Rev. P7 Proposed Highway Plan;
- b) the construction of an informal pedestrian crossing facility on New Lane comprising; a dropped kerb with tactile paving on both sides of New Lane, 2m wide pedestrian refuge island in New Lane, hatching with ghost island right-turn facility for cyclists at north side of refuge island and hatching at south side of refuge island.
- c) the construction of a 3.0m wide unsegregated shared use cycle track/pedestrian route with on the east side of New Lane from a point approximately 70m north of the centre of the proposed main vehicular access to a point approximately 15m north of the centre of the proposed main vehicular access, with dropped kerbs at a point approximately 50m north of the centre of the proposed main vehicular access to provide access to the cycle entrance to the development, as shown indicatively on Dwg. No. 21015-VB-ZZRP- DR-A1053 Rev. P7 Proposed Highway Plan.
- d) the construction of a 2.5m wide footway on the east side of New Lane, as shown indicatively on Dwg. No. 21015-VB-ZZ-RP-DR-A1053 Rev. P7 Proposed Highway Plan.
- e) the installation of a new bus cantilever bus shelter on the east side of New Lane, as shown indicatively on Dwg. No. 21015-VB-ZZ-RP-DR-A1053 Rev. P7 Proposed Highway Plan.
- f) the relocation of the 30mph/40mph speed limit signs on each side of New Lane to appoint approximately 140m south of their current position (subject to the associated TRO for extending the 30mph speed limit being made)

Reason: In the interests of the safe and free passage of highway users and providing access to public transport services.

31 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 prior to the development commencing. All works shall be carried out in accordance with the approved method of works statement. The statement shall include at least the following information:

- measures to prevent the egress of mud and other detritus onto the adjacent public highway;
- a dilapidation survey jointly undertaken with the local highway authority

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.

32 No part of the development shall be occupied until a 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 as approved.

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 5 yearly annual travel surveys carried out over period of 4 years from the first survey shall then be submitted annually to the Local Planning Authority for approval.

Reason: To ensure that traffic flows from the site can be safely accommodated and to promote the use of sustainable means of transport.

33 A minimum of 5% of car parking spaces shall be provided with EV charging facilities prior to the development coming into use. Active EV charge point provision shall meet minimum requirements as laid out in CYC's Low Emission Planning Guidance. Once installed, the charging points shall be retained and maintained for their intended purpose.

Reason: To ensure provision of EV charging facilities in line with the National Planning Policy Framework (NPPF) and CYC's Low Emission Strategy / Low Emission Planning Guidance

34 The development hereby permitted shall achieve:

- a) a 28% reduction in carbon emissions over and above the requirements of

Building Regulations (2013) unless it is demonstrated that such reductions would not be feasible or viable; and

b) a BREEAM rating of 'Excellent' or higher (or equivalent). A Post Construction Assessment by a licensed BREEAM assessor shall be carried out and a copy of the certificate submitted to the Local Planning Authority within 12 months of the first use (unless otherwise agreed). Should the development fail to achieve an 'Excellent' 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 an 'Excellent' rating. The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

The development shall be carried out in strict accordance with the approved details.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of Policy CC2 of the Draft Local Plan.

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 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 off-site highway works.
- Requested additional parking.
- Requested further information in respect of the use and operations.
- Requested updated ecological reports.
- Requested further drainage information.
- Use of Planning Conditions

2.

NOTE re CEMP: For noise details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situation, including the location of positions, recording of results and identification of mitigation measures required.

For vibration details should be provided on any activities which may results in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. Ideally all monitoring results should be recorded and include what was found and mitigation measures employed (if any).

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 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 include 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.

For lighting details should be provided on artificial lighting to be provided on site, along with details of measures which will be used to minimise impact, such as restrictions in hours of operation, location and angling of lighting.

In addition to the above 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

3.

Note re odour: It is recommended that the applicant refers to the updated Guidance produced by EMAQ in September 2018 titled "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (September 2018)" for further advice on how to comply with this condition. The applicant shall provide information on the location and level of the proposed extraction discharge, the proximity of receptors, size of kitchen or number of covers, and the types of food proposed. A risk assessment in

accordance with APPENDIX 3 of the EMAQ guidance shall then be undertaken to determine the level of odour control required. Details should then be provided on the location and size/capacity of any proposed methods of odour control, such as filters, electrostatic precipitation, carbon filters, ultraviolet light/ozone treatment, or odour neutraliser, and include details on the predicted air flow rates in m³/s throughout the extraction system.

4.

As this application relates to a business that will sell or supply food and/or drink, the proprietor of the business should contact by email at public.protection@york.gov.uk or by telephone on 01904 551525 at their earliest opportunity to discuss registering the business as a food premises (a legal requirement) and to obtain advice on food hygiene & standards, health & safety, odour extraction etc."

5.

Informative - nesting birds: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Suitable habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess nesting bird activity.

6.

Informative - Hedgehogs: The applicant is advised to consider using permeable fencing or leaving occasional gaps suitable to allow passage of hedgehogs. Any potential hibernation sites including log piles should be removed outside the hibernation period (which is between November and March inclusive) in order to avoid killing or injuring hedgehogs.

Hedgehogs are of priority conservation concern and are a Species of Principal Importance under section 41 of the NERC Act (2006). An important factor in their recent population decline is that fencing, and walls are becoming more secure, reducing their movements and the amount of land available to them. Small gaps of approximately 13x13cm can be left at the base of fencing to allow hedgehogs to pass through. Habitat enhancement for hedgehogs can easily be incorporated into developments, for example through provision of purpose-built hedgehog shelters or log piles. <https://www.britishhedgehogs.org.uk/wp-content/uploads/2019/05/developers-1.pdf>

7.

Informative - wildlife and lighting: When designing external lighting its potential impacts on light sensitive species should be considered. Direct lighting and light spill should be avoided where new bird nesting features are installed, on trees, soft landscaping, and 'green' linear features, such as hedges. Advice on lighting design for light sensitive species is available from the Bat Conservation Trust (2023) Bats and Artificial Lighting at Night: <https://theilp.org.uk/publication/guidance-note-8-bats->

and-artificial-lighting/

8.

Drainage notes for the developer:

- i) The public sewer network does not have capacity to accept an unrestricted discharge of surface water. Surface water discharge to the existing public sewer network must only be as a last resort, the developer is required to eliminate other means of surface water disposal,
- ii) The applicant should be advised that the Yorkshire Waters prior consent is required (as well as planning permission) to make a connection of foul and/or surface water to the public sewer network, and
- iii) The applicant should be advised that the York Consortium of Drainage Board's prior consent is required (as well as planning permission) for any development including fences or planting within 9.00m of the bank top of any watercourse within or forming the boundary of the site. Any proposals to culvert, bridge, fill in or make a discharge (either directly or indirectly) to the watercourse will also require the Board's prior consent.

9.

You are advised that prior to starting on site, consent will be required from the Highways Authority for the works being proposed under the Highways Act 1980 (or legislation/ regulations listed below). For further information, please contact the section(s) named:

- Agreements as to execution of works (Section 278) -
development.adoption@york.gov.uk

The Road Safety Audit is part of the works required under the highways act s278. If when going through the highways agreement process the RSA picks up any issues there may need to be a redesign and advice should be sought from the Local Planning Authority if needs be.

Contact details:

Case Officer: Natalie Ramadhin

Tel No: 01904 555848

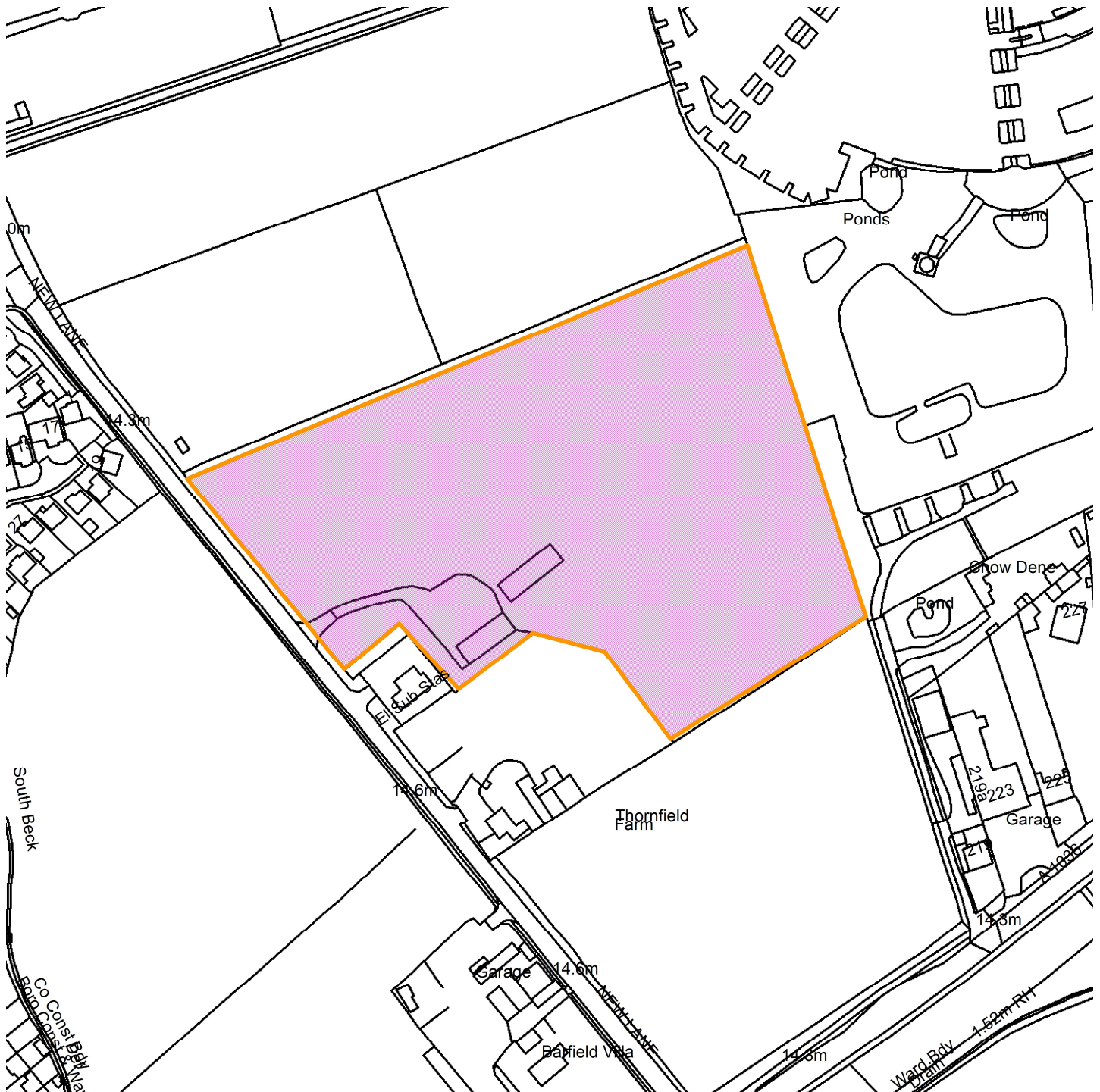
This page is intentionally left blank

22/01733/FULM

Bradleys Farm Shop New Lane Huntington York YO32 9TB



GIS by ESRI (UK)



Scale : 1:2513

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	08 May 2024
SLA Number	Not Set

This page is intentionally left blank



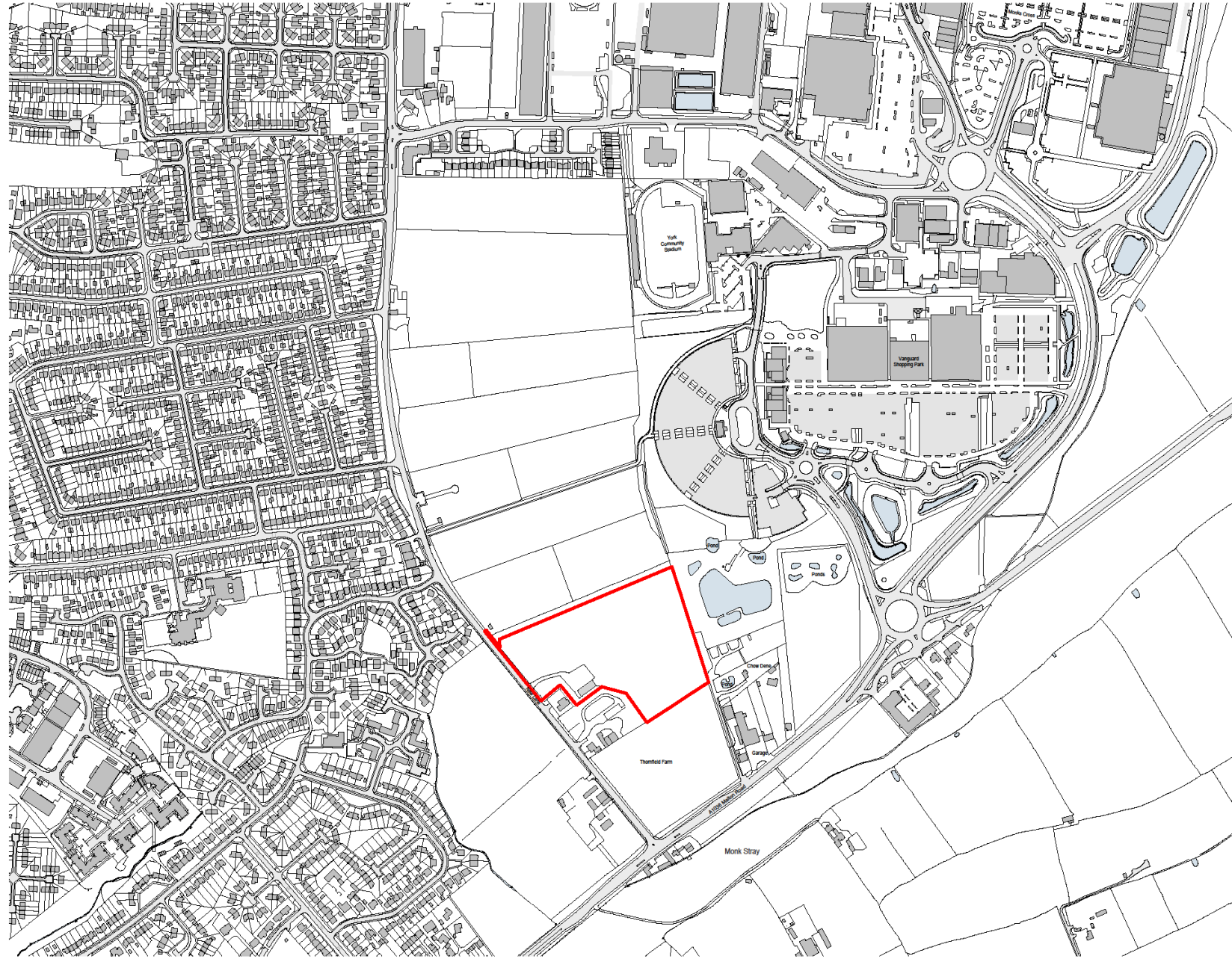
Planning Committee A

To be held on 16th May 2024

22/01733/FULM - Bradleys Farm Shop, New Lane, Huntington, York

Erection of charity children's centre with outdoor recreation facilities to also include; landscaping, footpaths, crossings, car parking and cycle parking following demolition of existing barn and polytunnel.

Site Location Plan



Copyright:
 This drawing is the sole copyright of Vincent & Brown any reproduction in any form is forbidden unless permitted in writing.
 Do not scale from this drawing, any discrepancies on site should be brought to the attention of Vincent & Brown.
 Work and materials must comply with the current building regulations and any relevant codes of practice, and must be read in conjunction with the building specifications and any other consultants or sub-contractor information.

LEGEND

— PLANNING APPLICATION SITE BOUNDARY
 SITE AREA: 34,305 sqm / 385,255 sqft

revision	date	description	drawn	checked
P1	13/09/23	Redline Boundary Update		

Vincent & Brown

Studio 12, Middlethorpe Business Park
 Sim Ball Lane, Easingwold, York, YO23 2BD
 t: 01904 700943 e: studio@vincentandbrown.com

project:
**THE ISLAND
 NEW LANE, HUNTINGTON, YORK**
 drawing:
LOCATION PLAN

date: 14.07.22	status: PLANNING	sheet size: A1
scale: 1:1250		

job number	orig	date	level	type	role	drawing number	rev
21050-VB-	ZZ-	00-	DR-	A-	0001	P1	



LOCATION PLAN
 1:2500

City of York Council Planning Committee Meeting - 16th May 2024



Aerial Image of
Site and Wider
Context



Aerial Image view
toward Monks
Cross Park and
Ride and
Vanguard Retail
Park



Aerial Image View
toward Malton
Road



Existing Site Entrance



View from Entrance
Northbound along New
Lane



View from South
of the site on
New Lane toward
site Entrance



Page 89

Existing Site Layout Plan



Copyright:
This drawing is the sole copyright of Vincent & Brown any reproduction in any form is forbidden unless permitted in writing.
Do not scale from this drawing, any discrepancies on site should be brought to the attention of Vincent & Brown.
Work and materials must comply with the current building regulations and any relevant codes of practice, and must be read in conjunction with the building specification and any other consultants or sub-contractor information.

LEGEND	
	PLANNING APPLICATION SITE BOUNDARY
	SITE AREA: 34,305 sqm / 395,255 sqft
	EXISTING TREE & RPA
	REFER TO BARNES TREE SURVEY

P1 13/09/23 Redline Boundary Update
revision date description drawn d/b/v

Vincent & Brown
Studio 12, Middlethorpe Business Park
5in Balk Lane, Bishopthorpe, York, YO23 2BD
t: 01904 700943 e: studio@vincentandbrown.com

project:
**THE ISLAND
NEW LANE, HUNTINGTON, YORK**
drawing:
EXISTING SITE PLAN

date: 14.07.22	status: PLANNING
scale: 1:500	sheet size: A1
job number: 21050-IVB-ZZ-00-DR-A-	rev: 0051 P1



EXISTING SITE PLAN
1:500

City of York Council Planning Committee Meeting - 16th May 2024



Proposed Site Layout Plan



Copyright:
 This drawing is the sole copyright of Vincent & Partners any reproduction in any form is forbidden unless permitted in writing.
 Do not scale from this drawing, any discrepancies on site should be brought to the attention of Vincent & Partners.
 Work and materials must comply with the current building regulations and any relevant codes of practice, and must be read in conjunction with the building specifications and any other consultants or sub-contractor information.

LEGEND

- PLANNING APPLICATION SITE BOUNDARY
- SITE AREA: 34,305 sqm / 385,255 sqft
- EXISTING TREE & RPA
REFER TO BARNES TREE SURVEY
- PROPOSED TREES
REFER TO RE-FORM LANDSCAPE DRAWINGS
- EVV
ELECTRIC VEHICLE CHARGING POINT

PK	11/04/21	4no. parking space added	
PS	05/02/24	Coordination with Landscape	
PA	22/01/24	Highways Update	
PI	27/09/23	Landscape Update	
PG	13/09/23	Highways & Footpath Update	
PI	03/05/23	Transport & Highways Update	
revision date	description		drawn: dvt

Vincent & Partners
 Studio 12, Middlethorpe Business Park
 Sim Balk Lane, Bishopthorpe, York, YO23 2BD
 t: 01904 700941 e: studio@vincentandpartners.com

project:
THE ISLAND
 NEW LANE, HUNTINGTON, YORK
 drawing:
PROPOSED SITE PLAN - ROOF PLAN

date:	14.07.22	status:	PLANNING				
scale:	1:500	sheet size:	A1				
job number	orig	date	level	type	role	drawing number	rev
21050-	VB-	ZZ-	BP-	DR-	A-	1052	P6



PROPOSED SITE PLAN - ROOF PLAN
 1 : 500

City of York Council Planning Committee Meeting - 16th May 2024

Proposed Southwest and Northwest Elevations

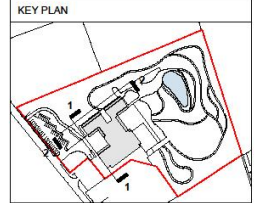


PROPOSED SOUTHWEST ELEVATION 1 - MAIN ENTRANCE
1 : 200



PROPOSED NORTHWEST ELEVATION 2 - SIDE GARDEN
1 : 200

Copyright:
This drawing is the sole copyright of Vincent & Brown any reproduction in any form is forbidden unless permission is granted in writing.
Do not scale from this drawing, any discrepancies on site should be brought to the attention of Vincent & Brown.
Work and materials must comply with the current building regulations and any relevant codes of practice, and must be read in conjunction with the building specification and any other consultants or sub-contractor information.



LEGEND

- ① CORK CLADDING PANEL
- ② ALUMINIUM FRAMED - DOUBLE GLAZING
- ③ VERTICAL TIMBER CLADDING
- ④ ZINC STANDING SEAM ROOF
- ⑤ SOLAR PANEL ARRAY



revision date description drawn c/s

Vincent & Brown

Studio 12, Middlethorpe Business Park
Sim Bak Lane, Middlethorpe, York, YO23 2BD

t: 01904 700941 e: studio@vincentandbrown.com

project:
THE ISLAND
NEW LANE, HUNTINGTON, YORK
drawing:
PROPOSED ELEVATIONS

date: 14.07.22	status: PLANNING	sheet no: A1
scale: 1:200		

job number: 21050-VB-ZZ-DR-A-	orig: VB	date: ZZ	level: DR	type: A-	revision: 1300	rev:
----------------------------------	-------------	-------------	--------------	-------------	-------------------	------

Proposed Northeast and Southeast Elevations

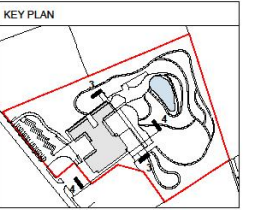


PROPOSED NORTHEAST ELEVATION 3 - REAR ELEVATION
1 : 200



PROPOSED SOUTHEAST ELEVATION 4 - BOUNDARY ELEVATION
1 : 200

Copyright:
This drawing is the sole copyright of Vincent & Brown any reproduction in any form is forbidden unless permission is granted in writing.
Do not scale from this drawing, any discrepancies on site should be brought to the attention of Vincent & Brown.
Work and materials must comply with the current building regulations and any relevant codes of practice, and must be read in conjunction with the building specification and any other constraints or sub-contractor information.



- LEGEND**
- ① CORK CLADDING PANEL
 - ② ALUMINIUM FRAMED - DOUBLE GLAZING
 - ③ VERTICAL TIMBER CLADDING
 - ④ ZINC STANDING SEAM ROOF
 - ⑤ SOLAR PANEL ARRAY



revision date description drawn checked

Vincent & Brown
Studio 12, Middlethorpe Business Park
Sim Ball Lane, Bishopthorpe, York, YO23 2BD
t: 01904 700941 e: studio@vincentandbrown.com

project:
THE ISLAND
NEW LANE, HUNTINGTON, YORK

drawing:
PROPOSED ELEVATIONS

date: 14.07.22 issue: PLANNING
scale: 1:200 sheet no: A1.1
20
4 8 12 16

job number	orig	zone	level	type	role	drawing number	rev
21050-VB-	Z2	XX	DR	A-		1301	

Proposed Northeast and Southeast Elevations

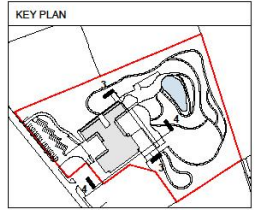


PROPOSED NORTHEAST ELEVATION 3 - REAR ELEVATION
1 : 200



PROPOSED SOUTHEAST ELEVATION 4 - BOUNDARY ELEVATION
1 : 200

Copyright:
This drawing is the sole copyright of Vincent & Brown any reproduction in any form is forbidden unless permission is granted in writing.
Do not scale from this drawing, any discrepancies on site should be brought to the attention of Vincent & Brown.
Work and materials must comply with the current building regulations and any relevant codes of practice, and must be read in conjunction with the building specification and any other constraints or sub-contractor information.



LEGEND

- ① CORK CLADDING PANEL
- ② ALUMINIUM FRAMED - DOUBLE GLAZING
- ③ VERTICAL TIMBER CLADDING
- ④ ZINC STANDING SEAM ROOF
- ⑤ SOLAR PANEL ARRAY



revision date description drawn ckr

Vincent & Brown
Studio 12, Middlethorpe Business Park
Sim Ball Lane, Bishopton, York, YO23 2BD
t: 01904 700941 e: studio@vincentandbrown.com

project:
**THE ISLAND
NEW LANE, HUNTINGTON, YORK**

drawing:
PROPOSED ELEVATIONS

date: 14.07.22 issue: PLANNING
scale: 1:200 sheet no: A1.1
0 4 8 12 16 20

job number	orig	zone	level	type	role	drawing number	rev
21050-LVB	ZB	YIC	DR	A-		1301	

Proposed Sections A-A and B-B

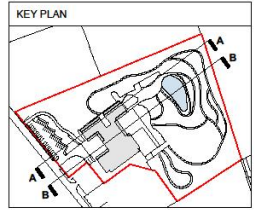


PROPOSED SECTION A-A
1 : 200



PROPOSED SECTION B-B
1 : 200

Copyright:
This drawing is the sole copyright of Vincent & Brown any reproduction in any form is forbidden unless permission is granted in writing.
Do not scale from this drawing, any discrepancies on site should be brought to the attention of Vincent & Brown.
Work and materials must comply with the current building regulations and any relevant codes of practice, and must be read in conjunction with the building specification and any other consultants or sub-contractor information.



- LEGEND**
- ① CORK CLADDING PANEL
 - ② ALUMINIUM FRAMED - DOUBLE GLAZING
 - ③ VERTICAL TIMBER CLADDING
 - ④ ZINC STANDING SEAM ROOF
 - ⑤ SOLAR PANEL ARRAY



revision date description drawn by

Vincent & Brown

Studio 12, Middlethorpe Business Park
Sim Bak Lane, Bishopthorpe, York, YO23 2BD
t: 01904 700943 e: studio@vincentandbrown.com

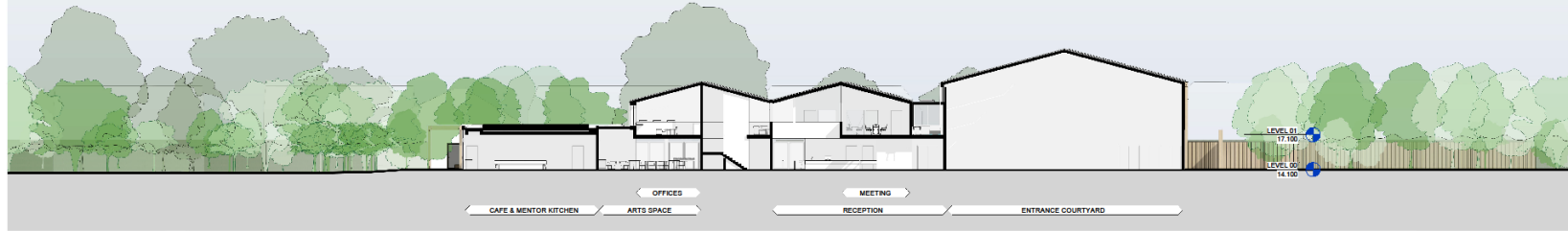
project:
**THE ISLAND
NEW LANE, HUNTINGTON, YORK**

drawing:
PROPOSED SECTIONS

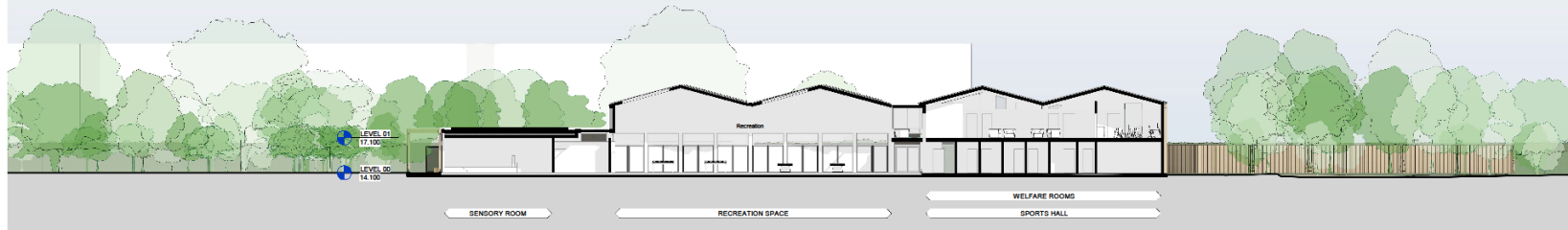
date: 14.07.22 status: PLANNING
scale: 1:200 sheet no: A1
0 4 8 12 16 20

job number	orig	zone	level	type	role	drawing number	rev
21050-1	VB	Z2	KX	DR	A	1500	

Proposed Sections C-C and D-D



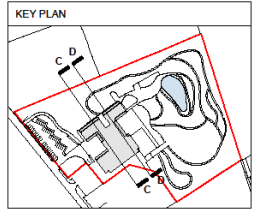
PROPOSED SECTION C-C
1 : 200



PROPOSED SECTION D-D
1 : 200

City of York Council Planning Committee Meeting - 16th May 2024

Copyright:
This drawing is the sole copyright of Vincent & Brown any reproduction in any form is forbidden unless permission is granted in writing.
Do not scale from this drawing, any discrepancies on site should be brought to the attention of Vincent & Brown.
Work and materials must comply with the current building regulations and any relevant codes of practice, and must be read in conjunction with the building specification and any other consultants or sub-contractor information.



- LEGEND**
- ① CORK CLADDING PANEL
 - ② ALUMINIUM FRAMED - DOUBLE GLAZING
 - ③ VERTICAL TIMBER CLADDING
 - ④ ZINC STANDING SEAM ROOF
 - ⑤ SOLAR PANEL ARRAY



revision date description drawn checked

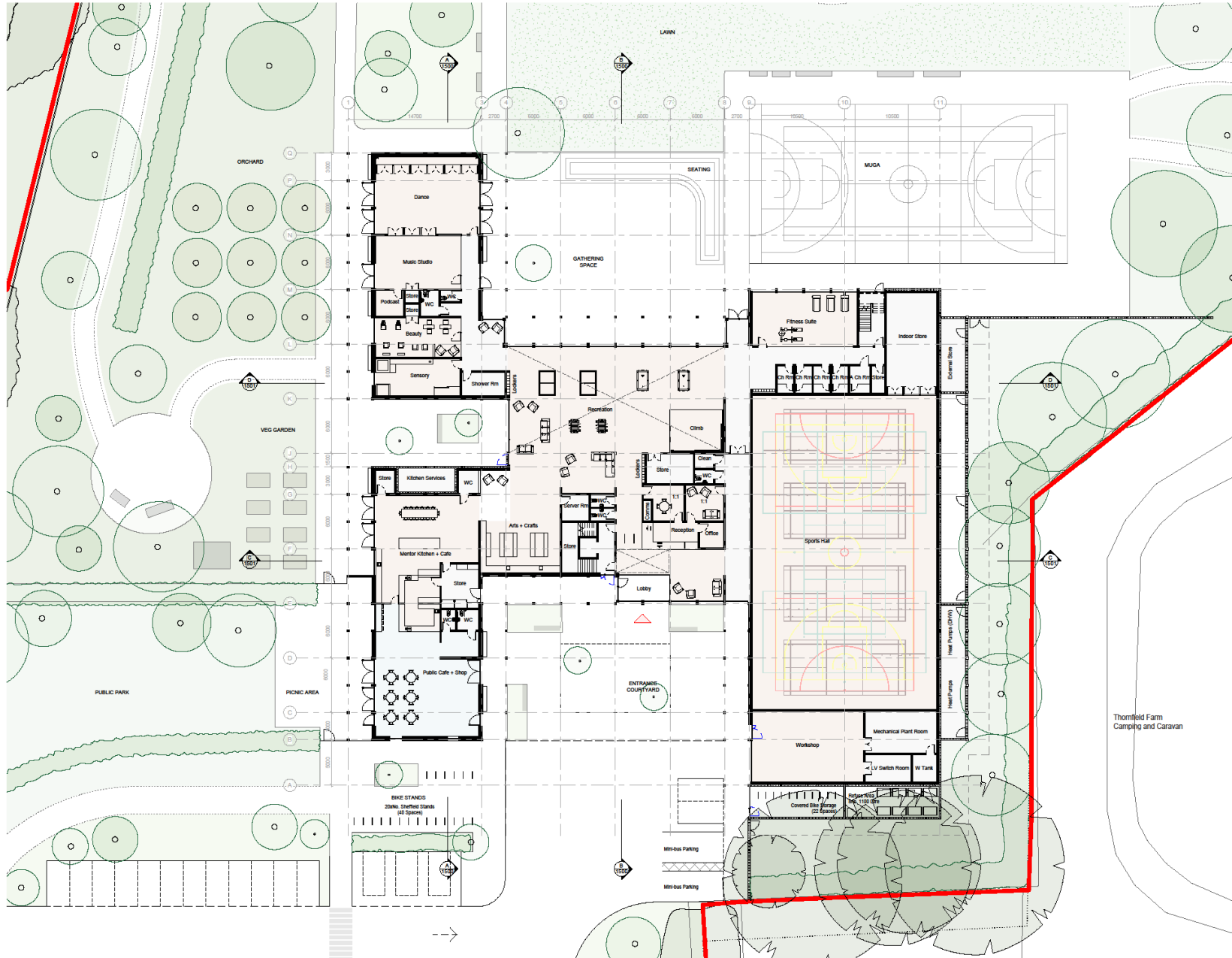
Vincent & Brown
Studio 12, Middlethorpe Business Park
Sim Ball Lane, Bolethorpe, York, YO23 2BQ
t: 01904 700941 e: studio@vincentandbrown.com

project:
THE ISLAND
NEW LANE, HUNTINGTON, YORK

drawing:
PROPOSED SECTIONS

date: 14.07.22	status: PLANNING	sheet size: A1
scale: 1:200		
job number: 21050-VB-ZZ-XX-DR-A-	level: 1501	rev: 18

Proposed Ground Floor Plan



Copyright:
 This drawing is the sole copyright of Vincent & Partners any reproduction in any form is forbidden unless permission is granted in writing.
 Do not scale from this drawing, any discrepancies on site should be brought to the attention of Vincent & Partners.
 Work and materials must comply with the current building regulations and any relevant codes of practice, and must be read in conjunction with the building specifications and any other consultants or sub-contractor information.

LEGEND

- PLANNING APPLICATION SITE BOUNDARY
SITE AREA: 34,305 sqm / 369,265 sqft
- EXISTING TREE & RPA
REFER TO BARNES TREE SURVEY
- PROPOSED TREES
REFER TO RE-FORM LANDSCAPE DRAWINGS
- THE ISLAND PRIVATE SPACES
- PUBLIC SPACES
- SERVICE SPACES

P4	11/04/24	Area, parking space added	
P3	05/02/24	Coordination with Landscape	
P2	22/01/24	Highways Update	
P1	10/05/23	Transport & Highways Update	
revision date	description		drawn: dvt

Vincent & Partners
 Studio 12, Middlethorpe Business Park
 Sim Balk Lane, Bishopthorpe, York, YO23 2BD
 t: 01904 700941 e: studio@vincentandpartners.com

project:
THE ISLAND
 NEW LANE, HUNTINGTON, YORK
 drawing:
PROPOSED GROUND FLOOR PLAN































date:	14.07.22	status:	PLANNING
scale:	1:200	sheet size:	A1
job number:	21050-VB-ZZ-189-DR-A-	level:	1100
orig:		type:	DR
date:	14.07.22	revision:	P4



PROPOSED GROUND FLOOR PLAN
 1:200

City of York Council Planning Committee Meeting - 16th May 2024



-  Planning application boundary
-  Proposed building
-  Proposed grass lawn
-  Proposed herbaceous perennials and grass planting
-  Proposed wetland planting
-  Proposed wildflower meadow planting
-  Proposed perennial understorey planting
-  Existing retained hedgerow planting
-  Proposed hedgerow planting
-  Proposed high quality Dutch style paving
-  Proposed high quality Dutch style paving
-  Timber benches and seating
-  Spill out seating areas
-  Timber natural play
-  Proposed secure boundary fencing
-  Proposed 3m timber fencing
-  Proposed gate
-  Proposed sliding gate for vehicle access
-  Proposed sheltered cycle storage
-  Proposed greenhouse
-  Proposed column lighting
-  Proposed wall mounted lighting
-  Proposed round set lighting
-  Proposed permeable geo-grid to overspill parking area
-  Proposed self binding gravel surfacing
-  Proposed resin bound gravel surfacing
-  Proposed coloured polymeric surface to external MUGA
-  Proposed coloured asphalt surfacing to vehicle route
-  Proposed tree in hard landscape
-  Proposed tree in soft landscape
-  Existing trees to be retained
-  Proposed catenary lighting
-  Proposed bus shelter to replace existing



Illustrative Landscape Plan



23/01309/REMM - North Selby Mine, New Road, Deighton, York

Reserved matters application for appearance, landscaping, layout and scale of redevelopment of the former North Selby Mine site to a leisure development comprising of a range of touring caravan and static caravans and associated facilities following the grant of outline permission 19/00078/OUTM.



North Selby Mine
Internal Parking
Area



Existing Site viewed
from East








Vehicular Access



Masterplan

LEGEND

-  Planning Permission Boundary
-  Existing Public Rights of Way
-  Contours (1m Intervals - mAOD)
-  Proposed Recreational Footpaths
-  Proposed Amenity Buildings - Existing Structures
-  Proposed Wildlife and Surface Water Management Ponds
-  Existing & Proposed Woodland (Tree & Shrub Planting)
-  Open Mosaic, Tussocky Grassland, Meadow and Woodland Fringe Habitats
-  Agricultural Grassland - to be managed as Species Rich Grassland
-  Recreational Area
-  Proposed Gateboard Fencing / Stock Proof Fencing
-  Site of Importance for Nature Conservation (SINC) Boundary
-  Information Recreation and Dog off Lead Zone - Dogs to be kept on leash in all other zones outside of the development footprint
-  Recycling / Refuse Areas
-  Bike Store



KEDD
KEDD LIMITED

PROJECT:
North Selby Leisure Proposal

TITLE:
Site Masterplan

REF NO:
KD.NSLBY.1.D.001

DATE:
December 2023

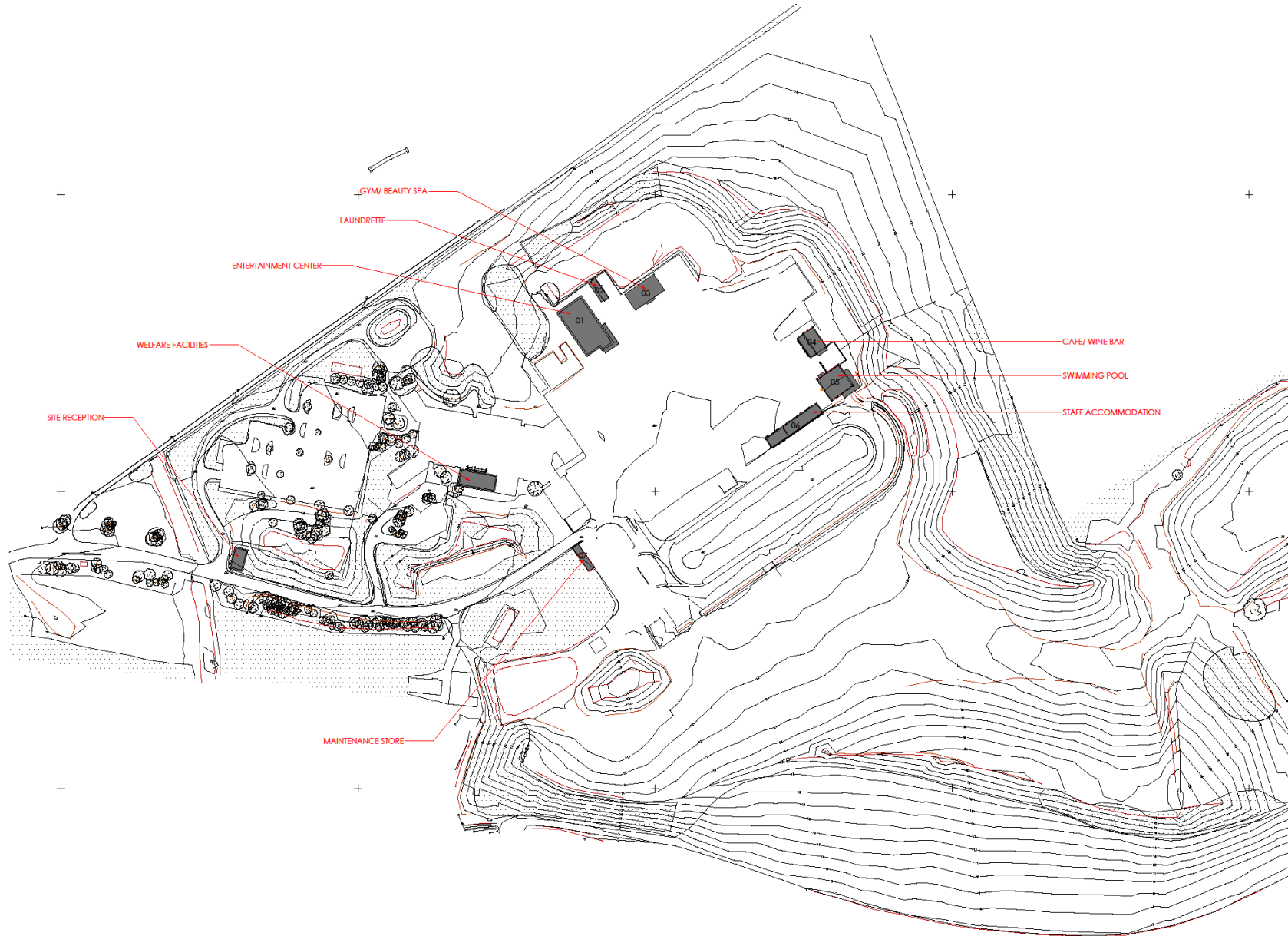
SCALE:
1:1,250 @ A1

STATUS:
FINAL

This drawing may not be used without the consent of Kedd Development Limited
Fox Studio, Much Wenlock, Shropshire TF13 6BL
© Crown copyright and database rights (2017) Ordnance Survey 010001670



Location and Layout of Amenity Buildings

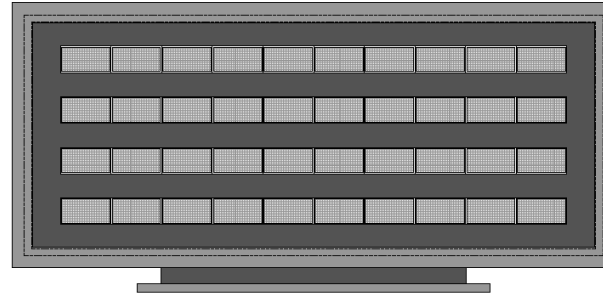


Notes:
 © This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose. Visited with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.
 * DO NOT SCALE FROM THESE DRAWINGS *

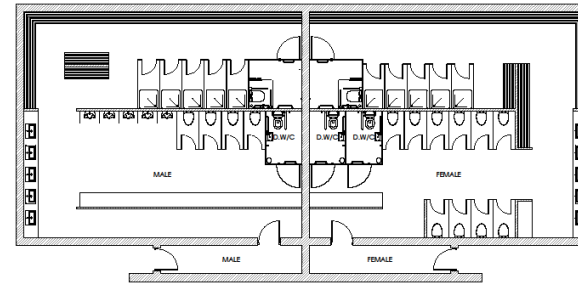
REV	DESCRIPTION	BY	DATE
STATUS: PRELIMINARY / FOR COMMENT			
		TJB Architects Ltd. Tel: (+44) 01625 725 825 Email: info@tjbarchitects.co.uk Web: www.tjbarchitects.co.uk	
CLIENT: FLANNIGAN ESTATES			
SITE: NORTH SELBY MINE WHELDRAKE YORK			
BRDF: CARAVAN PARK			
TITLE: LOCATION & LAYOUT OF AMENITY BUILDINGS			
SCALE 1:1	DATE: DEC 2023	DRAWN: TJB	CHECKED: TJB
PROJECT NO: 223	DRAWING NO: 25	REVISION:	
	PL01_001		



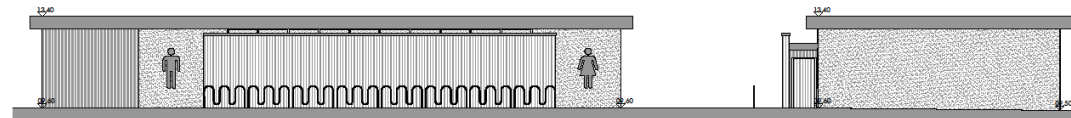
Amenity Facilities Proposed Plans



FLOOR PLAN AS PROPOSED - AMENITY FACILITIES
SCALE 1:100

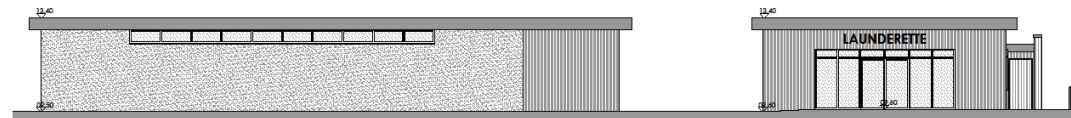
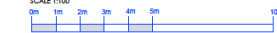


FLOOR PLAN AS PROPOSED - AMENITY FACILITIES
SCALE 1:100



SOUTH ELEVATION AS PROPOSED
SCALE 1:100

EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH ELEVATION AS PROPOSED
SCALE 1:100

WEST ELEVATION AS PROPOSED
SCALE 1:100

Notes:

© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, supplied with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.

* DO NOT SCALE FROM THESE DRAWINGS *

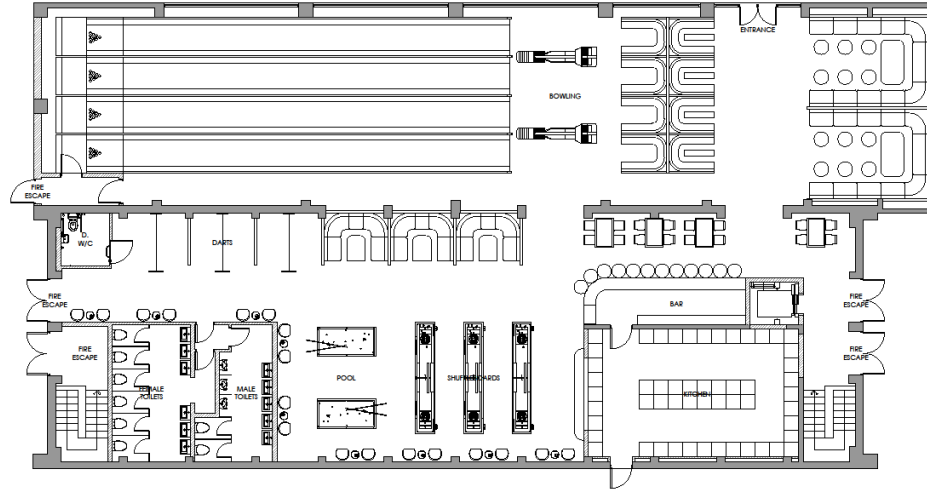
MATERIALS

- VEDGER
- TIMBER CLADDING
- CORRUGATED METAL
- ALUMINIUM CLADDING

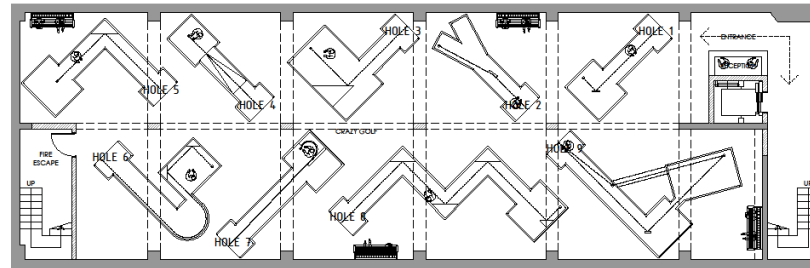
REV	DESCRIPTION	BY	DATE
STATUS: PRELIMINARY / FOR COMMENT			
		TJB Architects Ltd Tel: (+44) 01625 725 925 Email: info@tjbarchitects.co.uk Web: www.tjbarchitects.co.uk	
CLIENT:		FLANNIGAN ESTATES	
SITE:		NORTH SELBY MINE WHELDRAKE YORK	
PROP:		CARAVAN PARK	
TITLE: AMENITY FACILITIES ELEVATIONS AS PLANS			
SCALE: 1:100	DATE: DEC 2023	DRAWN: TJB	CHECKED: TJB
PROJECT NO: 223	26	PL01_013	REVISION: -



Entertainment Centre – Proposed Plans



FLOOR PLAN AS PROPOSED - ENTERTAINMENT CENTER
GROUND FLOOR PLAN
SCALE 1:100



FLOOR PLAN AS PROPOSED - ENTERTAINMENT CENTER
BASEMENT FLOOR PLAN
SCALE 1:100



SOUTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH WEST ELEVATION AS PROPOSED
SCALE 1:100

City of York Council Planning Committee Meeting - 16th May 2024

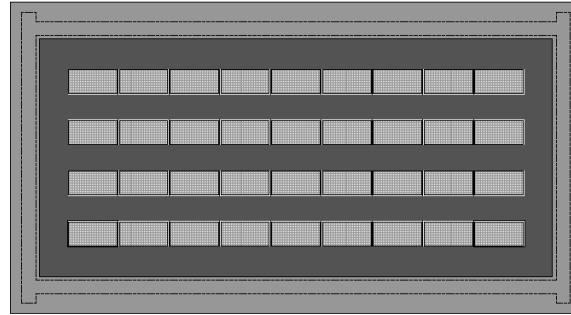


Notes
© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, supplied with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.
* DO NOT SCALE FROM THESE DRAWINGS *

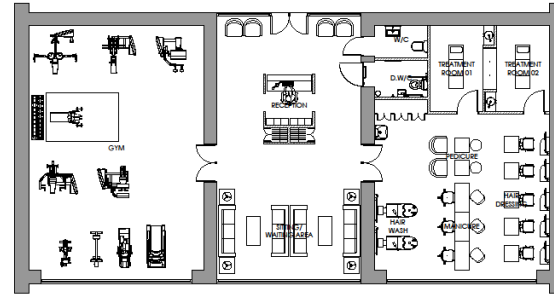
- MATERIALS
- RENDER
 - TIMBER CLADDING
 - CORRUGATED METAL
 - ALUMINUM CLADDING

REV.	DESCRIPTION	BY	DATE
STATUS: PRELIMINARY / FOR COMMENT			
		TJB Architects Ltd. Tel: (+44) 01625 725 825 Email: info@tjbachitects.co.uk Web: www.tjbachitects.co.uk	
CLIENT: FLANNIGAN ESTATES			
SITE: NORTH SELBY MINE WHELDOCK YORK			
PROJECT: CARAVAN PARK			
TITLE: Unit 1 - ENTERTAINMENT CENTER ELEVATIONS AS PLANS			
SCALE 1:100	DATE: DEC 2023	DRAWN: TJB	CHECKED: TJB
PROJECT NO: 223	DRAWING NO: PL01_006	REVISION: -	

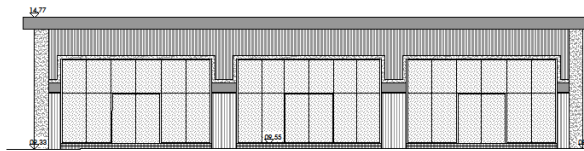
Gym and Spa – Proposed Plans



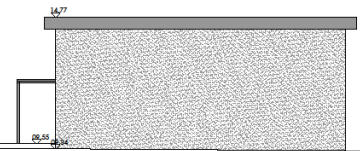
ROOF PLAN AS PROPOSED - BEAUTY SPA & GYM
SCALE 1:100



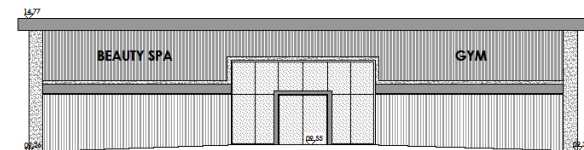
FLOOR PLAN AS PROPOSED - BEAUTY SPA & GYM
SCALE 1:100



SOUTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH WEST ELEVATION AS PROPOSED
SCALE 1:100



SOUTH WEST ELEVATION AS PROPOSED
SCALE 1:100

Notes:

© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, validated with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.

* DO NOT SCALE FROM THESE DRAWINGS *

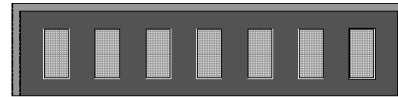
MATERIALS

- RIBBED
- TIMBER CLADDING
- CORRUGATED METAL
- ALUMINIUM CLADDING

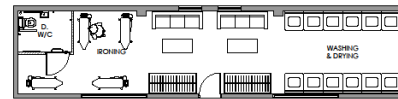
REV	DESCRIPTION	BY	DATE
PRELIMINARY / FOR COMMENT			
		TJB Architects Ltd. Tel: (+44) 01625 725 825 Email: info@tjbarchitects.co.uk Web: www.tjbarchitects.co.uk	
CLIENT: FLANNIGAN ESTATES			
SITE: NORTH SELBY MINE WHELDRAKE YORK			
PROJECT: CARAVAN PARK			
TITLE: GYM & SPA ELEVATIONS AS PLANS			
SCALE 1:100	DATE: DEC 2023	DRAWN: TJB	CHECKED: TJB
PROJECT NO: 223	DRAWING NO: PL01_009	REVISION: -	



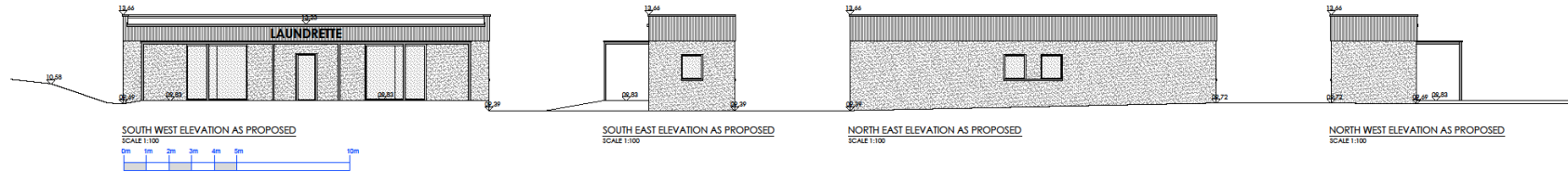
Laundrette Plans and Elevations



ROOF PLAN AS PROPOSED - LAUNDRETTE
SCALE 1:100



FLOOR PLAN AS PROPOSED - LAUNDRETTE
SCALE 1:100



Notes:

© This drawing and the information contained within this media remain the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, implied with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.

* DO NOT SCALE FROM THESE DRAWINGS *

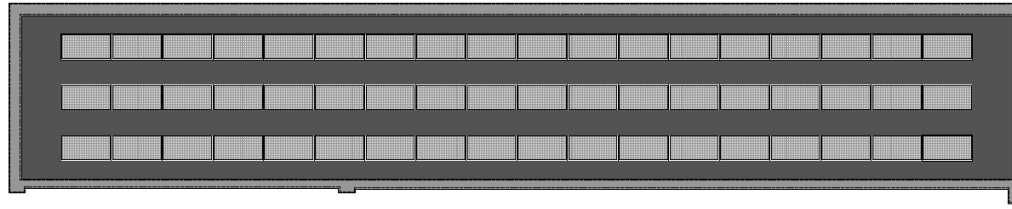
MATERIALS

- RIBBED
- TIMBER CLADDING
- CORRUGATED METAL
- ALUMINIUM CLADDING

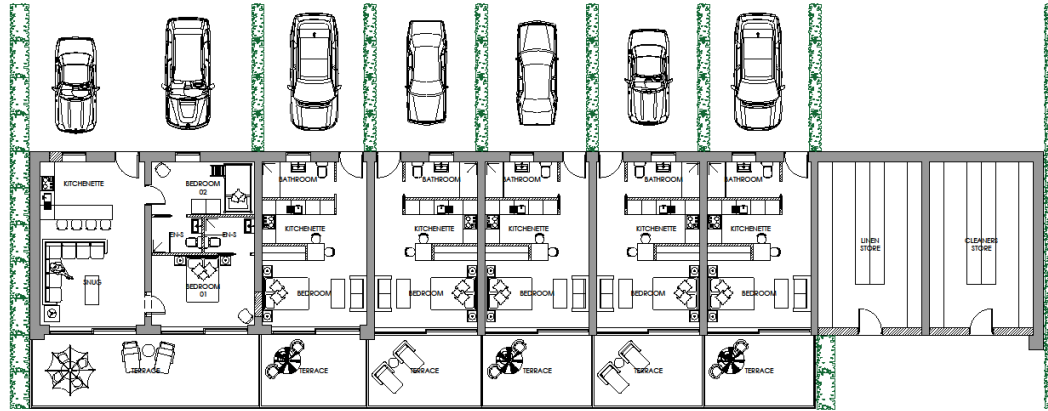


REV.	DESCRIPTION	BY	DATE
PRELIMINARY / FOR COMMENT			
		TJB Architects Ltd. Tel: (+44) 01625 725 825 Email: info@tjbarchitects.co.uk Web: www.tjbarchitects.co.uk	
CLIENT: FLANNIGAN ESTATES			
SITE: NORTH SELBY MINE WHELDRAKE YORK			
BRIEF: CARAVAN PARK			
TITLE: LAUNDRETTE ELEVATIONS AS PLANS			
SCALE: 1:100	SHEET NO: 223	DATE: DEC 2023	DRAWN BY: TJB
PROJECT NO: 223	DRAWING NO: PL01_008	CHECKED BY: TJB	REVISION: -

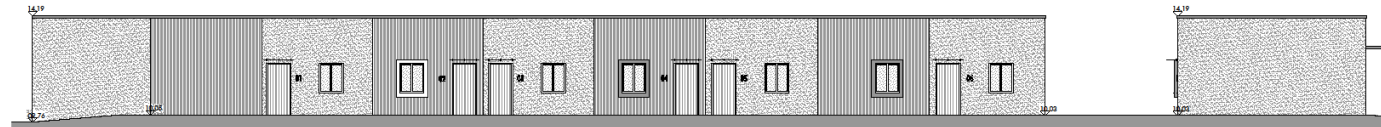
Staff Accommodation Plans and Elevations



ROOF PLAN AS PROPOSED - STAFF ACCOMMODATION
SCALE 1:100



FLOOR PLAN AS PROPOSED - STAFF ACCOMMODATION
SCALE 1:100



NORTH WEST ELEVATION AS PROPOSED
SCALE 1:100

SOUTH WEST ELEVATION AS PROPOSED
SCALE 1:100



SOUTH EAST ELEVATION AS PROPOSED
SCALE 1:100

NORTH EAST ELEVATION AS PROPOSED
SCALE 1:100

City of York Council Planning Committee Meeting - 16th May 2024



Notes:
© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, supplied with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.
* DO NOT SCALE FROM THESE DRAWINGS *

- MATERIALS
- RENDER
 - TIMBER CLADDING
 - CORRUGATED METAL
 - ALUMINIUM CLADDING

REV	DESCRIPTION	BY	DATE
STATUS: PRELIMINARY / FOR COMMENT			

TJB architects
TJB Architects Ltd.
Tel: (+44) 01625 725 825
Email: info@tjbachitects.co.uk
Web: www.tjbachitects.co.uk

CLIENT: FLANNIGAN ESTATES

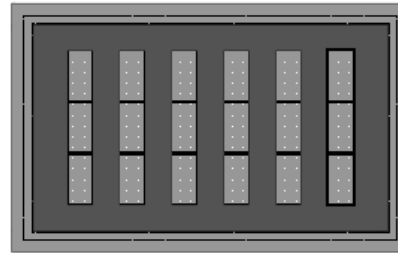
SITE: NORTH SELBY MINE
WHELDRAKE
YORK

PROJECT: CARAVAN PARK

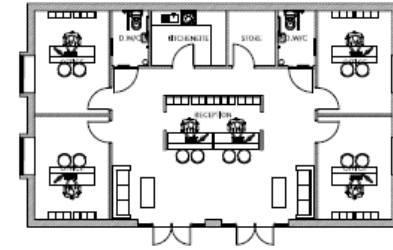
TITLE: STAFF ACCOMMODATION
ELEVATIONS AS PLANS

SCALE	DATE	DRAWN	CHECKED
1:100	DEC 2023	TJB	TJB
PROJECT NO:	223	DRAWING NO:	PL01_012

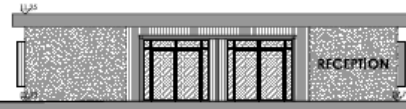
Reception and Maintenance Buildings Plans and Elevations



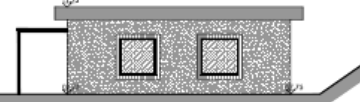
ROOF PLAN AS PROPOSED - RECEPTION
SCALE 1:100



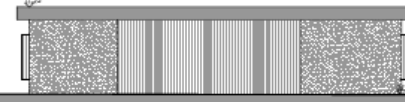
FLOOR PLAN AS PROPOSED - RECEPTION
SCALE 1:100



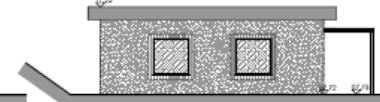
WEST ELEVATION AS PROPOSED
SCALE 1:100



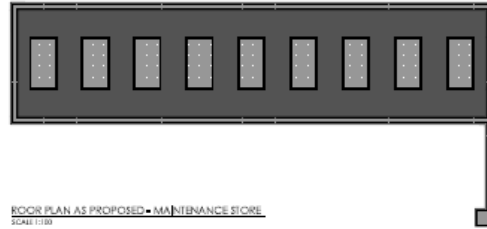
SOUTH ELEVATION AS PROPOSED
SCALE 1:100



EAST ELEVATION AS PROPOSED
SCALE 1:100



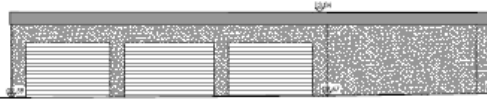
NORTH ELEVATION AS PROPOSED
SCALE 1:100



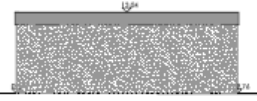
ROOF PLAN AS PROPOSED - MAINTENANCE STORE
SCALE 1:100



FLOOR PLAN AS PROPOSED - MAINTENANCE STORE
SCALE 1:100



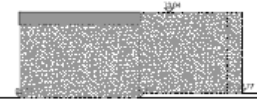
NORTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH WEST ELEVATION AS PROPOSED
SCALE 1:100



SOUTH WEST ELEVATION AS PROPOSED
SCALE 1:100



SOUTH EAST ELEVATION AS PROPOSED
SCALE 1:100

Notes:
This drawing and the information contained within this media remain the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information shall be distributed in its entirety and is not to be reproduced or used without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. We do not warrant to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, is linked with this information. All dimensions and levels indicated are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy or any information provided by third parties.
* DO NOT SCALE FROM THIS DRAWING *

- MATERIALS
- BRICK
 - ALUMINIUM CLADDING
 - CORRUGATED METAL
 - TIMBER CLADDING

REV	DATE	BY	CHKD
01	2023-12-01	TJB	TJB

PRELIMINARY / FOR COMMENT

TJB architects TJB Architects Ltd.
141 (+44) 01625 725 825
Email: info@tjbarchitects.co.uk
Web: www.tjbarchitects.co.uk

FLANNIGAN ESTATES

NORTH SELBY MINE
WHELDRAKE
YORK

CARAVAN PARK

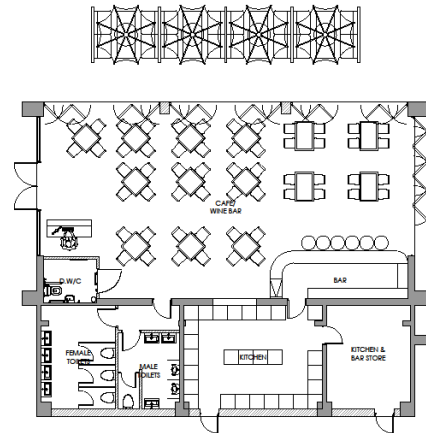
RECEPTION & MAINTENANCE
ELEVATIONS AS PLANS

SCALE	DATE	BY	CHKD
1:100	DEC 2023	TJB	TJB

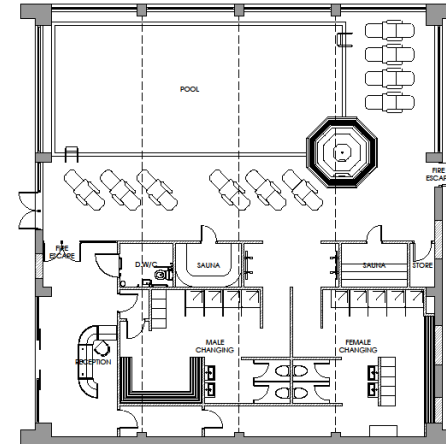
223 PL01_014



Swimming Pool and Café Plans and Elevations



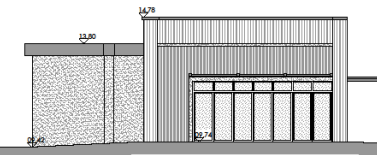
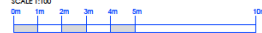
FLOOR PLAN AS PROPOSED - CAFÉ/ WINE BAR
SCALE 1:100



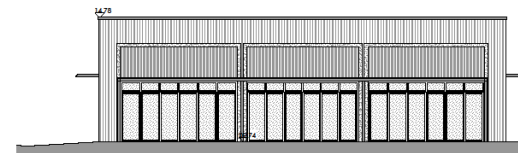
FLOOR PLAN AS PROPOSED - SWIMMING POOL
SCALE 1:100



SOUTH WEST ELEVATION AS PROPOSED
SCALE 1:100



SOUTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NOTH WEST ELEVATION AS PROPOSED
SCALE 1:100

Notes:

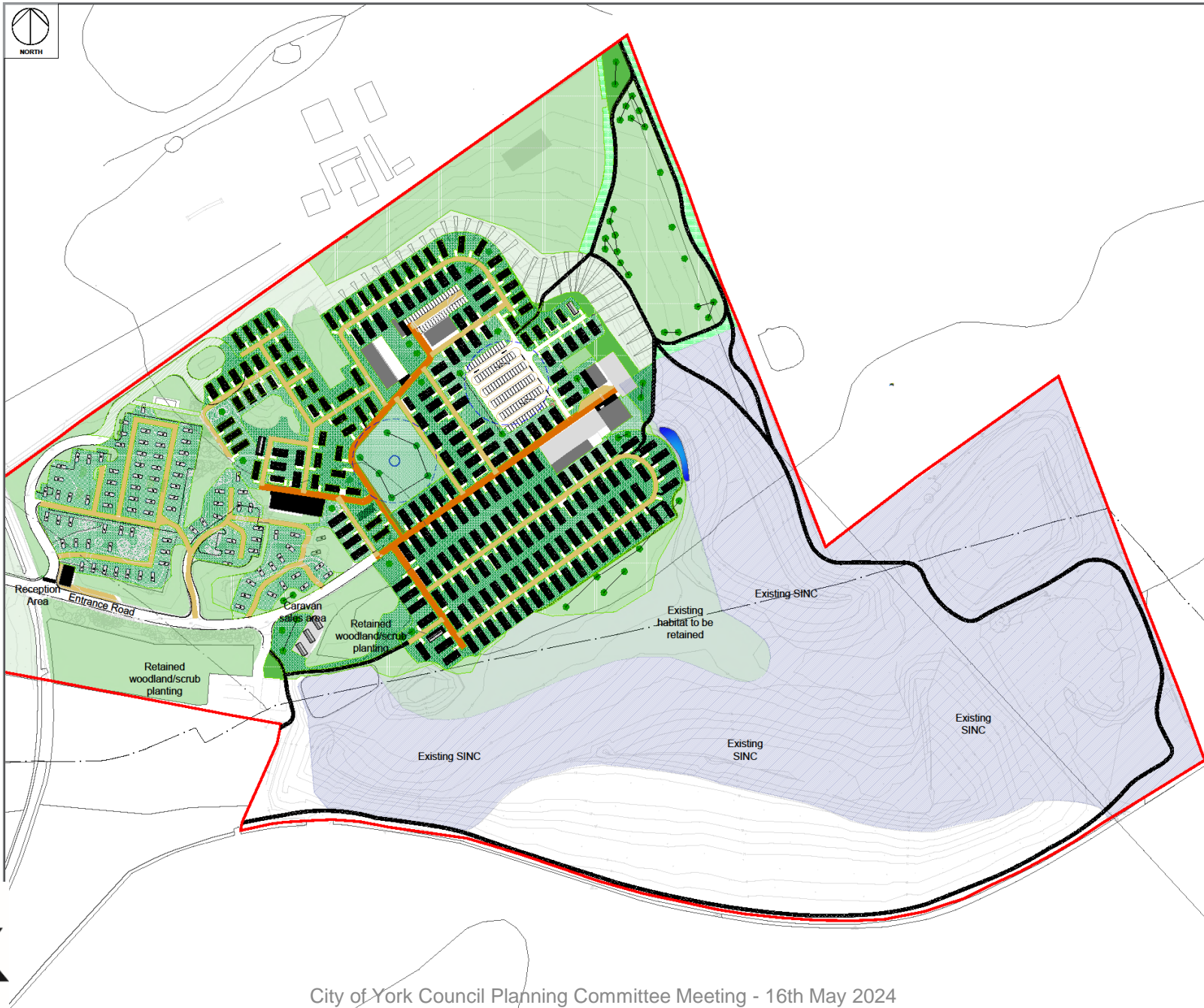
© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, supplied with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.
* DO NOT SCALE FROM THESE DRAWINGS *

- MATERIALS
- RIBBED
 - TIMBER CLADDING
 - CORRUGATED METAL
 - ALUMINIUM CLADDING

REV.	DESCRIPTION	BY	DATE
STATUS:	PLANNING		
CLIENT:	FLANNIGAN ESTATES		
SITE:	NORTH SELBY MINE WHELDRAKE YORK		
BRP:	CARAVAN PARK		
TITLE:	SWIMMING POOL AND CAFE ELEVATIONS AS PLANS		
SCALE: 1:100	SWS	DATE: DEC 2023	DRAWN BY: TJB
PROJECT NO: 223	DRAWING NO: PL01_010	REVISION:	TJB
			A



Landscape Overview



- Legend**
- Site boundary
 - Existing primary routes
 - Proposed secondary routes
 - Existing retained woodland/scrub planting
 - Existing retained meadow planting
 - Existing SINC
 - Proposed specimen tree
 - Proposed native hedge labelled 'N100'
 - Proposed flowering lawn seed mix (Emmorgate EL1) labelled 'FL00'
 - Proposed species-rich grassland seed mix (Emmorgate EM2) labelled 'SR00'
 - Proposed native scrub mix labelled 'NS00'
 - Proposed woodland mix labelled 'WM00'
 - Proposed ornamental planting (OG00)
 - Proposed limestone aggregate labelled 'GR00'
 - Proposed flag paving labelled 'FP00'

Notes:

All plants to be started in accordance with horticultural best practice and current guidelines. Planting should not be undertaken whilst the ground is waterlogged or frozen.

Deviations from the location, density, size and species of plants within the specification and landscape drawing should not be undertaken unless your approval is sought from a Chartered Landscape Architect.

The location and species of all specimen trees is to be taken into consideration by the Project Structural Engineer to ensure the integrity of all foundations and other structures. In addition contractors implementing the landscape scheme are responsible for scaling, identifying and recording all underground services when excavating the pits. All trees to be secured using a single stake and tree tie, which is to be checked regularly and adjusted to avoid damage to the plant. Stake-ropes should be protected using biodegradable spiral guards.

Where a mix of plants is specified, individual species should be either mixed together or grouped in groups of 3x or 6x of the same species. A random effect should be achieved. Planting beds require a 75mm depth of mulch to be applied to their surface, with at least 300mm of topsoil below.

Areas of grass seeding are to be undertaken with at least 300mm of subsoil, with no mulch or topsoil applied.

Project number	Project name		
BG22.148.11	York Holiday Park, New Road, Escrick		
Client	Flannigan Estates Ltd 43 Chapel Lane Wimmslow Cheshire SK9 5HW		
Drawing title	HARD AND SOFT LANDSCAPE DESIGN OVERVIEW		
Purpose of issue	ISSUED FOR PLANNING		
Scale @ A1	Subsidiary	Date of issue	
1:1500	S4	15.03.2023	
Designed	Drawn	Checked	Approved
AT	AT	HCK	RW
Drawing reference	Revision		
BG22.148.11-BRGR-ZZ-ZZ-DR-L-00001	P02		



23/00823/FULM - Pavers Ltd, Catherine House, Northminster Business Park, Harwood Road, Upper Poppleton, York

Extension to provide storage, integrated distribution and logistics centre (B8 Use) with ancillary office/welfare space, service yard, parking areas, and landscaping (resubmission)

Site viewed from
South East (Image
from Submitted
LVIA)



Page 115

View toward application site from existing car park (Image from submitted LVIA)

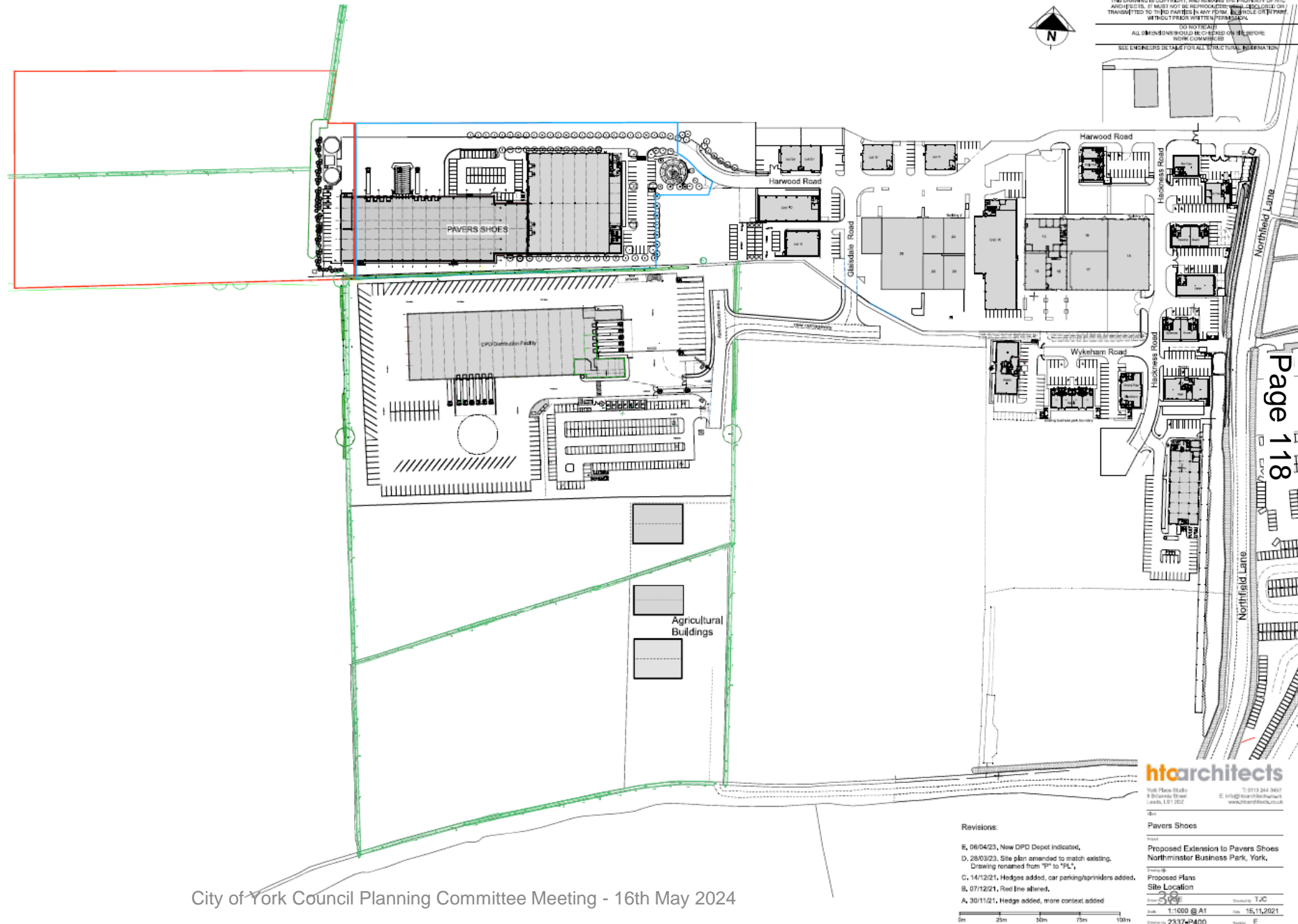


Page 116

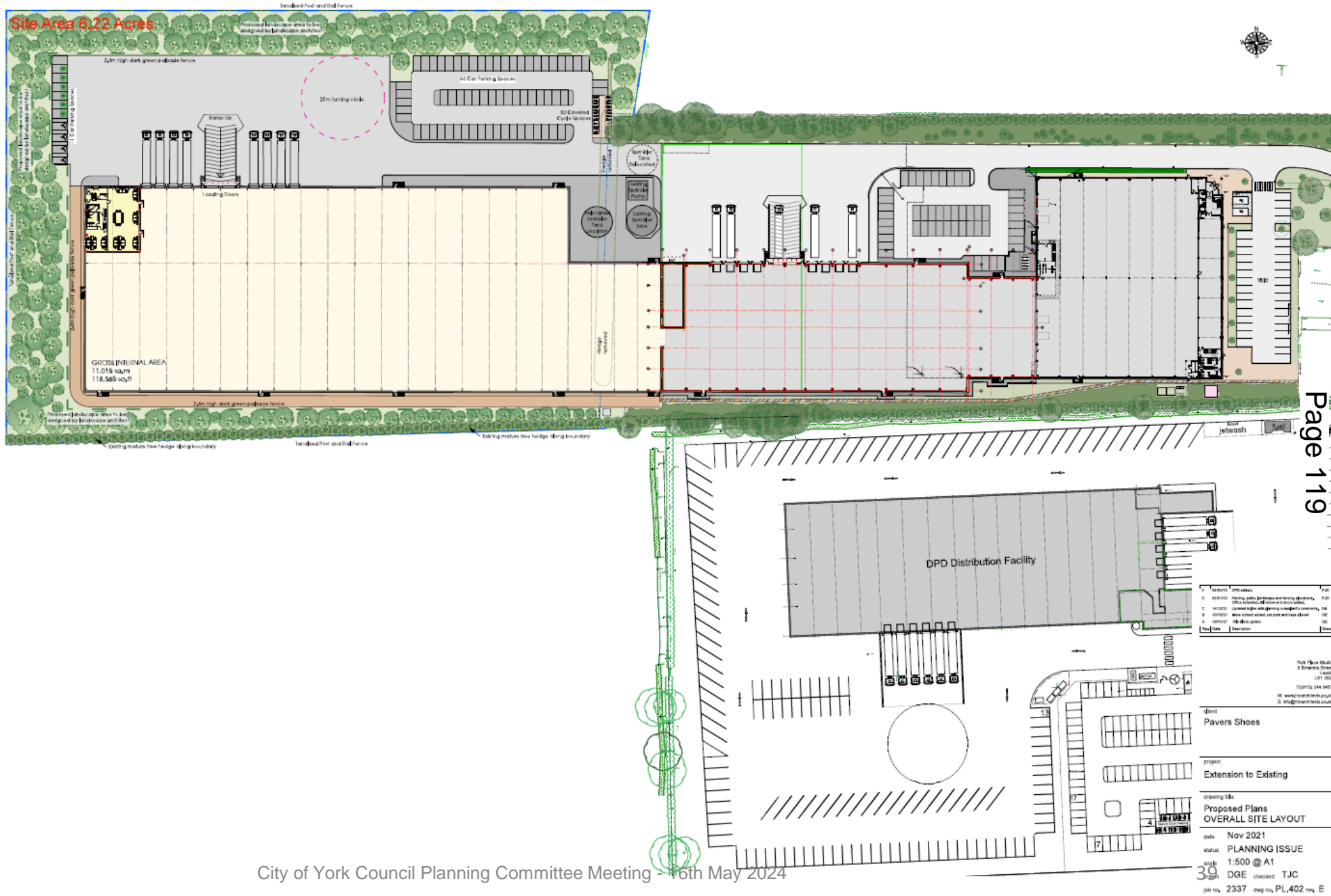


View from Southwest across application site toward existing site (Image from submitted LVIA)

Site Location Plan



Proposed Site Layout



THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROVISION OF ALL NECESSARY SERVICES. IT IS NOT AN APPROVED DRAWING. ALL DIMENSIONS SHOULD BE CHECKED ON SITE BEFORE WORK COMMENCES.

Page 119



City of York Council Planning Committee Meeting - 16th May 2024

Symbol	Description	Code
D	4000000	Paving, paths, footpaths and loading operations, other external works and site access
C	4100000	General site works including site preparation, drainage, earth retention, etc.
B	4200000	Site access, car park and cycle spaces
A	4300000	Site access

York Planning Studio
 8 Bonhill Street
 Leeds
 LS1 2SE
 T: 0113 244 3427
 W: www.yorkplanningstudio.co.uk
 E: info@yorkplanningstudio.co.uk

Client: Pavers Shoes

Project: Extension to Existing

Drawing Title: Proposed Plans OVERALL SITE LAYOUT

Date: Nov 2021
 Status: PLANNING ISSUE
 Scale: 1:500 @ A1
 Author: DGE checked: TJC
 Job No: 2337 dep no: PL_402 rev: E

1.3 The proposal envisages the layout of some 80 touring caravan pitches and approximately 216 static caravans with leisure facilities including a café/wine bar, laundrette, gym and beauty spas centrally placed within the site utilising the former colliery buildings which would be refurbished. The site is divided up into three-character areas comprising the Woodland, the Bowl and the Valley. The touring caravan site sits in the Woodland and the static caravans and amenity buildings in the Bowl character areas. The area of the SINC which sits in the area of the Valley character area, would be separate from the site from which it would be fenced and subject to its own management regime. An additional area of natural habitat would be laid out to the northeast together with an informal recreational area for those using the site.

Relevant Planning History:

12/03385/FULM Demolition of existing mine buildings, construction of anaerobic digester, combined heat and power plant and horticultural facility. This was subject to an Environmental Impact Assessment under Schedule 2 of the EIA Regulations. Permission granted 28/04/2014.

19/00078/OUTM Re-development of former mine complex to form a leisure development comprising siting of touring and static caravans with associated leisure facilities. This was subject to an Environmental Impact Assessment under Schedule 2 of the EIA Regulations. Permission granted 07/08/2020.

20/01546/FUL Variation of Condition 4 to planning permission ref:19/00078/OUTM to enable more flexible holiday use of the proposed facilities. The more flexible use allowed for touring caravan pitch holders and static caravan owners to have the ability to make multiple stays at the site providing it is not used as a principal residence. Planning permission granted 18/04/2021.

2.0 POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK

2.1. The NPPF sets out the government's planning policies for England and how these are expected to be applied. Its planning policies are material to the determination of planning applications. The NPPF sets out that the purpose of the

planning system is to contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).

2.2. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

2.3. The statutory Development Plan for the City of York comprises the saved policies and key diagram of the otherwise revoked Yorkshire and Humber Plan Regional Spatial Strategy (2008) and any made Neighbourhood Plan.

DRAFT LOCAL PLAN (DLP 2018)

2.4 The Draft Local Plan 2018 (DLP 2018) was submitted for examination on 25th May 2018.. Hearings have now taken place. The draft policies can be afforded weight in accordance with paragraph 48 of the NPPF.

2.5 Key relevant DLP 2018 policies are:

SS2 – The Role of York’s Green Belt

EC4- Tourism

EC5- Rural Economy

D1 – Place Making

D2 – Landscape and Setting

D6 – Archaeology

GI2- Biodiversity and Access to Nature

GI4- Trees and Hedgerows

GB1-Development in Green Belt

CC2 – Sustainable Design and Construction of New Development

ENV2 – Managing Environmental Quality

ENV3 – Land Contamination

ENV4 -Flood Risk

ENV5 – Sustainable Drainage

T1 – Sustainable Access

3.0 CONSULTATIONS

3.1 The application has been publicised via Site Notice, local press notice under the 2017 EIA Regulations on 27th March 2024 and by neighbour notification letter at the same time.

INTERNAL

Public Protection

3.2 Following submission of a detailed noise report in respect of the proposed entertainment buildings raise no objection to the proposal.

Local Plan

3.3 Raise no objection to the proposal.

Highway Network Management

3.4 Raise no objection in principle to the proposal but raise concerns in respect of provision of cycle parking, disabled vehicle parking relative to the proposed chalets and touring caravan pitches and potential access to the entertainment facilities for non-residents.

Public Rights of Way (PROW)

3.5 Raise no comment in respect of the status of the access itself, New Road Deighton and raise no objection to the proposed provision in respect of other rights of way crossing the site.

Design, Conservation and Sustainable Development (Trees and Landscape)

3.6 Raise no objection in principle to the proposed layout but regret that the proposed layout is less sensitive to its context than that previously indicated at Outline Planning Permission stage.

Design, Conservation and Sustainable Development (Ecology)

3.7 Raise no objection to the proposal.

Front Line Flood Risk Management

3.8 Raise no objection to the proposal.

EXTERNAL

Deighton Parish Council

3.8 Were consulted with regard to the proposal on 18th July 2023. No representations have been received at the time of writing.

North Yorkshire County Council (Former)

3.9 Make no comments in respect of the application.

North Yorkshire Council

3.10 Make no comments in respect of the application.

The Coal Authority

3.11 Raise no objection to the proposal as clarified.

Environment Agency

3.11 Raise no objection to the proposal.

Yorkshire Water Services Ltd

3.12 Raise no objection to the proposal.

Natural England

3.13 Raise no objection to the proposal.

The Ouse and Derwent Internal Drainage Board

3.14 Raise no objection to the proposal as clarified.

Yorkshire Wildlife Trust

3.15 Raise concerns in respect of the implications of planning permission ref: 20/01546/FUL which would allow for significantly longer stays with visitors bringing their pets notably cats and dogs with the associated risk of harm to the ecosystem of the adjoining SINC (Site of Interest for Nature Conservation).

Escrick Parish Council

3.16 Object to the proposal on the grounds of lack of clarity in relation to the number of pitches in the layout, potential harm to the amenity of neighbouring properties from noise from the proposed amenity facilities and the impact of increased traffic levels associated with the facility on adjoining roads.

4.0 REPRESENTATIONS

4.1 A total of 7 no objections and 2 no representations had been received at the time of writing.

4.2 Summary of the objections received:

- Objection to the increase in buildings proposed with the scheme with consequent increase in noise disturbance to neighbouring properties.
- Objection to increases in traffic that the proposed intensification of the leisure uses would result in.
- Objection to the harm that the intensive leisure uses would cause the biodiversity of the site and the adjacent SINIC.
- Concern that the previously approved alternative energy scheme be implemented instead.

5.0 APPRAISAL

Key Issues

5.1 The key issues are as follows:

- Principle of Development
- Highways and Access
- Design and Layout of the site
- Landscape
- Residential Amenity and Public Protection
- Drainage & Flood Risk
- Ecology

PRINCIPLE OF THE DEVELOPMENT

5.2 The principle of the use of the site as a leisure related development was established by the original Outline Planning Permission ref: 19/00078/OUTM as amended by planning permission ref: 20/01546/FUL. The current proposal only considers the reserved matters of appearance, landscape, layout and scale informed by the conditions attaching to the earlier Outline Permission. The impact of the proposal upon the open character of the Green Belt was considered acceptable at that earlier outline stage, with issues such as drainage considered directly through discharge of conditions attached to the Outline Permission which are the subject of separate Approval of Details applications. It is felt that the proposals would not lead to any impact upon the openness of the Green Belt over and above that previously envisaged at Outline stage. At the same time it is felt that the Reserved Matters proposals would not lead to any material change to the significant environmental effects identified previously at Outline stage. The Outline Planning Permission allowed for a maximum of 231 static and 92 touring caravans, the

submitted layout indicates the siting of some 216 static and 80 touring caravans and so the layout would be compliant with the earlier Outline permission.

5.3 Central Government Policy as outlined in paragraphs 124 c) and d) of the NPPF seeks that planning decisions should promote and support the reuse of underutilised land and buildings. That is in addition to giving substantial weight to the remediation of despoiled, degraded and derelict land. The proposal seeks to use the various colliery buildings following refurbishment and without extension to provide entertainment and amenity facilities for potential visitors to the site. The range of buildings proposed including a gym and restaurants are characteristic of other similar facilities where operated elsewhere. The proposed layout and mix of uses secures compliance with bullet points c) and d) of paragraph 124 of the NPPF as well as minimising harm to the open character of the Green Belt.

HIGHWAYS AND ACCESS

5.4 Access was considered in the context of the original Outline Permission and subsequent Section 73 application variation application 20/01546/FUL.. A separate Approval of Details (AOD) application has been submitted to consider the access related conditions to the Outline Permission. Within the context of the site layout being considered at the present time Highway Network Management have expressed concern in relation to the possibility of usage of the amenity buildings by non-residents, the design and location of cycle parking and the accessibility of the static and touring caravan areas to disabled users.

5.5 The applicant has indicated that the entertainment facilities at the site would only be accessible to those staying on the site as a holiday destination and that there would be no provision in place for “day” visitors as there are at some other similar sites. In terms of accessibility for disabled users each caravan pitch be it touring, or static would be designed as accessible to all users as is good practise with other similar sites. In terms of cycle parking a substantial store would be provided in association with the touring caravan site area with other smaller stores scattered through the amenity building and static caravan areas. The submitted design is covered and secure in line with the Council’s standards. To secure alignment of numbers, a condition is recommended in the event of permission being granted . The potential use of the amenity and entertainment facilities is a significant concern both in highway terms in respect of traffic generation and in terms of amenity. A condition is recommended to prevent use of the amenity and entertainment facilities by those not resident at the site. The layout is therefore felt to be acceptable in highways terms.

DESIGN AND LAYOUT OF THE SITE

5.6 The site comprises the built development of the former North Selby Coal Mine with associated hard-standings, internal roads and landscaped bund. The proposal seeks to retain the pre-existing layout as far as possible with the Woodland area of the mature landscaped bund to the north and east accommodating the proposed touring caravan pitches. The central Bowl where the majority of the existing hardstanding lies would form the area occupied by the static pitches together with the entertainment facilities. The third character area comprising the Vale which includes the southern and western sections of the former landscaped bund would not be subject to any material-built development other than to provide appropriate fencing to control access into the SINC and to secure appropriate protection to the associated wildlife habitat.

5.7 The works to the former colliery buildings would comprise general refurbishment and internal conversion with no additional extensions or additional built footprint created. The overall additional built footprint would be modest and the layout, incorporating the most intense activities within the more sheltered central area of the site is felt to be acceptable allowing the productive reuse of a former industrial site which has been disused and derelict for a protracted period of time.

LANDSCAPE

5.8 The site is situated in open countryside between the villages of Escrick and Wheldrake. It was designed to sit within a heavily landscaped curtilage with clearly defined boundaries in order to assist in blending in with its surroundings. During the period of dereliction, the landscaping has become mature and in sections become overgrown with the south and southeastern sections becoming designated as a SINC and habitat for the Willow Tit and Great Crested Newt. The application has been accompanied by a detailed landscape scheme which envisages the construction of the new elements of the development within the existing landscaped framework. Additional wildflower and shrub planting is envisaged through the central zone of the site and to the southeast in the area of the informal recreation area. Additional semi-mature specimen tree planting is proposed in the central section of the site to secure a more graduated transition into the area of most intense use notably to the approaches to the principal area of static pitches and the entertainment buildings. A series of new pathways again to provide opportunities for informal recreation are proposed both within and around the edges of the site. It is proposed that they be surfaced in crushed gravel which would be more appropriate for the rural environment. This is conditioned in the event of an approval being forthcoming.

5.9 Overall, the proposed landscape strategy seeks to build upon and enhance the existing landscape characteristics of the site and it is felt that the proposal would be

acceptable in landscape terms notwithstanding the relative density of development within the centre of the site. Subject to a condition securing maintenance of the landscaping for the duration of the development it is therefore felt that the development would be acceptable in landscape terms.

RESIDENTIAL AMENITY AND PUBLIC PROTECTION

5.9 Whilst the site lies within open countryside there are a number of isolated dwellings within the wider area notably along the main access road. The concentration of holiday makers and the inclusion of entertainment provision within the former colliery building gives rise to the potential to generate some disturbance to the residential amenity of the wider area through noise and to lesser extent through light. Objectors have also raised concerns in respect of potential harm to amenity through noise. The concentration of the more intense occupation and entertainment uses within the centre of the site together with the retention and reinforcement of the mature landscape surroundings will afford some degree of mitigation. The proscription of day visitors will also remove a potential source of noise nuisance.

5.10 The proposal has been accompanied by a detailed noise management plan. This provides for the implementation of a number of measures to mitigate harm to the amenity of neighbouring residential properties and also to other holiday makers. These include operating hours for the entertainment centre between 10am and 23:00pm at night with no entertainment stage and no live music performance both of which are common sources of nuisance at such sites. The provision of an acoustic bund is also proposed across the more exposed northern side of the entertainment at 2 metres distance. A bowling centre is proposed within the wider entertainment centre, however that would not have any opening doors or windows into the surrounding area.

5.11 In terms of wider site noise deliveries and refuse, collection would not be allowed outside of general operating hours and signposted "house rules" would be provided for the occupiers of the touring caravan /static pitches. Subject to adherence to the management plan for the duration of the development which may be secured by condition to any approval then the proposal is felt to be acceptable in amenity terms.

DRAINAGE AND FLOOD RISK

5.12 Drainage and Flood Risk are not a Reserved Matter and a separate drainage scheme has been submitted as part of an Approval of Details (AOD) application.

ECOLOGY

5.13 Part of the south and southeast of the site where it has become overgrown has taken the form of a rare grassland mosaic habitat with the Willow Tit being resident together with Great Crested Newts identified as being present within the water bodies close to the southeastern boundary. The Outline Permission is specifically conditioned to include measures to secure the protection of the Great Crested Newts. A specific ecological management plan has been submitted which secures the introduction of a management regime to favour the habitat of both newts and Willow Tits. Fencing is proposed to separate the static caravan pitches and the boundary informal walking route running to the south and south and southwest from the habitat area.

5.14 The Yorkshire Wildlife Trust has expressed concern in respect of the potential for pets specifically cats belonging to holiday makers predated the wildlife within the SINC. However, if the site is managed in strict accordance with the occupation management plan required by the Outline Permission, then it is unlikely that an appreciable number of domestic cats will be introduced.

5.15 Subject to any permission being conditioned to secure compliance with the ecological management plan and to secure approval of details of the fencing it is felt that the proposal would be acceptable in ecological terms.

PUBLIC SECTOR EQUALITIES DUTY

5.18 Section 149 of the Equality Act 2010 contains the Public Sector Equality Duty (PSED) which requires public authorities, when exercising their functions, to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- c) Foster good relations between persons who share relevant protected characteristic and persons who do not share it.

5.19 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to the characteristic.

- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.20 The PSED does not specify a particular substantive outcome but ensures that the decision made has been taken with “due regard” to its equality implications.

5.21 Officers have given due regard to the equality implications of the proposals in making this recommendation. There is no indication or evidence (including from consultation on this application) that any equality matters are raised that would outweigh the material planning considerations.

6.0 CONCLUSION

6.1 The principle of the use of the site as a leisure facility based upon caravan stays has previously been established by grant of Outline Permission. The submitted layout details are broadly consistent with that with the proposed entertainment and amenity buildings making use of the disused mine structures. Detailed measures have been indicated at the same time to safeguard the biodiversity value of the adjacent SINC which are felt to be acceptable. With the management plans proposed and the degree of protection afforded by the surrounding landscaping it is felt that the proposal would not unacceptably harm the amenity of neighbouring properties. The proposal is therefore felt to be acceptable in planning terms and approval is recommended.

7.0 RECOMMENDATION: Approve

1 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Refs: RBS22/2923/001 Site Layout Plan

Typical Driveway Layout Dated 22/03/2023

BG22.148.11-BRGR-ZZ-ZZ-DR-L-00001 Hard and Soft Landscaping

Overview

BG22.148.11-BRGR-ZZ-ZZ-DR-L-00002 Hard and Soft Landscaping

Design

BG22.148.11-BRGR-ZZ-ZZ-DR-L-00007 Hard and Soft Landscaping

Design

BG22.148.11-BRGR-ZZ-ZZ-DR-L-00008-15 Hard and Soft

Landscaping Design

BG22.148.11-BRGR-ZZ-ZZ-DR-L-00016-17 Hard and Soft

Landscaping Schedule

BG22.148.13-BRGR-ZZ-ZZ-DR-L-00001 P04 Lighting Strategy

223 PL01 001 Location and Layout of Amenity Buildings

KD NSLBY 1 D 001 Site Masterplan

PL01_006 Unit 1 - Entertainment Centre Elevations and Floor Plans

PL01_007 Unit 1 - Entertainment Centre Elevations and Roof Plans

PL01_008 Unit 2 - Launderette Elevations and Floor Plans

PL01_009 Unit 3 - Gym and Spa Elevations and Floor Plans

PL01_010 A Units 4 & 5 - Swimming Pool and Cafe Elevations and

Floor Plans

PL01_011 A Units 4 & 5 - Swimming Pool and Cafe Elevations and

Roof Plans

PL01_012 Unit 6 - Staff Accommodation Elevations and Plans

PL01_013 Unit 7 - Amenity Facility Elevations and Plans

PL01_014 Reception and Maintenance Building Elevations and

Plans

PL01_015 Guest & Staff Bike Shelters

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

2 Prior to the commencement of development beyond site layout works full details of the proposed fencing to separate the SINC from accessible areas shall be submitted to and approved in writing by the Local Planning Authority including elevations, sections, location, height and material. The development shall thenceforth be undertaken in strict accordance with the details thereby approved and maintained as such thereafter.

Reason: To secure the SINC habitat and to secure compliance with Policy GI2 of the 2018 Draft City of York Local Plan.

3 The development hereby authorised shall be undertaken, operated and maintained in strict accordance with the Brindle and Green SINC Ecological Management Plan Ref: 22.148-13 Dated 13/03/2023 for the duration of the development.

Reason: To safeguard the SINC Habitat and to secure compliance with Policy GI2 of the 2018 Draft City of York Local Plan

4 The development hereby authorised shall be undertaken in strict accordance

Application Reference Number: 23/01309/REMM

Item No: 4b

with the provisions of the Vibrock Noise Management Plan Ref: R24.11481/1/ONMP/RK Dated 01/03/2024 for the duration of the development.

Reason: To secure the residential amenity of neighbouring properties and to secure compliance with paragraph 135f) of the NPPF

5 The development hereby authorised shall be undertaken in strict accordance with Brindle and Green Hard and Soft Landscaping Schedule Ref: BG22.148.11. BRGR-ZZ-ZZ.DR-L-00016103 Dated 15/03/2023 and any tree which during the lifetime of the development becomes damaged , diseased or dies shall be replaced with like species to the satisfaction of the Local Planning Authority.

Reason: To safeguard the landscape character of the site and to secure compliance with Policy GI4 of the 2018 Draft City of York Local Plan

6 All facilities in the site (including the entertainment and amenity facilities) hereby authorised shall be for the sole use of those resident on the site within the static and touring caravans for holiday purposes and shall not be separately leased or used by individuals or groups not resident at the approved development.

Reason: To minimise traffic generation and to secure the amenity of neighbouring properties securing compliance with Policies T1 and ENV2 of the Draft City of York Local Plan (2018)

7 The recreational paths hereby authorised shall be surfaced in a type 3 crushed stone material to the satisfaction of the Local Planning Authority prior to the site being first brought into use.

Reason: To safeguard the landscape character of the site and to secure compliance with Policy GI4 of the Draft City of York Local Plan (2018)

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 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:

i) Sought clarification of the proposed surface water drainage arrangements

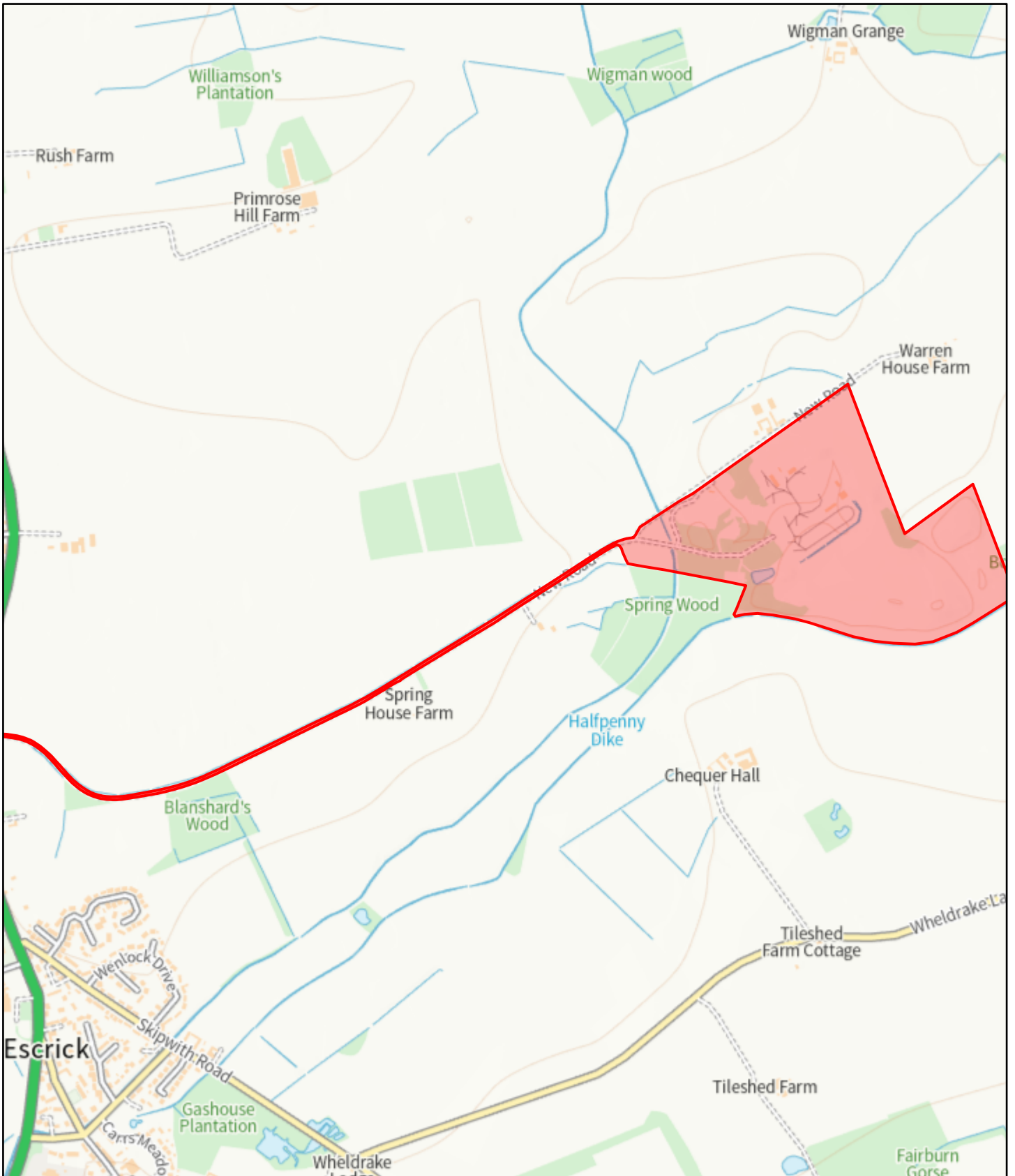
ii) Sought clarification of the measures to be undertaken to address flood risk

Contact details:

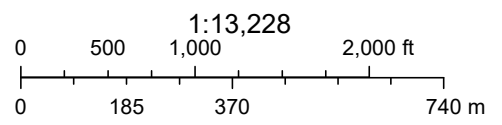
Case Officer: Erik Matthews

Tel No: 01904 551416

This page is intentionally left blank



5/8/2024, 3:00:18 PM



Idox

This page is intentionally left blank



Planning Committee A

To be held on 16th May 2024

23/01309/REMM - North Selby Mine, New Road, Deighton, York

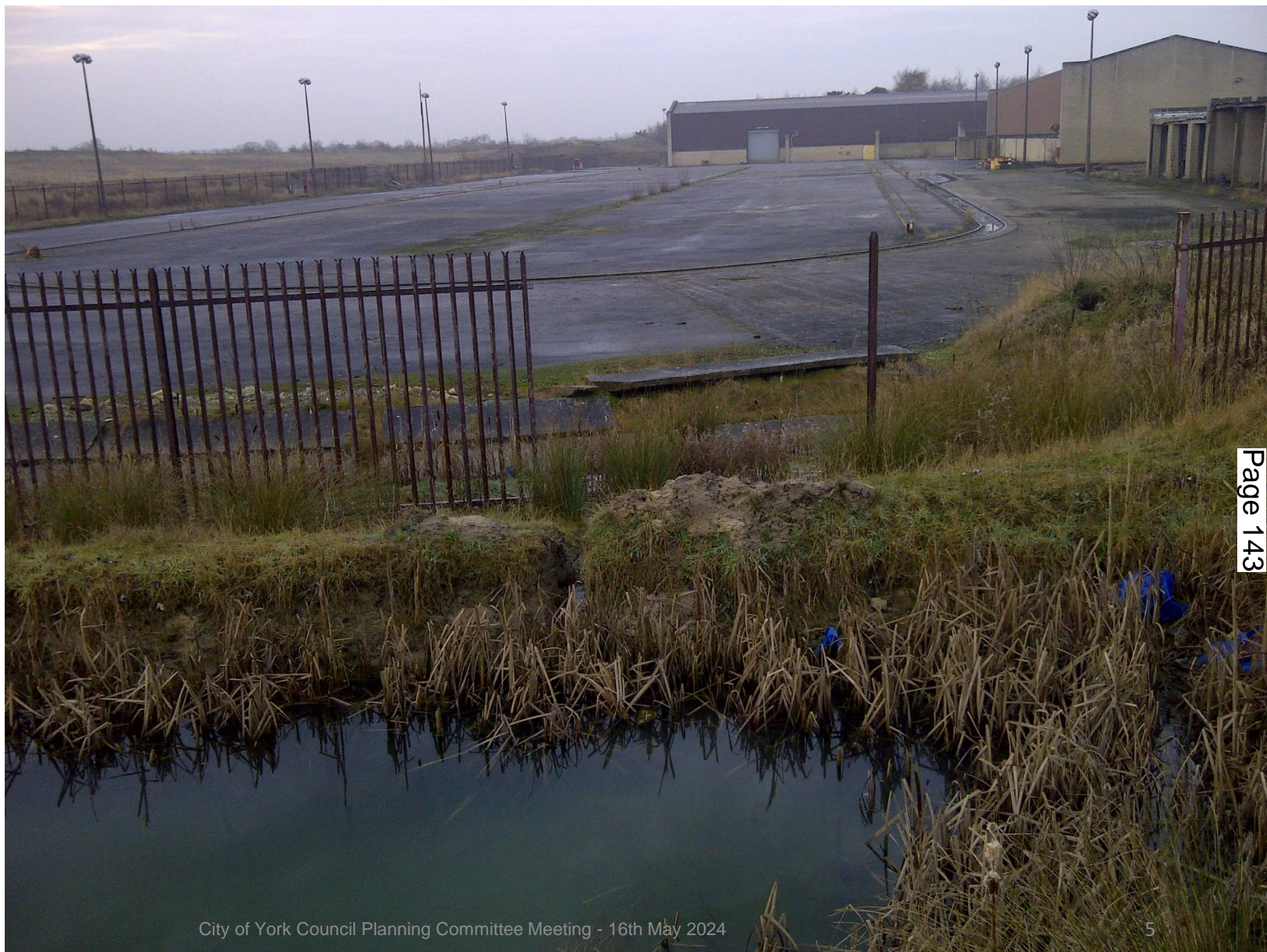
Reserved matters application for appearance, landscaping, layout and scale of redevelopment of the former North Selby Mine site to a leisure development comprising of a range of touring caravan and static caravans and associated facilities following the grant of outline permission 19/00078/OUTM.



North Selby Mine
Internal Parking
Area



Existing Site viewed
from East








Vehicular Access



Masterplan

LEGEND

-  Planning Permission Boundary
-  Existing Public Rights of Way
-  Contours (1m Intervals - mAOD)
-  Proposed Recreational Footpaths
-  Proposed Amenity Buildings - Existing Structures
-  Proposed Wildlife and Surface Water Management Ponds
-  Existing & Proposed Woodland (Tree & Shrub Planting)
-  Open Mosaic, Tussocky Grassland, Meadow and Woodland Fringe Habitats
-  Agricultural Grassland - to be managed as Species Rich Grassland
-  Recreational Area
-  Proposed Gateboard Fencing / Stock Proof Fencing
-  Site of Importance for Nature Conservation (SINC) Boundary
-  Information Recreation and Dog off Lead Zone - Dogs to be kept on leash in all other zones outside of the development footprint
-  Recycling / Refuse Areas
-  Bike Store



KEDD
KEDD LIMITED

PROJECT:
North Selby Leisure Proposal

TITLE:
Site Masterplan

REF NO:
KD.NSLBY.1.D.001

DATE:
December 2023

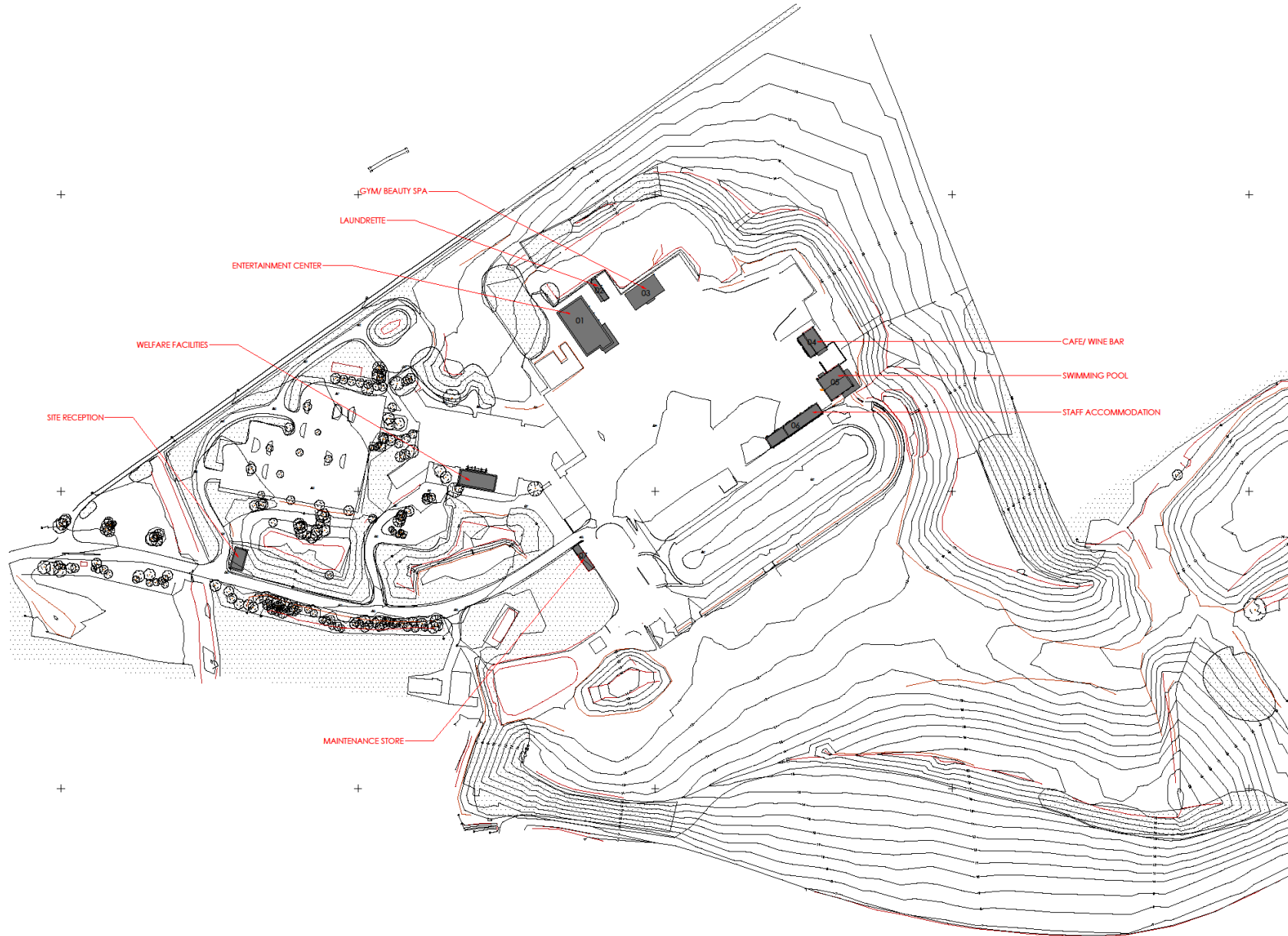
SCALE:
1:1,250 @ A1

STATUS:
FINAL

This drawing may not be used without the consent of Kedd Development Limited
Fox Studio, Much Wenlock, Shropshire TF13 6BL
© Crown copyright and database rights (2017) Ordnance Survey 0100031673



Location and Layout of Amenity Buildings



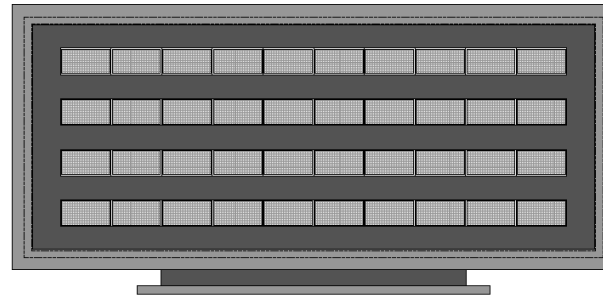
Notes:
 © This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose. Visited with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.
 * DO NOT SCALE FROM THESE DRAWINGS *



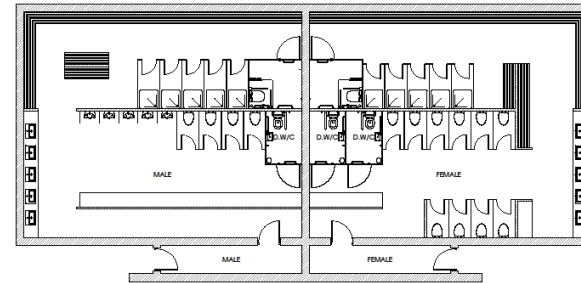
City of York Council Planning Committee Meeting - 16th May 2024

REV	DESCRIPTION	BY	DATE
STATUS: PRELIMINARY / FOR COMMENT			
 TJB Architects Ltd Tel: (+44) 01625 725 825 Email: info@tjbarchitects.co.uk Web: www.tjbarchitects.co.uk			
CLIENT: FLANNIGAN ESTATES			
SITE: NORTH SELBY MINE WHELDRAKE YORK			
PROJECT: CARAVAN PARK			
TITLE: LOCATION & LAYOUT OF AMENITY BUILDINGS			
SCALE 1:1	DATE: DEC 2023	DRAWN: TJB	CHECKED: TJB
PROJECT NO: 223	DRAWING NO: PL01_001	REVISION:	

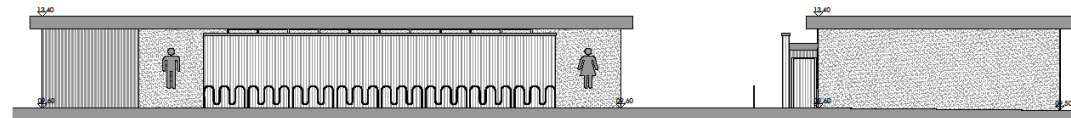
Amenity Facilities Proposed Plans



FLOOR PLAN AS PROPOSED - AMENITY FACILITIES
SCALE 1:100



FLOOR PLAN AS PROPOSED - AMENITY FACILITIES
SCALE 1:100



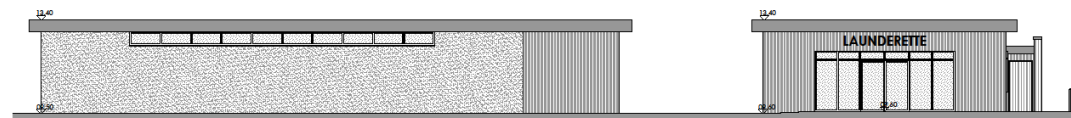
SOUTH ELEVATION AS PROPOSED

SCALE 1:100



EAST ELEVATION AS PROPOSED

SCALE 1:100



NORTH ELEVATION AS PROPOSED

SCALE 1:100

WEST ELEVATION AS PROPOSED

SCALE 1:100

Notes:

© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, supplied with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.

* DO NOT SCALE FROM THESE DRAWINGS *

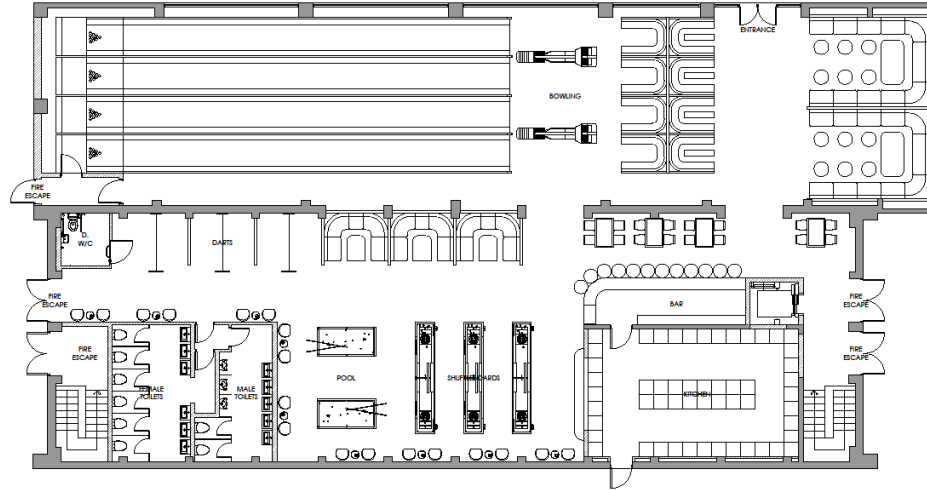
MATERIALS

- VEDGER
- TIMBER CLADDING
- CORRUGATED METAL
- ALUMINIUM CLADDING

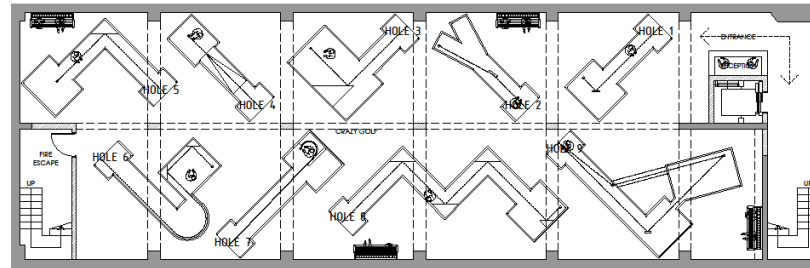
REV:	DESCRIPTION:	BY:	DATE:
STATUS: PRELIMINARY / FOR COMMENT			
TJB architects		TJB Architects Ltd Tel: (+44) 01625 725 925 Email: info@tjbarchitects.co.uk Web: www.tjbarchitects.co.uk	
CLIENT:	FLANNIGAN ESTATES		
SITE:	NORTH SELBY MINE WHELDRAKE YORK		
PROP:	CARAVAN PARK		
TITLE:	AMENITY FACILITIES ELEVATIONS AS PLANS		
SCALE: 1:100	DATE: DEC 2023	DRAWN: TJB	CHECKED: TJB
PROJECT NO: 223	DRAWING NO: PL01_013	REVISION:	-



Entertainment Centre – Proposed Plans



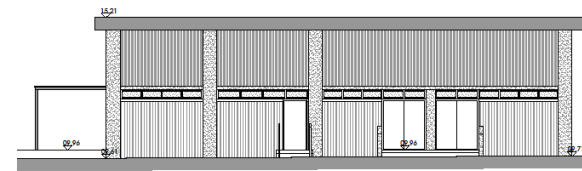
FLOOR PLAN AS PROPOSED - ENTERTAINMENT CENTER
GROUND FLOOR PLAN
SCALE 1:100



FLOOR PLAN AS PROPOSED - ENTERTAINMENT CENTER
BASEMENT FLOOR PLAN
SCALE 1:100



SOUTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH WEST ELEVATION AS PROPOSED
SCALE 1:100

City of York Council Planning Committee Meeting - 16th May 2024

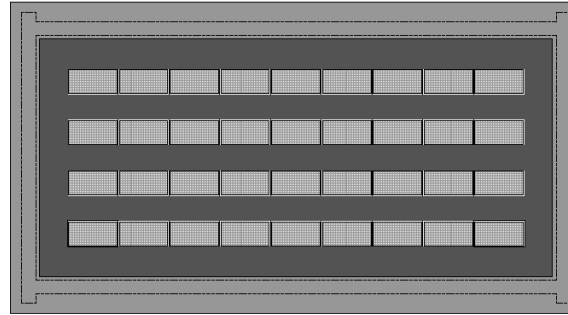


Notes:
© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose supplied with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.
* DO NOT SCALE FROM THESE DRAWINGS *

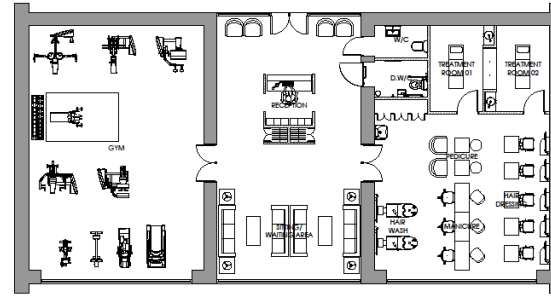
- MATERIALS
- RENDER
 - TIMBER CLADDING
 - CORRUGATED METAL
 - ALUMINIUM CLADDING

REV.	DESCRIPTION	BY	DATE
STATUS: PRELIMINARY / FOR COMMENT			
		TJB Architects Ltd. Tel: (+44) 01625 725 825 Email: info@tjbachitects.co.uk Web: www.tjbachitects.co.uk	
CLIENT: FLANNIGAN ESTATES			
SITE: NORTH SELBY MINE WHELDOURSE YORK			
PROJECT: CARAVAN PARK			
TITLE: Unit 1 - ENTERTAINMENT CENTER ELEVATIONS AS PLANS			
SCALE 1:100	DATE: DEC 2023	DRAWN: TJB	CHECKED: TJB
PROJECT NO: 10223	DRAWING NO: PL01_006		REVISION: -

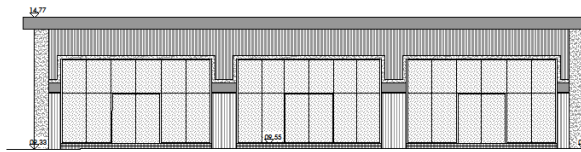
Gym and Spa – Proposed Plans



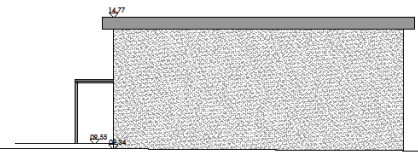
ROOF PLAN AS PROPOSED - BEAUTY SPA & GYM
SCALE 1:100



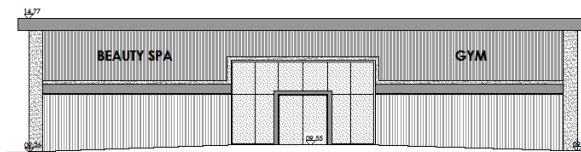
FLOOR PLAN AS PROPOSED - BEAUTY SPA & GYM
SCALE 1:100



SOUTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH WEST ELEVATION AS PROPOSED
SCALE 1:100



SOUTH WEST ELEVATION AS PROPOSED
SCALE 1:100

City of York Council Planning Committee Meeting - 16th May 2024



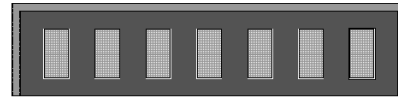
Notes:
© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, validated with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.
* DO NOT SCALE FROM THESE DRAWINGS *

MATERIALS

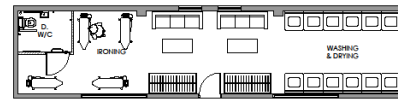
- RIBBED
- TIMBER CLADDING
- CORRUGATED METAL
- ALUMINIUM CLADDING

REV	DESCRIPTION	BY	DATE
PRELIMINARY / FOR COMMENT			
TJB architects		TJB Architects Ltd. Tel: (+44) 01625 725 825 Email: info@tjbarchitects.co.uk Web: www.tjbarchitects.co.uk	
CLIENT	FLANNIGAN ESTATES		
SITE	NORTH SELBY MINE WHELDRAKE YORK		
PROJECT	CARAVAN PARK		
TITLE	GYM & SPA ELEVATIONS AS PLANS		
SCALE 1:100	DATE: DEC 2023	DRAWN: TJB	CHECKED: TJB
PROJECT NO: 223	DRAWING NO: PL01_009	REVISION:	-

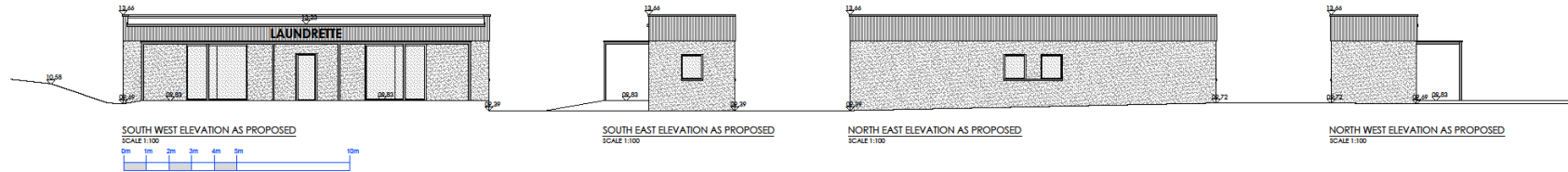
Laundrette Plans and Elevations



ROOF PLAN AS PROPOSED - LAUNDRETTE
SCALE 1:100



FLOOR PLAN AS PROPOSED - LAUNDRETTE
SCALE 1:100



Notes:

© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, implied with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.

* DO NOT SCALE FROM THESE DRAWINGS *

MATERIALS

- RIBBED
- TIMBER CLADDING
- CORRUGATED METAL
- ALUMINIUM CLADDING

REV.	DESCRIPTION	BY	DATE
PRELIMINARY / FOR COMMENT			

TJB architects TJB Architects Ltd.
Tel: (+44) 01625 725 825
Email: info@tjbarchitects.co.uk
Web: www.tjbarchitects.co.uk

CLIENT: FLANNIGAN ESTATES

SITE: NORTH SELBY MINE
WHELDRAKE
YORK

BRIEF: CARAVAN PARK

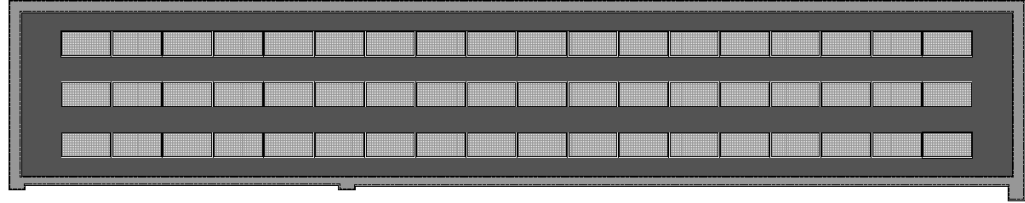
TITLE: LAUNDRETTE
ELEVATIONS AS PLANS

SCALE AT:	SHEET NO.	DATE	DESIGNED BY:	CHECKED BY:
1:100	2	DEC 2023	TJB	TJB

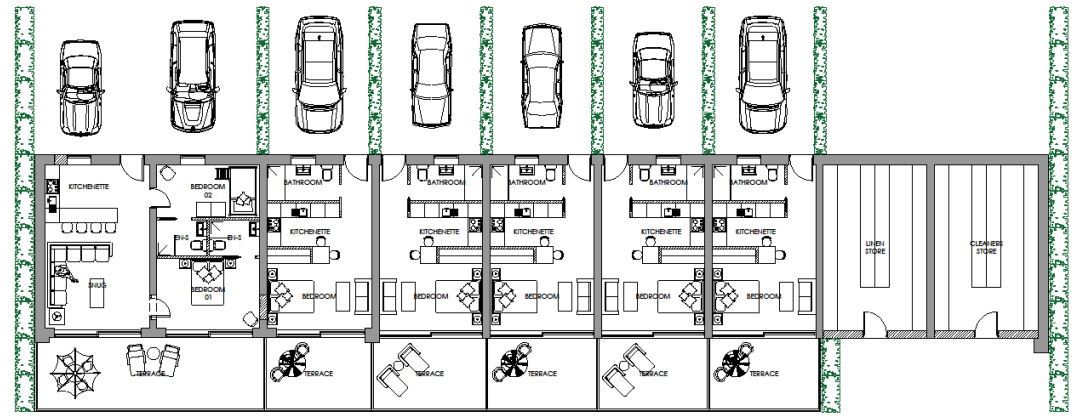
PROJECT NO.	DRAWING NO.	REVISION
223	PL01_008	-



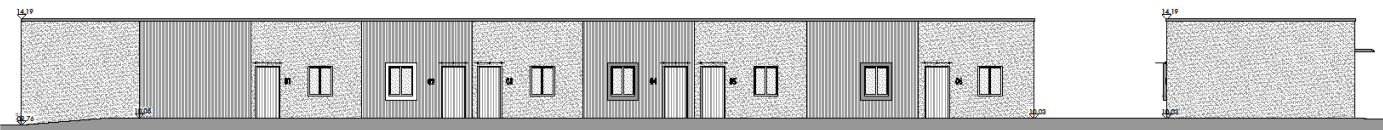
Staff Accommodation Plans and Elevations



ROOF PLAN AS PROPOSED - STAFF ACCOMMODATION
SCALE 1:100



FLOOR PLAN AS PROPOSED - STAFF ACCOMMODATION
SCALE 1:100



NORTH WEST ELEVATION AS PROPOSED
SCALE 1:100

SOUTH WEST ELEVATION AS PROPOSED
SCALE 1:100



SOUTH EAST ELEVATION AS PROPOSED
SCALE 1:100

NORTH EAST ELEVATION AS PROPOSED
SCALE 1:100

Notes:
© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, supplied with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.
* DO NOT SCALE FROM THESE DRAWINGS *

- MATERIALS
- BRICK
 - TIMBER CLADDING
 - CORRUGATED METAL
 - ALUMINIUM CLADDING

REV	DESCRIPTION	BY	DATE
STATUS: PRELIMINARY / FOR COMMENT			

TJB architects TJB Architects Ltd.
Tel: (+44) 01625 725 805
Email: info@tjbarchitects.co.uk
Web: www.tjbarchitects.co.uk

CLIENT: FLANNIGAN ESTATES

SITE: NORTH SELBY MINE
WHELDRAKE
YORK

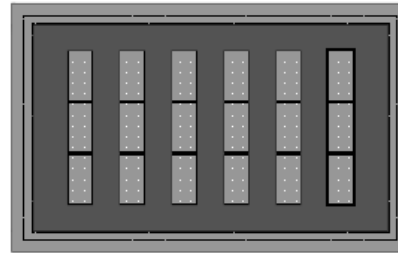
PROJECT: CARAVAN PARK

TITLE: STAFF ACCOMMODATION
ELEVATIONS AS PLANS

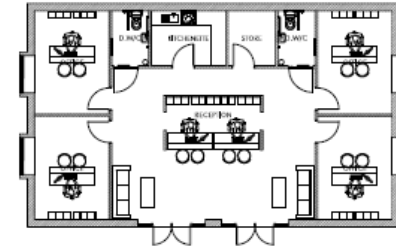
SCALE	DATE	DRAWN	CHECKED
1:100	DEC 2023	TJB	TJB
PROJECT NO:	223	DRAWING NO:	PL01_012



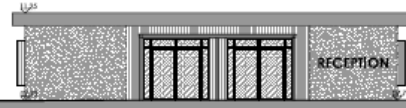
Reception and Maintenance Buildings Plans and Elevations



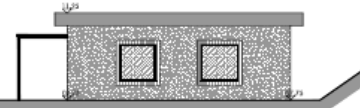
ROOF PLAN AS PROPOSED - RECEPTION
SCALE 1:100



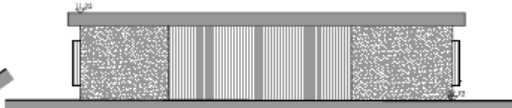
FLOOR PLAN AS PROPOSED - RECEPTION
SCALE 1:100



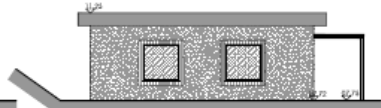
WEST ELEVATION AS PROPOSED
SCALE 1:100



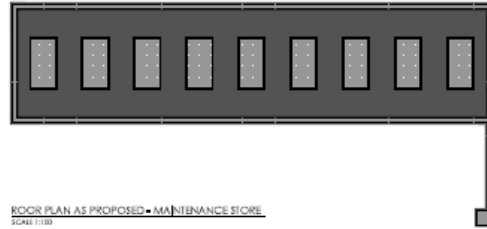
SOUTH ELEVATION AS PROPOSED
SCALE 1:100



EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH ELEVATION AS PROPOSED
SCALE 1:100



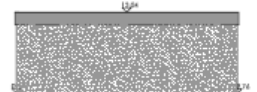
ROOF PLAN AS PROPOSED - MAINTENANCE STORE
SCALE 1:100



FLOOR PLAN AS PROPOSED - MAINTENANCE STORE
SCALE 1:100



NORTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH WEST ELEVATION AS PROPOSED
SCALE 1:100



SOUTH WEST ELEVATION AS PROPOSED
SCALE 1:100



SOUTH EAST ELEVATION AS PROPOSED
SCALE 1:100

Notes:
This drawing and the information contained within this media remain the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information shall be distributed in its entirety and is not to be reproduced or used without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only and is not intended to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose, as applied with this information. All dimensions and levels indicated are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.
* DO NOT SCALE FROM THIS DRAWING *

- MATERIALS
- BRICK
 - CONCRETE
 - CORRUGATED METAL
 - ALUMINIUM CLADDING

REV	DATE	BY	CHKD
001	2023-12-14	TJB	TJB

PRELIMINARY / FOR COMMENT

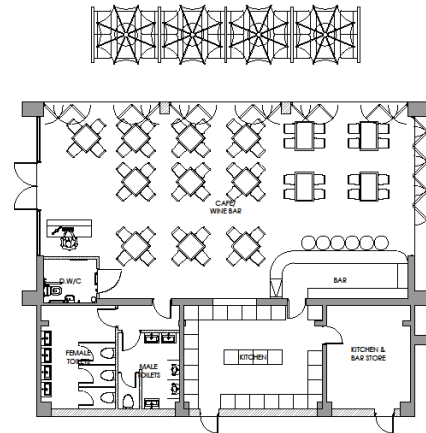
TJB architects TJB Architects Ltd.
141 (+44) 01625 725 825
Email: info@tjbarchitects.co.uk
Web: www.tjbarchitects.co.uk

101	FLANNIGAN ESTATES
102	NORTH SELBY MINE WHELDRAKE YORK
103	CARAVAN PARK
104	RECEPTION & MAINTENANCE ELEVATIONS AS PLANS

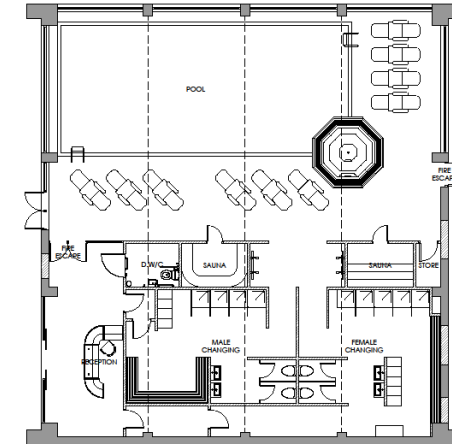
SCALE 1:100	DATE DEC 2023	BY TJB	CHKD TJB
PROJECT 223	DRAWING PL01_014		



Swimming Pool and Café Plans and Elevations



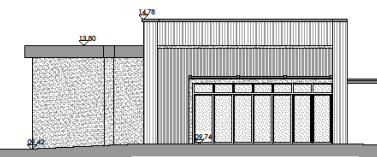
FLOOR PLAN AS PROPOSED - CAFE/ WINE BAR
SCALE 1:100



FLOOR PLAN AS PROPOSED - SWIMMING POOL
SCALE 1:100



SOUTH WEST ELEVATION AS PROPOSED
SCALE 1:100



SOUTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NORTH EAST ELEVATION AS PROPOSED
SCALE 1:100



NOTH WEST ELEVATION AS PROPOSED
SCALE 1:100

Notes:

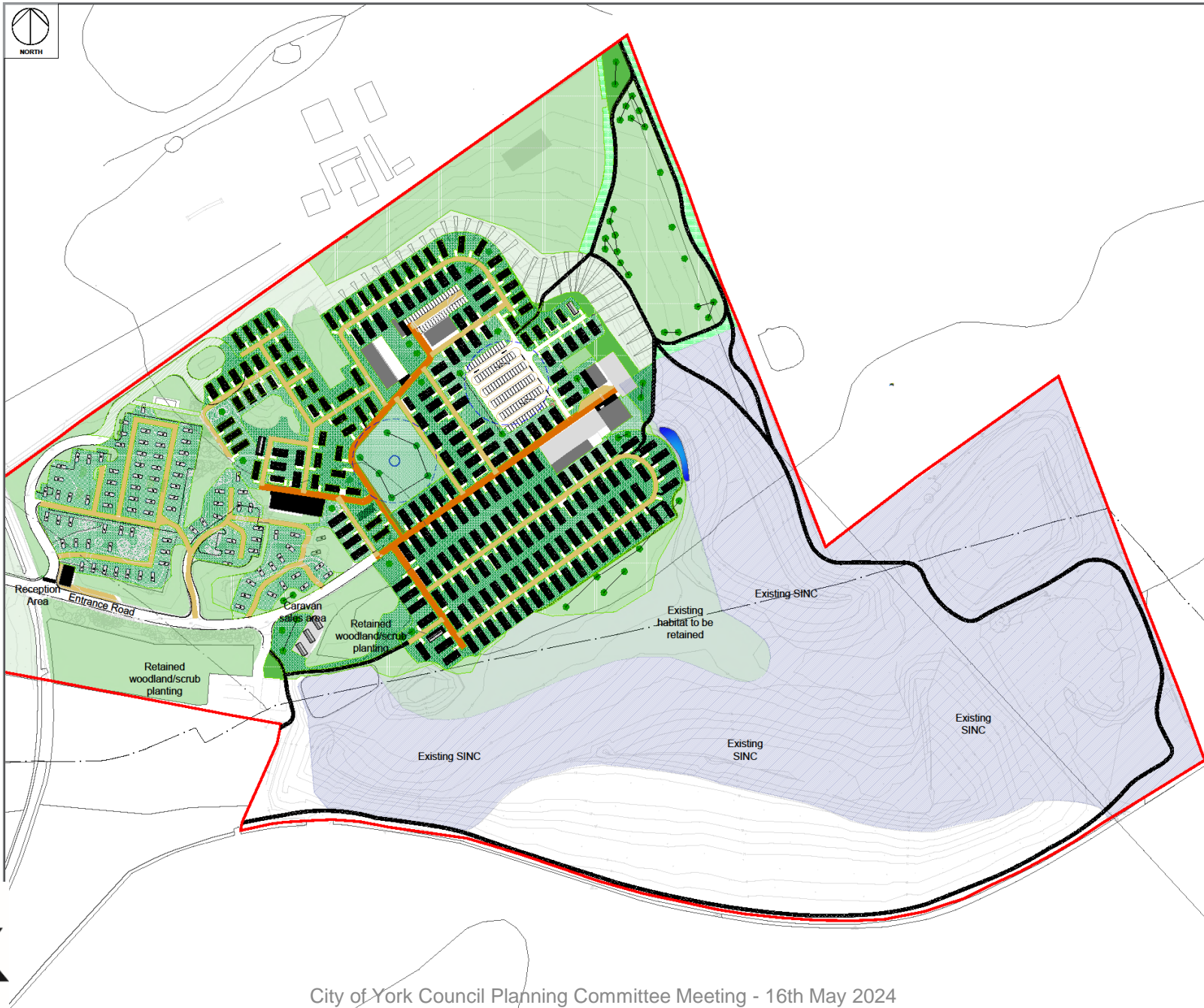
© This drawing and the information contained within this media remains the property of TJB Architects Ltd and may not be distributed to any party in any form without the knowledge and written consent of TJB Architects Ltd. The information should be distributed in its entirety and is not to be reproduced or altered without the knowledge and written consent of TJB Architects Ltd. The information contained within this media is for guidance only. While we endeavor to provide accuracy and detail there is no expressed or implied warranty or fitness for any particular purpose. Issued with this information. All dimensions and levels depicted are subject to checking on site. TJB Architects Ltd accept no responsibility for the accuracy of any information provided by third parties.
* DO NOT SCALE FROM THESE DRAWINGS *
















- MATERIALS
- RIBBED
 - TIMBER CLADDING
 - CORRUGATED METAL
 - ALUMINIUM CLADDING

REV.	DESCRIPTION	BY	DATE
STATUS:	PLANNING		
TJB Architects Ltd. Tel: (+44) 01625 725 825 Email: info@tjbarchitects.co.uk Web: www.tjbarchitects.co.uk			
CLIENT:	FLANNIGAN ESTATES		
SITE:	NORTH SELBY MINE WHELDRAKE YORK		
BRF:	CARAVAN PARK		
TITLE:	SWIMMING POOL AND CAFE ELEVATIONS AS PLANS		
SCALE: 1:100	SHEET NO: 5	SHEET DATE: DEC 2023	DRAWN BY: TJB
PROJECT NO: 223	DRAWING NO: PL01_010	REVISION:	TJB
			A



Landscape Overview



- Legend**
-  Site boundary
 -  Existing primary routes
 -  Proposed secondary routes
 -  Existing retained woodland/scrub planting
 -  Existing retained meadow planting
 -  Existing SINC
 -  Proposed specimen tree
 -  Proposed native hedge labelled 'NRXX'
 -  Proposed flowering lawn seed mix (Emmorgate EL1) labelled 'FLXX'
 -  Proposed species-rich grassland seed mix (Emmorgate EM2) labelled 'SRXX'
 -  Proposed native scrub mix labelled 'NSXX'
 -  Proposed woodland mix labelled 'WMXX'
 -  Proposed ornamental planting (OGXX)
 -  Proposed limestone aggregate labelled 'GRXX'
 -  Proposed flag paving labelled 'FPXX'

Notes:

All plants to be planted in accordance with horticultural best practice and current guidelines. Planting should not be undertaken whilst the ground is waterlogged or frozen.

Deviations from the location, density, size and species of plants within the specification and landscape drawing should not be undertaken unless your approval is sought from a Chartered Landscape Architect.

The location and species of all specimen trees is to be taken into consideration by the Project Structural Engineer to ensure the integrity of all foundations and other structures. In addition contractors implementing the landscape scheme are responsible for scaling, identifying and recording all underground services when excavating the pits. All trees to be secured using a single stake and tree tie, which is to be checked regularly and adjusted to avoid damage to the plant. Stake-rod should be the protected using biodegradable spike guards.

Where a mix of plants is specified, individual species should be either mixed together or grouped in groups of 3x or 6x of the same species. A random effect should be achieved. Planting beds require a 75mm depth of mulch to be applied to their surface, with at least 300mm of topsoil below.

Areas of grass seeding are to be undertaken with at least 300mm of subsoil, with no mulch or topsoil applied.

Project number	Project name		
BG22.148.11	York Holiday Park, New Road, Escrick		
Client	Flannigan Estates Ltd 43 Chapel Lane Wimmslow Cheshire SK9 5HW		
Drawing title	HARD AND SOFT LANDSCAPE DESIGN OVERVIEW		
Purpose of issue	ISSUED FOR PLANNING		
Scale @ A1	Stability	Date of issue	
1:1500	S4	15.03.2023	
Designed	Drawn	Checked	Approved
AT	AT	HCK	RW
Drawing reference	Revision		
BG22.148.11-BRGR-ZZ-ZZ-DR-L-00001	P02		



COMMITTEE REPORT

Date: 16 May 2024 **Ward:** Rural West York

Team: West Area **Parish:** Upper Poppleton Parish
Council

Reference: 23/00823/FULM

Application at: Pavers Ltd Catherine House Northminster Business Park
Harwood Road Upper Poppleton

For: Extension to provide storage, integrated distribution and logistics
centre (B8 Use) with ancillary office/welfare space, service yard,
parking areas, and landscaping (resubmission)

By: Pavers And Northminster Properties

Application Type: Major Full Application

Target Date: 21 June 2024

Recommendation: Approve

1.0 PROPOSALApplication site

1.1 The application site is agricultural land, used for grazing, located beyond the west extent of the existing Pavers warehouse and the Northminster Business Park. The site is within the general extent of the Green Belt.

1.2 The business park access is from Northfield Lane. The lane also provides access to Poppleton Park and Ride, some 300m to the north. To the south-east of the site there is a pedestrian and cycle route (which passes under the outer ring road) connecting into Knapton Village and the west side of the city. On the east side of Northfield Lane are a terrace of houses, located just past the main entrance to the business park. Further south is Oakwood Business Park, which also contains industrial and warehouse units, associated car parking and vehicle storage, the latter extends to the south end of Northfield Lane.

1.3 Northminster Business Park has been in operation since 1997. It has since extended west (to accommodate Pavers) and to the south. The business park now accommodates over 45 businesses involved in commercial and industrial activities.

Draft Local Plan context

1.4 In the Draft Local Plan 2018 Northminster Business Park is identified for expansion. The allocation ST19 - designated for employment land uses – is to the
Application Reference Number: 23/00823/FULM Item No: 4c

south of the existing business park only, expanding to Moor Lane. The application site is not within land allocated for development; it is land proposed to remain in the Green Belt. The site is within the general extent of the Green Belt until the plan is adopted. The plan is currently at examination; there are no proposed modifications to the Green Belt around the business park.

Proposals

1.5 The proposals are to extend the Pavers shoe warehouse. Pavers have been based at the business park since 2001. The existing Pavers building was first granted permission in 2004 (reserved matters approval granted in 2005) and subsequently extended further west following planning permission 18/00565/FULM. The initial development provided some 3,980m² floor space; the extension a further 4,370m².

1.6 The proposed warehouse extension would provide a further 11,015sqm floorspace. The scheme would include associated works including an extended servicing area (8 loading bays and turning space for delivery vehicles HGV's), vehicle and cycle parking, and landscaping, including native tree and shrub planting at the site boundary.

1.7 This application is a resubmission. In relation to the previous scheme (application 21/02804/FULM which was refused) the amount of proposed floorspace has reduced from 11,275sqm to 11,015sqm. The additional car parking has reduced from 110 spaces to 75.

1.8 The application is made as recent growth has seen expansion of Pavers' retail portfolio to over 180 stores and increases in online sales by over 700%. Storage requirements are expected to double. The company has already reached capacity at Northminster Business Park; current operations rely on off-site storage facilities. The applicant's position is that additional warehouse facilities are essential on-site; the company's automated logistics system requires a single warehouse facility for efficient business operations. A distribution facility for DPD is on the land to the south of the Pavers site. Consequently, the Pavers site is unable to expand (and remain on a single site) within the Northminster employment land allocation (site ST19). The economic benefits of allowing Pavers to grow are put forward by the applicant as benefits to justify inappropriate development within the Green Belt.

Environmental Impact Assessment

1.9 Under the Environmental Impact Regulations, the scheme is regarded as Schedule 2 development (due to the area of development exceeding 05ha). National Planning Practice Guidance advice is that if the project is listed in Schedule 2 and the relevant thresholds are exceeded (as is the case here), the proposal needs to be screened by the local planning authority to determine whether

significant effects on the environment are likely and hence whether an Environmental Impact Assessment is required. Then guidance states that only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment. A screening assessment has been undertaken. The site is not in a sensitive area, as defined in the regulations, and the local planning authority has determined that an EIA is not required, regarding the characteristics of the development, its location and the types and characteristics of the potential impact.

Relevant Planning History

1.10 This application is a resubmission following refusal of application 21/02804/FULM at planning committee on 3.11.2022. The reason for refusal was the harm to the Green Belt. There were not found to be very special circumstances that outweighed the harm to the Green Belt and other identified harm. The other identified harm was specified as –

- Sustainable travel promotion lacking (over provision of car parking and the lack of aspiration in the travel plan for promoting alternative to private car travel).
- Lighting strategy would lead to loss of potential foraging habitat for bats.
- Noise assessment not robust in evidencing noise from HGV movements would have no undue effect on the dwellings adjacent the business park entrance.

1.11 There is updated information within this application in respect of sustainable travel, lighting and noise and these are assessed in section 5.

1.12 An application for an office expansion at the site - 23/01267/FULM – was also made in 2023. The application was withdrawn as Paver's have occupied office space elsewhere in the city.

1.13 Northminster Business Park has been extended into the Green Belt previously, although in each case the application site was (in the relevant draft local plan) either reserved/safeguarded land or within the ST19 allocation. Pavers has previously been extended as follows -

- Business Park extended to accommodate Pavers shoes in 2005 (04/03805/OUT).
- Further extension for a warehouse extension to Pavers, granted on multiple occasions (07/02963/OUTM, 15/02721/FULM and 18/00565/FULM) (only the latter implemented).

2.0 POLICY CONTEXT

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise.

2.2 The development plan for York relevant to this application comprises the Upper and Nether Poppleton Neighbourhood Plan (2017) and the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt.

Saved Yorkshire and Humber Regional Spatial Strategy (RSS) policies

2.3 The Regional Spatial Strategy for Yorkshire and the Humber (May 2008) policies which relate to the York Green Belt have been saved together with the Key Diagram insofar as it illustrates the general extent of the Green Belt around York.

2.4 The environmental assessment process for the RSS abolition highlighted that revocation of the York Green Belt policies before an adopted local plan was in place could lead to a significant negative effect upon the special character and setting of York.

2.5 The saved RSS policies are YH9(C) and Y1 (C1 and C2) which relate to York's Green Belt and the key diagram insofar as it illustrates general extent of the Green Belt.

POLICY YH9C: Green Belts

The detailed inner boundaries of the Green Belt around York should be defined in order to establish long-term development limits that safeguard the special character and setting of the historic city.

POLICY Y1C: York sub area policy

Plans, strategies, investment decisions and programmes for the York sub area should:

- Define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.
- Protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

Upper and Nether Poppleton Neighbourhood Plan (2017)

2.6 In respect of Green Belt the plan (in 4.1.10) states the “plan continues to apply the approach to the identification of the Green Belt as set out currently in the RSS and the Fourth Set of Changes Development Control Local Plan (2005) on an

interim basis until such times as the emerging Local Plan is adopted. This will ensure that the preparation of the emerging Local Plan is used as the mechanism for the detailed identification of the York Green Belt boundaries in accordance with national planning policy". The application site is within 'Reserved Land' in the 2005 plan. Reserved Land is not allocated for development i.e. it is regarded as general extent of the Green Belt. The policy for considering proposals within the Green Belt, in the neighbourhood plan, is consistent with the NPPF.

2.7 Policy PNP 7 - Business and Employment states new business development on established business parks will be supported where car parking is provided to City of York Council standards. In respect of Northminster Business Park Section 8 – Employment developments states expansion within the curtilage of this site would be acceptable. Further expansion would compromise the green belt.

NPPF

2.8 Key sections of the NPPF are as follows –

- 4. Decision-making
- 6. Building a strong competitive economy
- 13. Protecting Green Belt land

The Draft City of York Local Plan 2018 (2018 DLP)

2.9 Key relevant Draft Local Plan 2018 Policies (in respect of the principle of development) are as follows -

- | | |
|------|--|
| SS1 | Delivering Sustainable Growth for York |
| SS2 | The Role of York's Green Belt |
| SS23 | Land at Northminster Business Park |
| EC1 | Provision of Employment Land |
| GB1 | Development in the Green Belt |

2.10 The Green Belt Topic Paper 1 Approach to defining York's Green Belt addendum 2021 is the evidence base that underpins the proposed Green Belt boundaries in the 2018 eLP and is relevant to consideration of the proposals and the impacts on the Green Belt.

2.11 The 2018 DLP policies can be given weight in accordance with NPPF paragraph 48, taking into account the stage of the plan, the extent of unresolved objections and degree of consistency with the NPPF. The plan has been subject to examination and the following modifications have been consulted on. The plan is therefore advanced, however there remain some unresolved objections to its Green Belt policies.

3.0 CONSULTATIONS

Carbon Reduction Team

3.1 The team commented on the previous application and advised that in this instance the proposed BREEAM rating of 'Very Good' is acceptable given the justification provided within the BREEAM Pre-assessment and the development type.

3.2 No comments or anticipations have been provided relating to the achievement of a 28% reduction in carbon emissions (as required under policy CC2). Energy/sustainability statements have not been provided at this stage.

Economic Development

3.3 Support the proposals. The proposed expansion of Pavers Headquarters at North Minster Business Park is a development which aligns to the York Economic Strategy and supports the growth of the city's economy. The planning application is accompanied by an Economic Benefits Assessment 2022 and supplementary Economic Statement by URBEA, which includes a comprehensive overview of the strong economic arguments for the on-site expansion as well as a full assessment of alternative options for growth.

3.4 Pavers is a well-respected family-owned business with strong roots within the York business community. Already a large employer for York employing over 300 staff on site, in a variety of roles, the proposed expansion will create an additional 130 roles in York and generate c£51m Gross Value Added (GVA) to the local economy per year. The proposed expansion is central to enabling the business to implement an ambitious company-wide growth plan, which in turn will support new job creation across a full range of job types within the business.

3.5 Operational concerns and constraints will not be resolved by a split site operation; indeed, this would exacerbate business inefficiencies and undermine the existing business model and growth plan. The Economic Statement sets out the case for disinvestment in York and a relocation to a single-site facility outside of the York if permission cannot be secured at North Minster. This is a viable economic argument, especially given the variety of relevant property options in neighbouring localities in West and South Yorkshire which could offer Pavers a cost effective, clean site to enable future growth. Economic Development believe the case for disinvestment in York is a real risk in the long term if the application cannot be supported. As such, maintaining Pavers in York, safeguarding the existing roles and enabling the growth plan to be realised is a significant economic factor to consider in determining the application.

Flood Risk Management Team

3.6 No objection; request condition that development be carried out in adherence drainage strategy revision P6.

3.7 The Drainage Strategy shows foul water connected to the public foul sewer via downstream site at a pumped rate of 2 litres per second (l/sec) and surface water connection to local watercourse that crosses the site and diverted around the site at a restricted rate of 2.55 l/sec with appropriate attenuation up to and including the 1 in 100 year event with 30% climate change event surface water will discharge via appropriate storage up to and including the 1 in 100 year + 40% climate change event to a private land drain.

Highway Network Management

3.8 Recommend conditions as follows –

- Cycle parking must comply with LTN 1/20. Details required for approval.
- Detailed drawings for the footpath connecting carpark/cycle parking and the entrances to the building required.
- Vehicular tracking/swept path required for the car park.
- Condition required to prevent the egress of water and loose material onto the public highway.
- HWAY23 – Sightlines to be provided in the interests of road safety.
- HWAY29 – No gate to open into the highway; to prevent obstruction to other highway users.
- Method of Works: Due to the development location, a statement identifying the programming and management of site clearance/preparatory and construction works is required. The statement shall include at least the following information:
 - Measures to prevent the egress of mud and other detritus onto the adjacent public highway.
 - Where contractors will park
 - Where materials will be stored within the site.
 - Details of the organisation in control of the development and the individual responsible for the works.
 - How the work and the access off the highway will be managed;

- The location of the works, its boundaries, means of access and how it is segregated from the area,.
 - Plant and equipment required.
 - The handling and storage of materials and pollution prevention procedures.
 - The method for safeguarding highway structures.
- Ask that no vehicle associated with the construction of the development enter or leave the site between 17.30 pm and 9.30 am.

Local Plans Team

3.9 In the Draft Local Plan 2018 the application site is shown to fall within the Green Belt adjacent to the western boundary of the existing business park. The Topic Paper (which informed proposed Green Belt boundaries) considers that land to the northern and western boundaries to the existing business park are well defined with a substantial hedge and provide containment for the business park. Land to the north and west of the Business Park should remain permanently open, to reduce the significant impacts on the openness of the Green Belt, particularly when viewed from the A59 and York – Harrogate railway line.

3.10 The applicants have considered a number of options, including a separate facility elsewhere in York, a separate facility outside York, full relocation elsewhere in York and full relocation outside York, with a preferred option of an integrated logistics and distribution centre adjoining the Pavers HQ. Discussions with the Council's Head of Economy have verified the operational need for having the whole business on a single site, rather than a split site, due to the way the business operates, with a conveyor belt system for putting orders together, from an automated collection process in the warehouse, which physically could not operate on a split site. Additionally, the economic benefits to York and its labour market (presented on the basis of both the warehouse and office extension and the number of jobs created/retained overall) were confirmed to be substantial.

3.11 The operational requirements and likely economic benefits are accepted. Local Plan's initial position was no evidence was presented with the application to thoroughly demonstrate that the full relocation to ST19 is unviable. It is estimated approx. 10ha of the 15ha allocation is available (with some of the site being actively marketed). Following on from the comments by Economic Development it was accepted by Local Plans that the option of full relocation to ST19 had been explored and reasonably discounted.

3.12 In respect of decision-making the case officer should consider whether these arguments set out by the applicant amount to very special circumstances (following NPPF paragraph 148), which would outweigh the harm to the Green Belt of the proposed development (and any other identified harm).

Public Protection

Land contamination

3.13 A desk-based assessment recommending site investigation has been issued. Investigation and a remediation strategy should be secured through condition.

Construction management

3.14 Measures to minimise noise, dust and vibration during construction requested.

Noise

3.15 Since the previous application a further technical note regarding HGV vehicle noise has been issued. Officers advised that before any final comments are made on noise the cumulative assessment of noise should consider the HGV movements from Pavers proposed extension and the impact this will have on residential receptors. The data used should also consider other approved B8 developments in the Northminster Business Park area. Once this information is provided further comments will be available.

3.16 Officers were asked for further clarification on the noise matter because the submission was precise in outlining the anticipated number of HGV movements and noise impacts. Officers advised as follows –

- Application 23/01267/FULM (for the proposed office application, now withdrawn) is acceptable due to the limited HGV movements, with only 1 at night between 6-7am. It is advised that the overall HGV movements for the site will reduce due to this providing a single site operation within York.
- Application 23/00823/FULM (this application) - officers have not provided updated comments on this however assume that the noise predictions for this are the same as above. If so officers will update comments. No further comments were received.

Electric Vehicle facilities

3.17 Recommend 5% of total parking provision includes active EV charging points. Charging points should be in a prominent position and for the exclusive use of zero emission vehicles.

Lighting

3.18 The external lighting plan demonstrates lux levels at the boundary would be less than 1 lux, which is acceptable.

Design, Conservation, and Sustainable Development - Archaeology

3.19 Comment on previous application was that based on-site investigation (at this site and the site to the south) a limited programme of trial trenching is requested to complete site evaluation. This could be secured through planning condition.

Design, Conservation, and Sustainable Development - Ecology

3.20 No objections subject to conditions in respect of biodiversity enhancement and nesting birds. Enhancement measures should include a minimum of four bat boxes suitable for crevice dwelling species, four boxes for nesting birds and two invertebrate hibernacula.

3.21 An external lighting plan has been provided in support of this application. As the proposed lux levels are sufficiently low to minimise significant impacts on light sensitive species, such as bats.

Design, Conservation, and Sustainable Development - Landscape

3.22 Comment on previous application - The proposed development would have a significant effect on landscape character, from a component of an open agricultural landscape, to a built industrial landscape. The development would have a negative influence on the adjacent landscape character since it would interrupt the line of open fields to the east of Burlands Lane which are directly linked with the wider arable landscape to the west of the city.

3.23 To the west of the existing business park is an expansive network of fields that form part of the rural context of the city, especially as seen on the A59 approach – a major arterial route into the city and also experienced from Moor Lane, a recreational route connecting Knapton with Harewood Whin and Rufforth.

3.24 Due to the scale and direction (expanding west) of the proposed development, it would reduce the compactness of the existing business park and increase the extent of peripheral development around the edge of the city outside of the ring road. Development would impact on the compactness of the city (compactness being a key component of the historic character and setting of the city as identified in the Heritage Topic Paper and the Green Belt Topic Paper 2021).

3.25 In respect of the landscape and visual impacts officers also refer to the notably long straight lines of vegetation (which are existing / proposed to screen the business park); that the proposed extension does not adhere to existing field boundaries; that proposed boundary treatment would take some 15 years to fully

establish, although in the winter months the business park would be visible from surrounding roads and footpaths; and the landscape impacts of the external lighting.

EXTERNAL

Active Travel England

3.26 No objection subject to conditions.

3.27 The Travel Plan outlines a series of facilities and measures to encourage staff to walk and/or cycle. The delivery of this Travel Plan should be secured by a planning condition. There may also be merit in specifically conditioning the provision of staff changing rooms, showers, drying rooms and lockers to be delivered prior to first occupation of the extension, as from the proposed plans, the location of these is not explicitly shown.

3.28 The extension would facilitate an increase in the number of employees and the 2022 Employee Travel Survey found that 20.3% commute by bicycle. This would suggest that (up to) 80 cycle parking spaces are needed to meet demand.

Ainsty Internal Drainage Board

3.29 No objection, based on the revised drainage strategy (P6) dated October 2023. There is agreement to the proposed land drain diversion around the site and the proposed run-off arrangements. Recommend conditions to secure a drainage scheme and a 3m easement either side of the diverted drain.

Yorkshire Water

3.30 No objection to the revised drainage strategy (P6) dated October 2023. Officers note that previous comments requested surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area(s) of more than 50 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design.

Rufforth with Knapton Parish Council

3.31 The site is not in the parish but object -

- The site is Green Belt and the proposed development is significant in size. The Parish Council objected to the extent of extension to the business park proposed in the Draft Local Plan 2018.
- The objective of the Local Plan is to plan development in a managed and balanced way and to protect the Green Belt around the historic City of York.

Approval of this proposal would create a precedent for an unmanaged sprawl of the business park

- Development would have a significant adverse effect on the openness of the Green belt and specifically on views from the Rufforth to Knapton cycle path, a facility much used and enjoyed by residents of our Parish and the wider York area.

Upper Poppleton Parish Council

3.32 Object

- Increase in traffic; traffic is already a significant subject of complaint by the residents.
- The extension will be outside the curtilage of the Northminster Business Park and consequently not in accordance with the Poppleton Neighbourhood Plan.

4.0 REPRESENTATIONS

4.1 There have been 5 letters in support of the scheme and 3 objections.

Northminster Business Park

- Pavers have been situated at Northminster Business Park for over 20 years. This application has come about as a requirement to further grow the business creating another significant number of new jobs and local economic growth. This application represents a sensible expansion of the site, utilising existing technology and facilities, already built into the existing premises. In carrying out this extension Pavers will reduce the need to transport stock around different storage locations, reducing carbon emissions because of reduced transport needs and also increasing efficiencies in not having to run split sites.

York & North Yorkshire Chamber of Commerce

- York & North Yorkshire Chamber of Commerce welcomes the decision from Pavers to once again seek permission to invest in the region. The Chamber is fully supportive of the exciting expansion plans proposed and feel this is exactly the type of project that City of York Council should be backing. Pavers is a massive York success story and its expansion and continued success needs to be backed by the Council. The company's proposals will see 130 jobs created in York and represent a £19m expansion for the firm.

Julian Study MP

- This scheme would retain and deliver new high-quality jobs and help to scale up a major local business which contributes significantly to York's economy. The development would represent a £6.44m annual GVA boost for the local economy. Pavers' growth in online activity over recent years has seen operational capacity reached at Northminster Business Park. There is a clear and compelling rationale for expansion here in York. If York is to retain major businesses like Pavers, we should not put blockers in their way to sustainability and sensibly expand.

York Civic Trust

- Support due to compliance with local and national policy in achieving very special circumstances for development in the Green Belt. The company is experiencing significant growth and is a commercial success story. The city has seen closure of other industry and there is a risk this business would relocate. Company growth could not have been anticipated in 2018, therefore Pavers could not have been expected to participate in proposals for defining the Green Belt boundary as part of the emerging local plan. A common-sense approach would be to allow this scheme and if necessary reconsider other Green Belt land allocated for development. There are very special circumstances in this case, just as there have been on other occasions when expansion of the business park has been permitted.

Objections

Traffic Generation

- The extent of the business park and traffic disturbance to neighbours in Northfield Lane is subject to a formal complaint to the Council. There has been an adverse effect on residential amenity and no further growth should be permitted until a traffic management plan that segregates the business park from residential properties is established.
- Houses already suffer from noise and vibration due to traffic.
- Northfield Lane is already congested and not designed to accommodate the number of HGV vehicles associated. Discouraging for pedestrians and cyclists. Northfield Lane traffic should not increase as it will become an important pedestrian route to the community woodland (proposed to the south of Moor Lane bridleway)

Green Belt

- The Poppleton Neighbourhood Plan is adopted and does not support expansion of the business park. The plan had 91% support from residents. This scheme is

in conflict with the plan and would effectively remove any Green Belt boundaries to the business park.

Scale of development

- Excessive growth of the business park and adverse effect on the Green Belt.
- The 2016-2036 Poppleton Neighbourhood Plan does not support any development outside the current curtilage of the business park. 91% of the village neighbours who voted supported the details and constraints in this plan. If the boundaries are extended here, then effectively there will no longer be boundaries.

Quality of agricultural land

- Loss of Grade A land. (DEFRA 2002)

5.0 APPRAISAL

KEY ISSUES

5.1 Key issues regarding this scheme are -

- Principal of Development
- Landscape and visual impact
- Economic benefits and Pavers operational requirements
- Highway Network Management
- Ecology / biodiversity
- Sustainable design and construction
- Drainage
- Public protection
- The case for very special circumstances
- Public Sector Equalities Duty

Principal of Development

5.2 The site is regarded as being in the general extent of the Green Belt, until adoption of the Draft Local Plan 2018. The Regional Spatial Strategy for Yorkshire and the Humber (May 2008) policies which relate to the York Green Belt have been saved together with the Key Diagram insofar as it illustrates the general extent of the Green Belt around York. The environmental assessment process for the RSS abolition highlighted that revocation of the York Green Belt policies before an adopted local plan was in place could lead to a significant negative effect upon the special character and setting of York. As such, the Government concluded that the York Green Belt policies that are part of the regional strategy be retained. The

Upper and Nether Poppleton Neighbourhood Plan, whilst adopted and therefore part of the development plan, is clear that it does not intend to establish Green Belt boundaries as these are a matter for the Local Plan (see paragraph 2.6).

5.3 The *Wedgwood v City of York Council* Judgment, March 2020 is a material consideration in respect of the approach to decision making in the general extent of the Green Belt. The case decided that in the absence of an adopted Local Development Plan that specifies what is and is not Green Belt, ... (the Council) must apply the high-level policy rationally to determine what land within the inner and outer boundaries of the Green Belt) is and is not to be treated as Green Belt land. In doing so, it may have regard to –

- The 2005 Draft Local Plan incorporating the full set of changes
- The emerging Local Plan, provided it has due regard to the guidance at paragraph 48 of the NPPF.
- Site-specific features that may tend to treating the site as Green Belt or not.

5.4 Applying *Wedgwood* confirms the position the site be regarded as Green Belt (and this is not disputed in the submission).

5.5 The application site lies within the reserved/safeguarded land identified in 2005 Draft Local Plan policy GP24a. The background text to the policy advised “it is important to recognise that Reserved Land is not allocated for development at the present time but will be brought forward with a review of the plan”. The 2005 Draft Local Plan carries increasingly less weight as the 2018 plan nears adoption.

5.6 In the emerging plan - 2018 DLP the application site is within the Green Belt. In allocating the land to the south as part of site ST29 the Green Belt appraisal identifies an increased importance to keep the land to the west (i.e. the application site) permanently open. The 2018 DLP has been subject to full examination and the inspectors have provided advice on the Green Belt boundaries (making recommendations to change two boundaries elsewhere). No amendments are proposed to the relevant boundaries.

5.7 Features of the western boundary of the Green Belt at the business park are described as:

- The boundary follows the extent of the 20th century development before following historic field boundaries to Moor Lane.
- The boundary is recognisable and is easily determined on OS maps and on the ground.
- The boundary offers permanence.

5.8 The existing business park has a strong sense of enclosure. The application site is to the west; it contains agricultural land not previously developed. The site has a rural character, evidentially beyond the demise of Northminster Business

Park. Given the land use, openness and agricultural character of the surrounding area the application site is evidentially rural and forms part of the countryside.

5.9 The site is regarded as within the general extent of the Green Belt. NPPF Green Belt policies therefore apply. The tilted balance in favour of sustainable development (in NPPF paragraph 11) will not be engaged if the proposal conflicts with the application of Green Belt policy.

5.10 NPPF paragraphs 149 and 150 identify development which can be appropriate in the Green Belt. Other development is inappropriate, which is harmful by definition, and should not be approved except in very special circumstances. The proposed development does not fall into any of the exceptions in paragraphs 149 and 150. It is inappropriate development in the Green Belt. NPPF paragraphs 147 and 148 therefore apply –

- That “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.
- That “substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”.

5.11 The essential characteristics of the Green Belt are its openness and permanence. The Green Belt serves 5 purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns;
- and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Openness

5.12 The proposed extension is approximately 180m by 64m and 12m high on currently open agricultural land. The overall scheme includes 75 car parking spaces and a loading area for 8 HGV's. It would have a significant adverse effect on openness and would be highly prominent from the public bridleway to the south (Moor Lane) which is a popular recreational route for walking and cycling between Rufforth and Acomb.

Landscape and visual impact

5.13 NPPF paragraph 180 states planning decisions should contribute to and enhance the natural environment by protecting and enhancing valued landscapes

(and this is not restricted to designated landscapes) and recognising the intrinsic character and beauty of the countryside. The Urban Design & Conservation Landscape Architect officer has advised on the landscape and visual effects of the proposed development and the adverse effect on the openness Green Belt that would result. Key impacts are as follows –

- Landscape character change from a component of an open agricultural landscape, to a built industrial landscape. Change in character is derived from the building proposed, ancillary servicing and parking areas, site lighting and associated traffic generation. The light pollution and activity associated with the operation will have a constant and permanent effect as the use is a 24-hour operation.
- Development would interrupt the expansive network of open fields to the east of Burlands Lane which are directly linked with the wider arable landscape to the west of the city.
- The landscape forms part of the rural context of the city, especially as seen on the A59 approach – a major arterial route into the city; and also experienced from Moor Lane, a recreational route connecting Knapton with Harewood Whin and Rufforth. Burlands Lane is less frequented than the other two key viewpoints, but the impact on views would be more direct due to the closer proximity.
- Proposed boundary screening comprises of long straight lines of trees/vegetation; this effects openness compared to the prevalent character of agricultural fields bounded by lower hedgerows with intervening trees.
- Boundary screening would take some 15 years to establish. However even when fully established there would still be a visual and experiential awareness of the change in land use and its extension into the open countryside, particularly for the 5 months of the year when leaf cover is reduced.

Green Belt purposes

5.14 Policy SS2 of the 2018 DLP states the primary purposes of the Green Belt are to safeguard the setting and the special character of York and to delivering the Local Plan Spatial Strategy.

5.15 The Topic Paper 1 Approach to defining York's Green Belt addendum 2021 provides further clarification of the methodology informing the proposed Green Belt boundaries for York. It identifies Strategic Principles which informed the detailed boundary setting and the site assessment and selection processes. Most relevant to the application site are -

- SP4 - The starting point for scoping the detailed inner boundary should be the edge of the main contiguous urban area of York where built development meets more open land.
- SP7 – Relates to compactness and landscape character and setting which are relevant to the historic character and setting of the city.

- SP9 – Outside the clusters of built development analysis has shown that the whole of the authority area is of an open agricultural countryside nature with open views across the flat open landscape and therefore relevant to the consideration of protecting the countryside from encroachment, subject to the overall consideration of strategic principles.
- SP11 - Where new sites for development are identified these should be those which cause the least harm to the primary purpose of the York Green Belt and have regard to sustainability objectives expressed through the local plan strategy.
- SP13 - Detailed boundaries will be defined clearly, using physical features that are readily recognisable and likely to be permanent.

5.16 The boundaries for Northminster Business Park were reviewed in Annex 4 of the Topic Paper. The appraisal determines that an extension on the south side of the business park can be accommodated. It concluded against an extension to the west, including the land on which the application site is located, and that this land remain as Green Belt. The key reasons for this conclusion were as follows –

- Openness to the north and west of the business park is important in respect of compactness and the rural setting of the city. The Green Belt boundary is drawn to contain the scale of the existing business park, maintain the rural setting and open approach into the city along the A59. Also to maintain independence, separation, and prevent coalescence between the business park, the Park & Ride and the village of Poppleton.
- The north and west boundaries are important in respect of safeguarding the countryside from encroachment.
- An extension to the west (and the extension proposed in this application) would fail to be defined clearly, not using physical features that are readily recognisable and likely to be permanent.

5.17 The identified expansion of the business park to the south was on the basis that the resultant boundaries would be considerably more recognisable (both on OS maps and on the ground) and permanent and would have a lower impact on the compactness and rural setting of the city. Also, the openness of the land to the south has already been affected by development.

5.18 The 2018 DLP evidence base determined the land the subject of this application, taking into account the methodology in the topic paper, continue to be designated as Green Belt. This evidence base is directly relevant to the application; and allows a conclusion to be drawn that the proposed development would conflict with the following three Green Belt purposes –

- to check the unrestricted sprawl of large built-up areas.
- to assist in safeguarding the countryside from encroachment.
- to preserve the setting and special character of historic towns.

5.19 The two purposes not affected are to prevent neighbouring towns merging into one another; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. In respect of these Green Belt purposes there would be no threat of separate towns merging (the merging of surrounding villages and the main urban area is considered under purpose 4) and the 2018 DLP acknowledges that the development needs of the city will require Green Belt land.

5.20 The identified harm to the Green Belt is therefore as follows –

- Inappropriate development, which is harmful by definition.
- Harm to openness.
- Contrary to three of the five Green Belt purposes.

5.21 In order for the proposals to be NPPF compliant, paragraph 148 advises ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Economic benefits and Pavers operational requirements

5.22 The applicant’s case for the scheme is set out in the Paver’s statement on business operation dated May 2023 and is summarised below. There are economic benefits of the warehouse expansion, fundamentally the operator requires a single site to be acceptably efficient; they have demonstrably outgrown the existing premises. The applicants advise a split-site is not an option and if they were forced to relocate it would be outside of York because of the potential economic benefits in moving to an Enterprise Zone (or similar) with less constraints, in a logistically and geographically preferable location. The argument has been advanced since the previous scheme, which was refused, both in terms of the economic benefits of the expansion and the risk of relocation outside of York.

Financial benefits

- The warehouse expansion would increase FTE staff on-site by 30.
- Indirect financial benefits, deriving from a warehouse expansion and an increase in office jobs at the company (off-site but potentially on-site in future) include 23 jobs each year and local supply chain expenditure of £3.4m (the proposed extensions leading to a £0.39m increase). The applicants report the cumulative benefits from their growth have been assessed as being worth a total of £51.99m GVA to the York economy annually.

Business and operational needs

- Pavers' storage requirements are expected to double over the next 5 years. The company has already exceeded capacity at its Northminster Business Park base, having to rely on off-site storage facilities. Further storage capacity will allow the business to be more efficient financially and environmentally. Expansion would reduce traffic movements, compared to the current arrangement where goods need to be moved between multiple satellite warehouses. Currently some 600,000 pairs of shoes are stored off-site. This represents 'dead stock' unavailable for sale until it is transported to the headquarters for picking. This is neither economically or environmentally sustainable in terms of road transportation and temporary hire of offsite facilities. The applicants advise this inefficiency represents a cost of over £3m per year to the business. These numbers have increased since the previous submission, when it was reported some 250,000 shoes were off-site and the annual cost implications £250,000.
- The scheme involves an 11,015sq.m expansion of the logistics and storage accommodation. Pavers operate an automated system; it is critical for efficiency the warehouse is a single location. The current arrangement is economically unsustainable for the business. The previous extension cost some £10m and includes bespoke automation systems. Expanding the existing warehouse is more practical and cost efficient compared to relocating the entire operation to new premises. For the applicants there is also the risk of being unable to find a purchaser for the existing facility.
- If the business were to relocate, the applicants advise this would likely be in the form of other distribution centres nationwide, however the preference is for the business to remain in York. Whilst there is space within the ST19 allocation (at Northminster Business Park) for a single new facility, this is not regarded an economically viable option for the applicants given the cited economic, logistical and operational benefits an alternative UK location could benefit from. A split-site has been discounted as an expansion option. The applicant advises that an alternative location would be away from York and would likely take advantage of economic benefits such as Enterprise or Freeport status, capitol grants. In terms of location, it would be less spatially constrained, have improved motorway access and better positioned in terms of proximity to the south. The applicants have calculated that operating costs would be 10% lower if they relocated outside of York. The Council's Economic Development team have acknowledged this position is valid and have put forward their strong support for the scheme and retain of Pavers in York.

Highway Network Management

5.23 The NPPF states that in assessing applications it should be ensured that:

- Opportunities to promote sustainable transport included where appropriate.
- Safe and suitable access to the site can be achieved for all users.

- Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

5.24 The NPPF also states “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this respect conditions recommended conditions by highways officers could be imposed, provided they met the tests of being relevant to planning, necessary to avoid refusal of planning permission, precise, and enforceable. The nation planning guidance is also clear that conditions should not cover topics/requirements that fall under other legislation.

5.25 This application proposes fewer car parking spaces than the last application and is supported by an updated Travel Plan, that includes staff travel surveys from 2022. It advises as follows on parking -

Cycle parking	40 proposed in addition to the 20 existing.
Car parking	58 spaces proposed in addition to the 105 existing.

Impact on the network

5.26 The Travel Plan submitted is on the basis that the expansion would create an additional 30 warehouse staff. Employment site-wide will increase from 300-330 FTE staff.

- The applicants advise that many of the warehouse staff will arrive / depart outside of the established network peak hours.
- The Transport Assessment includes traffic survey data which concludes the existing development has some 75 vehicles entering the site at the am peak.
- HGV movements are currently 5-6 during the peak hours. It is expected the increase in HGV movements will be spaced over the day. There will only be one HGV movement at night between 6am and 7am.

5.27 The applicant’s Transport Assessment (TA) reviews impact the business park access and on the A59 junction. The outputs show a degree of saturation at no more than 80% at the A59 junction. The assessment determines junction will not exceed capacity. Highway Network Management have raised no issues in respect of traffic generation and impact on the network. The highways consultation response recommended a number of conditions regarding the layout of the access and the car park and construction management. The car park is sufficiently set out and the site access is existing. Conditions in this respect to approve further details are not necessary as the drawings are sufficient. In terms of construction management, a number of the requests relate to matters controlled by highways legislation or are not necessary due to the location, and will not be requested.

Access

5.28 Active Travel England have provided advice on the scheme. Their remit is related to the Government's vision for cycling and walking to be the natural first choice for many journeys with half of all journeys in towns and cities being cycled or walked by 2030. Active Travel England's responsibilities for walking also extend to "wheeling", such as the use of wheelchairs (self-propelled or powered) and mobility scooters. They have not raised any access issues in respect of the site. Disabled parking spaces for cars make up over 5% of the provision and are located closest to building entrance points. A condition could require approval in detail of the cycle parking, with 5% being for over-sized cycles.

Parking facilities

5.29 The key figures from travel surveys report as follows -

Mode	2021	2022	Travel Plan target
Car	78%	62.4%	58.2%
Cycle	11%	20.3%	22.5%
Walk	3%	4%	5%

Cycle storage

5.30 The proposals include 50 cycle parking spaces in addition to the existing spaces on-site (20 quoted in the Transport Assessment).

Minimum parking standards as recommended in LTN1/20 would amount to 41 spaces for the existing office, warehouse and the warehouse extension proposed. LTN 1/20 contain recommendations only and the travel plan data is site specific. A target of 23% of the 330 staff cycling to work would equate to demand for 76 cycle parking spaces. An increase in cycle parking spaces could be secured through planning condition if planning permission were approved. Showers and changing facilities (recommended by Active Travel England) could be secured through condition also.

Car parking

5.31 The proposed layout shows 163 car parking spaces There is also an overspill car park not shown on the plan. The strategic policy in the 2018 DLP for Northminster Business Park expansion establishes key principles of a sustainable business park, the promotion of sustainable transport solutions. The Travel Plan targets a reduction to 58% staff arriving by car (single occupancy). The car parking provision and aspirations for sustainable travel are reasonable.

5.32 The scheme illustrates 6 EV charging points; in excess of 5% car parking would have EV charging in accordance with City of York Council – Low Emissions Supplementary Planning Guidance Updated June 2022.

Ecology / biodiversity

5.33 The NPPF states decisions should contribute to and enhance the natural and local environment by minimising the impacts on, and providing net gains for, biodiversity and recognising the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

5.34 An updated ecological impact assessment dated April 2023 has been issued to support this application. This proposes mitigation and enhancement measures, which compared to the baseline condition will secure biodiversity net gain and therefore be policy compliant in this respect. The scheme includes a detailed planting plan, which includes the species recommended in the assessment and a lighting scheme which takes into account impact on bats and proposes habitat.

5.35 Great Crested Newts – No adverse effect would occur. There is one pond within 300m of the site, which scored 0.51, classifying it as ‘below average’ quality for GCN using Habitat Suitability Index (HSI). The pond appears to be managed for wildfowl, reducing the value for amphibians. An eDNA test for Great Crested Newts returned a negative result.

Loss of agricultural land

5.36 The application site comprises of what may be regarded Best and Most Versatile Land. The Natural England Maps are general and region wide. The mapping provides an estimate of land quality and are clear in advising that more detailed surveys are required for site specific assessments.

5.37 Natural England are a consultee where the loss of 20ha or Best and Most Versatile Land and where proposals are not in accordance with an approved development plan. They are not therefore a consultee in this instance.

5.38 Natural England Yorkshire & Humber Agricultural Land Classification Maps estimate the land as Grade 2 - Very good.

5.39 There is no specific policy in the Upper and Nether Poppleton Neighbourhood Plan or the 2018 Draft Local Plan that prevent the development of land of a specific agricultural quality. It is noted ST19 is on land of similar agricultural quality and such land is widespread around the city. The loss of agricultural land is not considered a reason to oppose the scheme.

Sustainable design and construction

5.40 Policy CC2 of the 2018 draft Local Plan establishes all new non-residential buildings (with a total internal floor area of 1,000m² or greater) should achieve BREEAM 'Excellent' (or equivalent) and a 28% reduction in carbon emissions, over and above the requirements of the Building Regulations 2013. The latter unless it is demonstrated such reductions would not be feasible or viable.

5.41 A BREEAM pre-assessment report has been undertaken (related to new construction of commercial / industrial buildings). The assessment concludes that only a very good rating is practical given the type of warehouse type building proposed. This position has been verified by the Council's Carbon Reduction team as reasonable and a very good rating was also accepted for the DPD scheme (to the south of the site) which is for a comparable building typology. BREEAM and the required reduction in carbon emissions could be secured through planning conditions.

Drainage

5.42 Policy ENV5 of the 2018 eLP sets sustainable drainage requirements. In terms of surface water run-off, it requires the following, unless it is agreed such rates are not reasonably practical –

- Previously developed sites – 70% of existing run-off rates.
- New development on greenfield sites – run off rate shall be no higher than the existing rate prior to development taking place.

5.43 Because the site is greenfield (defined in the York Sustainable Drainage Systems Guidance for Developers as undeveloped land in a city or rural area used for agriculture, recreational grassland or natural rough) officers have requested a surface water run-off rate of 2.55 l/sec. This is proposed.

5.44 The drainage scheme has been revised since the previous application. Surface water will eventually discharge into a watercourse; this follows the sustainable drainage hierarchy in the NPPF (soakaways not suitable). The run-off rate will be restricted (with underground attenuation tanks and flow control device) and initially connect into a land drain that would be diverted. The arrangements are functional and have the support of the Internal Drainage Board, who are responsible for the watercourse into which surface water would discharge. The scheme would be safe from flooding and would not increase flood risk elsewhere. The site is in Flood Zone 1.

Public protection

5.45 Section 15 of the NPPF, regarding the natural environment advises that planning decisions should contribute to the natural and local environment by

preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution. Paragraph 186 states opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Paragraph 187 states decisions should ensure that new development can be integrated effectively with existing businesses and community facilities.

Land contamination

5456 A desk-based assessment recommending site investigation has been issued. Investigation and a remediation strategy should be secured through condition.

Air quality

5.47 In respect of Electric Charging facilities the local guidance - draft Low Emission Planning Guidance requires a minimum of 5% of all parking spaces (or 1 space, whichever is greater) to be provided with EV charge points – this exceeds minimum requirements for active EV charge point provision as set out in the Building Regulations Approved Document S (non-residential buildings under the regulations only need to provide 1 'active' space if over 10 spaces are proposed). Passive provision is now dealt with under the Building Regulations. The site plan shows 6 EV spaces which exceeds the required 5% provision.

5.48 The site is not in an existing area of air quality concern. Taking into account 2018 eLP policy ENV2: Managing Environmental Quality and the proposals for parking and highways impact, Public Protection Officers have not required a further air quality assessment.

Noise

5.49 NPPF paragraph 185 states decisions should ... ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment ... In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

5.50 There are houses opposite the main entrance to the business park. Public Protection officers reserved judgement on traffic noise grounds and asked for an assessment of the impact on traffic from the entire business park. This goes beyond what is reasonable as this scheme must be assessed on its merits. On the companion office application officers have advised that they do not object based on the proposed vehicle movements; the same as those stated in this application.

5.51 The submission states as follows in respect of traffic movements -

- HGV Deliveries will take place between 06:00-14:00 each day of the week.
- Assumed typically one HGV moving in any 1-hour period (i.e. in and out equates to 2 movements per hour) during the daytime and night-time (early morning) period.
- Smaller courier vans / 7.5 tonne lorries arrive throughout the day which will vary on a day-to-day basis.

5.52 This application is supported by a technical note which provides advice on predicted noise from HGV vehicle movements. The note advises vehicles from the site (as proposed) will not have an adverse effect on extant noise levels. This is on the assumption that at night-time there will be no more than one HGV delivery, and this will be between the hours of 06.00 and 07.00. A condition could be imposed that prevents deliveries between 23.00 and 06.00 and that there be no more than 1 HGV arrival and departure per hour.

The case for very special circumstances

5.53 NPPF paragraph 148 states that “when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”.

5.54 The identified harm is as follows -

Green Belt

- Inappropriate development which is, by definition, harmful.
- Harm to openness.
- Harm to 3 of the 5 Green Belt purposes.
- Landscape and visual harm.

5.55 The NPPF requirement is for substantial weight to be attributed to the adverse effects on the Green Belt. For very special circumstances to exist, other considerations (which in this case are the economic benefits of the scheme) must clearly outweigh all identified harm.

5.56 The benefits in favour of the application scheme are set out below. These each carry significant weight when applying NPPF economic policy. Even when attaching substantial weight to the harm to the Green Belt and harm to landscape character, cumulatively there are very special circumstances which, as required by the NPPF, clearly outweigh the harm to the Green Belt and the other identified

harms. It is considered that very special circumstances exist which justify the development. The benefits amount to very special circumstances in this particular case, because they are specific to Pavers operational requirements and the impacts on the York economy.

- Operational requirements mean Pavers require a single site which is fundamental in terms of financial efficiency and beneficial in reducing traffic on the network; the latter by consolidating stock at a single site which benefits from their bespoke automated systems.
- It is accepted that expansion of the existing facility is the only viable option; there are not alternative non-Green Belt sites in York and relocation would be unviable for the company.
- An increase in 30 jobs in the warehouse combined with associated job creation across the business, based in York.
- Growth would have a cumulative impact of contributing £51.99m GVA to the York economy annually.

Public Sector Equalities Duty

5.57 Section 149 of the Equality Act 2010 contains the Public Sector Equality Duty (PSED) which requires public authorities, when exercising their functions, to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share relevant protected characteristic and persons who do not share it.

5.58 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to the characteristic;
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.59 The PSED does not specify a particular substantive outcome but ensures that the decision made has been taken with “due regard” to its equality implications. Officers have given due regard to the equality implications of the proposals in making this recommendation.

6.0 CONCLUSION

6.1 The proposals are for a warehouse extension of significant scale (11,275sqm floorspace) which is over double the size of the existing premises, along with associated car parking and loading bays for HGV’s on what is currently open agricultural land within the general extent of the Green Belt. The land is proposed to remain Green Belt in the draft Local Plan 2018 which remains subject to examination. There would be adverse effects on the openness and rural character of the Green Belt due to the amount and scale of development proposed. Further to adverse effects on the Green Belt there is landscape and visual harm due to the scale and type of the proposed building in its countryside setting. Technical matters can all be addressed through the use of planning conditions.

6.2 This is a resubmission of 21/02804/FULM which was for a comparable proposal and was refused because very special circumstances were not identified that outweighed the identified harms. In the previous application there was further harm in respect of drainage, sustainable travel measures and lighting. Each of these issues are addressed in this submission. The submission also advances the applicants case for very special circumstances.

6.3 The applicants have provided a business case demonstrating the benefits of the existing premises being able to expand, allowing growth and increased efficiency of the business with up to 30 extra jobs. In addition to jobs in the warehouse the business also involves office-based jobs, both at the application site and at additional offices in York. Pavers would employ up to 430 employees in York and contribute in the region of £51,99m annually to the York economy. There are considerable economic and environmental benefits in enabling a local business to continue to expand and it is accepted, it is not financially viable for this to occur at a different site within York. The economic benefits and lack of a deliverable alternative York site have been advanced since the previous application and result in an officer recommendation to approve.

6.4 The financial benefits of the proposed extension have been advanced and as the company grows, the inefficiencies and costs of storage off site increases. Officers now accept there are not viable options for the company to either operate multiple sites or fully relocate within the city. The Council’s Economic Team have outlined their strong support to enable the business to grow and have verified the

applicant's case for expansion of the existing site. Furthermore, the scheme has strong support from the Council's Economic Development Team and local amenity bodies; the York Civic Trust, York & North Yorkshire Chamber of Commerce and the local MP.

6.5 The NPPF in respect of the economy advises "policies and decisions should help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development".

6.6 NPPF Policy requires substantial weight to be given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

6.7 The NPPF requirement to give substantial weight to Green Belt harm would typically outweigh the significant weight applicable to supporting economic growth. In this particular case though there is a robust argument in favour enabling expansion of a local business experiencing significant growth. It is accepted it would not be viable for such growth at an alternative location in York outside of the Green Belt and there is a tangible risk the business could relocate outside York if it is unable to expand.

6.8 Officer's recommendation is that in this particular case the reasons for the scheme and the economic benefits proposed (as set out in paragraph 5.22) do amount to very special circumstances that clearly outweigh all identified harm; the identified harm to the Green Belt and the landscape and visual harm. As such the scheme can be supported when applying policy PNP1 of the Upper and Nether Poppleton Neighbourhood Plan, the NPPF and local Green Belt policy.

6.9 Should members decide to approve the application then referral to the Secretary of State would be required to determine whether the application be called-in for consideration, as the development is considered to be inappropriate development in the Green Belt and the proposal would consist of floorspace in excess of 1,000m², following the Town and Country Planning (Consultation) Direction 2024 and Section 77 of the Town and Country Planning Act 1990.

7.0 RECOMMENDATION: That delegated authority to be given to the Head of Development Services to:

- To determine the final detail of the planning conditions below.
- Refer the application to the Secretary of State for Communities and Local

Government under the requirements of Section 77 of the Town and Country Planning Act 1990, and should the application not be called in by the Secretary of State, then APPROVE the application subject to planning conditions.

1 TIME2 Development start within three years

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

Proposed site plans - PL408 A and PL402 E

Proposed floor plans / layout - PI 409 B

Proposed elevations and sections - PL200 C

Tree protection plan - BA10946TPP A

Lighting plan - D44550/JB/E

Landscape / planting plan - 21102-TLP-400A

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

3 Construction management

Prior to commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period.

The plan shall include: -

- Details of measures to keep the highway clean - wheel washing facilities for the cleaning of wheels of vehicles leaving the site, including location and type.
- Dust - A site-specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and including a package of mitigation measures commensurate with the risk identified in the assessment.
- Air Quality - The air quality impacts associated with construction vehicles and non-road mobile machinery (NRMM) and the proposed mitigation measures, commensurate with the identified risk.
- Noise - Details on types of machinery to be used, noise mitigation, any monitoring and compliance with relevant standards and times of working.
- Vibration - Details on any activities that may result in excessive vibration, e.g. piling, and details of monitoring and mitigation to be implemented.
- Complaints procedure - The procedure should detail how a contact number will be advertised to the public, investigation procedure when a complaint is received, any monitoring to be carried out, and what will happen in the event

that the complaint is not resolved. Written records of any complaints received and actions taken shall 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

- Dilapidation survey - Prior to works starting on site a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which shall be agreed in writing with the Local Planning Authority.

Reason: To ensure before development commences that construction methods will safeguard the amenities of neighbouring properties and business, in accordance with Policy ENV2 of the City of York Publication Draft Local Plan.

4 Archaeology

Prior to any groundworks a written scheme of investigation (WSI) for archaeological evaluation shall be submitted to and approved by the local planning authority in writing and undertaken in accordance with the approved details. The WSI shall adhere to the following measures -

- The WSI to conform to standards set by LPA and the Chartered Institute for Archaeologists.
- A site investigation and post investigation assessment to be completed in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition.
- A copy of a report on the evaluation and an assessment of the impact of the proposed development on any of the archaeological remains identified in the evaluation shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 weeks of completion.
- Where archaeological features and deposits are identified proposals for the preservation in-situ, or for the investigation, recording and recovery of archaeological remains and the publishing of findings shall be submitted as an amendment to the original WSI. There shall be presumption in favour of preservation in-situ wherever feasible.

Reason: This condition is imposed in accordance with Section 16 of NPPF. The site lies within an area of archaeological interest. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in-situ.

5 Land contamination

Prior to development, an investigation and risk assessment (in addition to any assessment provided with the planning application) shall be undertaken to assess

the nature and extent of any land contamination. The investigation and risk assessment must be undertaken by competent persons. A written report of the findings shall be produced, submitted to and approved in writing by 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 shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

6 Land contamination - remediation scheme

Prior to development, a detailed remediation scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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 Land contamination - verification

Prior to first occupation or use, the approved remediation scheme shall be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out 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.

8 Nesting birds

No tree works, or vegetation clearance shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful and detailed check of suitable habitats for active nests immediately before the works commence. Written confirmation shall be submitted to the local planning authority, detailing where works within suitable habitats have been undertaken within the nesting bird period, the outcomes of checking surveys, and identify requirements for protection measures.

Reason: To ensure that nesting birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended.

9 Biodiversity enhancement

A biodiversity enhancement plan shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building hereby permitted. The plan shall include a minimum of four bat boxes suitable for crevice dwelling species, four boxes for nesting birds and two invertebrate hibernacula. The approved works shall be completed prior to first use of the development hereby permitted.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, in accordance with Paragraph 180 of the NPPF, to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

10 Landscaping

The approved landscaping scheme; drawing 21102-TLP-400A shall be fully implemented prior to first occupation of the development. Any trees or plants which 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 alternatives

are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site in the interests of the character and appearance of the area and biodiversity.

11 Lighting

External lighting shall at no times exceed the illumination levels as set out on approved drawing D44550/JB/E.

Reason: To avoid light pollution and to minimise and mitigate impacts on biodiversity in accordance with NPPF paragraphs 180 and 191.

12 Carbon reduction

The development hereby approved shall achieve the following (unless it is demonstrated that such reductions would not be feasible or viable)

- a 28% reduction in carbon emissions over and above the requirements of Building Regulations (2013).
- BREEAM 'Very good'.

Evidence that the above measures have been achieved, including a copy of the BREEAM certificate, shall be submitted to the Local Planning Authority within 12 months of the first use.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of Policy CC2 of the Draft Local Plan.

13 Drainage

The development shall be carried out in accordance with the details shown on the submitted Drainage Strategy and Calculations report by Dudleys - 21396-CALC01 (P6) dated October 2023 which shows surface water run-off with a restricted rate of 2.55 litres/second.

Reason: In the interest of satisfactory and sustainable drainage in accordance with draft local plan policy ENV5.

14 Cycle parking facilities

Notwithstanding the approved plans prior to construction of the building hereby permitted full details of the cycle parking facilities and amenities on site shall be submitted to the Local Planning Authority for approval in writing. The details shall

include the following measures -

- Staff changing rooms, lockers, showers and a drying space provided within the building.
- At least 5% cycle provision to be for over-sized cycles (as described in LTN 1/20 section 11).

The approved facilities shall be fully installed prior to first use of the development hereby permitted and be kept available for the use of staff for these purposes.

Reason: To comply with Policy T1 of the City of York Local Plan - 2018 Draft Local Plan and the guidance in LTN 1/20 on Cycle Infrastructure Design.

15 Electric vehicle charging

The electric vehicle charging spaces as shown on the approved site plan shall be provided with electric vehicle charging facilities prior to first use of the development hereby permitted.

Reason: To ensure provision of EV charging facilities in line with the National Planning Policy Framework (NPPF) and CYC's Low Emission Planning Guidance.

16 Travel Plan

The development hereby permitted shall be carried out in accordance with the Pavers Travel Plan ref 21-352-006.02 by Bryan G Hall, including the monitoring report(s) which shall be prepared, submitted to, and approved in writing by the Local Planning Authority to meet the timescales detailed in the Action Plan. The monitoring reports shall include a review of the modal split targets and measures to be taken should progress not be made on achieving these targets.

Reason: To reduce private car travel and promote sustainable travel in accordance with section 9 of the National Planning Policy Framework and policies DP3: Sustainable Communities and T7: Minimising and Accommodating Generated Trips of the 2018 Publication Draft Local Plan.

17 Layout of roads and footpaths etc

The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety and to promote sustainable travel.

18 Deliveries

There shall be no HGV deliveries to/from the site between 23.00 and 06.00 the following day.

Reason: To prevent noise disturbance and in accordance with the proposed development, as set out in the Noise technical note version 2.1 April 2023 by Metrica.

19 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 and where remediation is necessary a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

20 Car parking - oil interceptor

Surface water run-off from communal parking (greater than 800 sq metres or more than 50 car parking spaces) and hardstanding must pass through an oil, petrol and grit interceptor/separator of adequate design before any discharge to the public sewer network. Roof water shall not pass through the traditional 'stage' or full retention type of interceptor/separator (it is good drainage practice for any interceptor/separator to be located upstream of any on-site balancing, storage or other means of flow attenuation that may be required).

Reason: To avoid pollution of the water network in accordance with NPPF sections 14 and 15.

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 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: sought further advice in respect of very special circumstances and through the use of conditions.

2. Drainage

The applicant should be advised that the York Consortium of Drainage Board's prior consent is required (outside and as well as planning permission) for any development including fences or planting within 9.00m of the bank top of any watercourse within or forming the boundary of the site. Any proposals to culvert, bridge, fill in, divert or make a discharge (either directly or indirectly) to the watercourse will also require the Board's prior consent.

3. Electric Vehicle facilities

All active and passive electric vehicle charging facilities should be installed in accordance with Building Regulations approved document S - Infrastructure for the charging of electric vehicles.

4. Protected species

Nesting birds: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Buildings, trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Suitable habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess nesting bird activity.

Hedgehogs: Hedgehogs are of priority conservation concern and are a Species of Principal Importance under section 41 of the NERC Act (2006). An important factor in their recent population decline is that fencing, and walls are becoming more secure, reducing their movements and the amount of land available to them. Small gaps of approximately 13x13cm can be left at the base of fencing to allow hedgehogs to pass through. Any potential hibernation sites including log piles should be removed outside the hibernation period (which is between November and March inclusive) in order to avoid killing or injuring hedgehogs. Habitat enhancement for hedgehogs can easily be incorporated into developments, for example through provision of purpose-built hedgehog shelters or log piles.

<https://www.britishhedgehogs.org.uk/wp-content/uploads/2019/05/developers-1.pdf>

Contact details:

Case Officer: Jonathan Kenyon

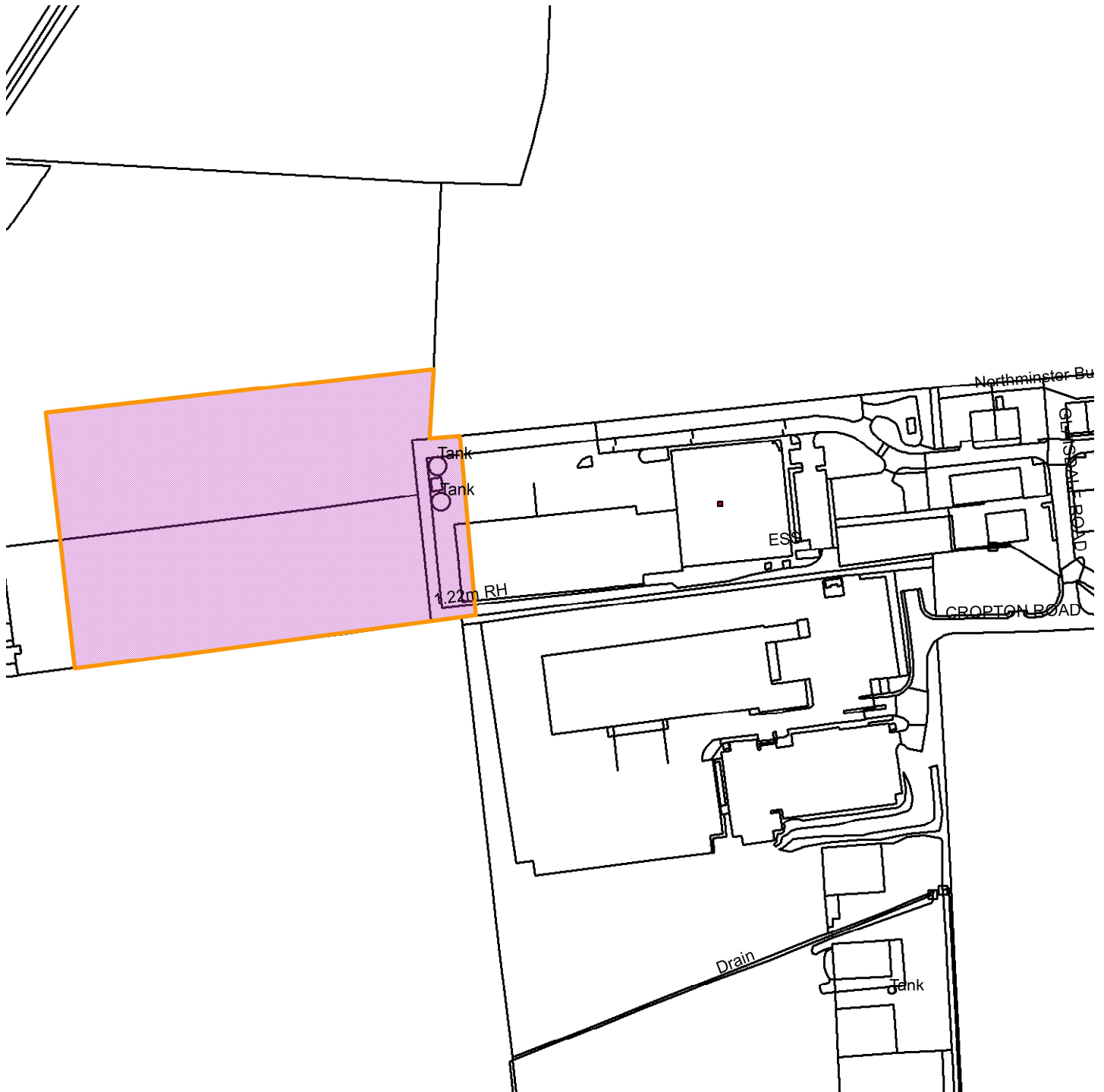
Application Reference Number: 23/00823/FULM

Item No: 4c

Tel No: 01904 551323

23/00823/FULM

Catherine House Northminster Business Park Harwood Road Upper Poppleton



Scale : 1:3016

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	08 May 2024
SLA Number	Not Set

This page is intentionally left blank



Planning Committee A

To be held on 16th May 2024

23/00823/FULM - Pavers Ltd, Catherine House, Northminster Business Park, Harwood Road, Upper Poppleton, York

Extension to provide storage, integrated distribution and logistics centre (B8 Use) with ancillary office/welfare space, service yard, parking areas, and landscaping (resubmission)

Site viewed from
South East (Image
from Submitted
LVIA)



Page 197

View toward application site from existing car park (Image from submitted LVIA)

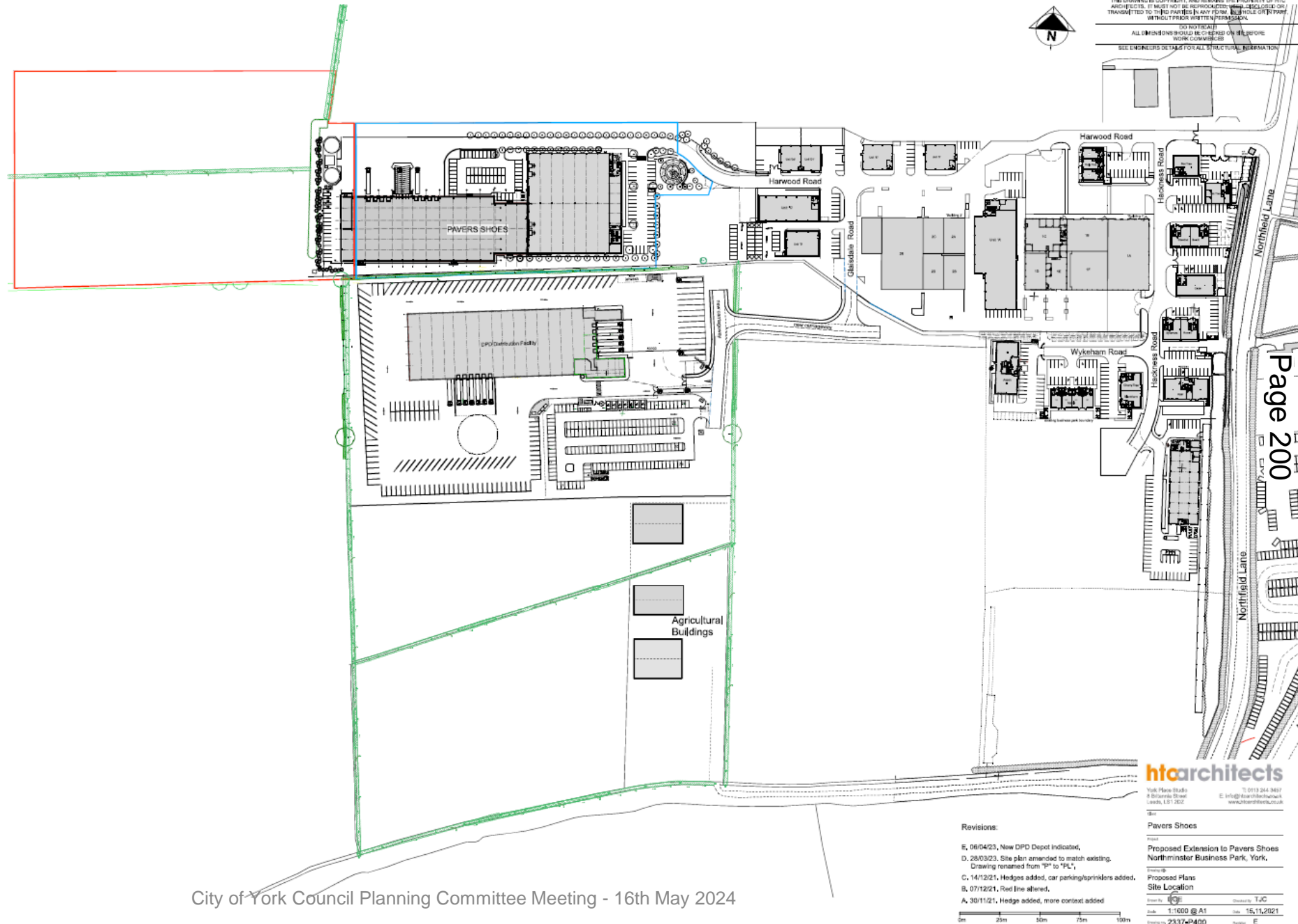


Page 198

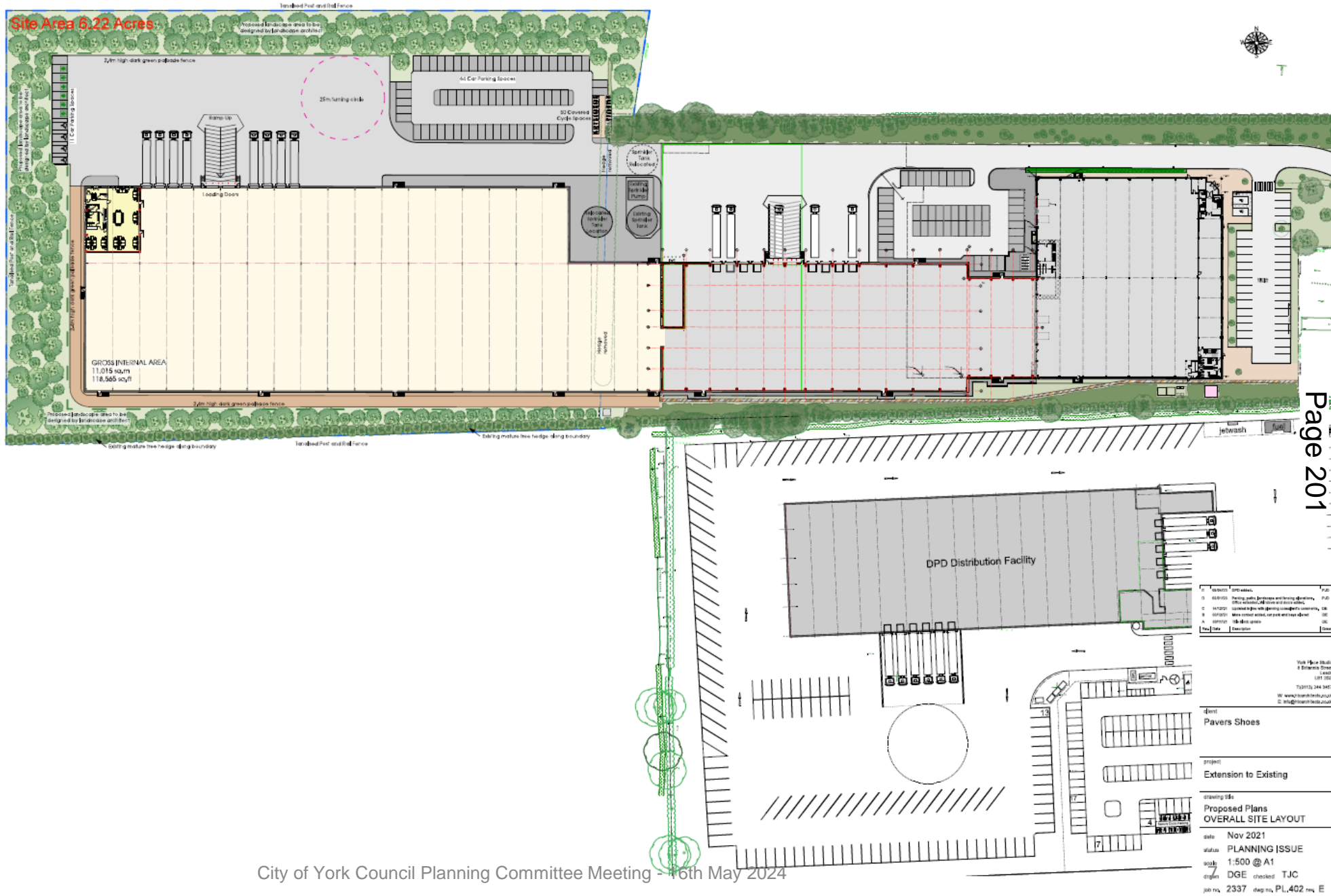


View from Southwest across application site toward existing site (Image from submitted LVIA)

Site Location Plan



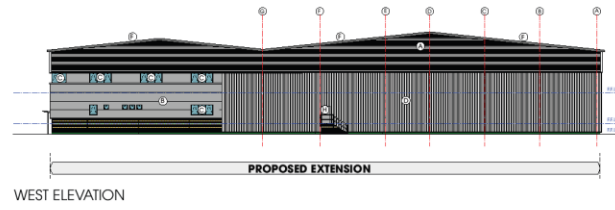
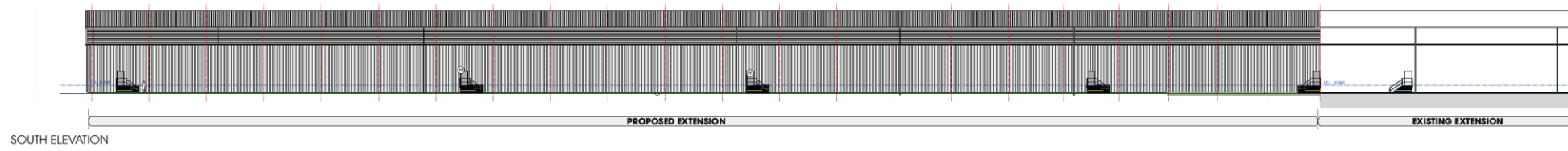
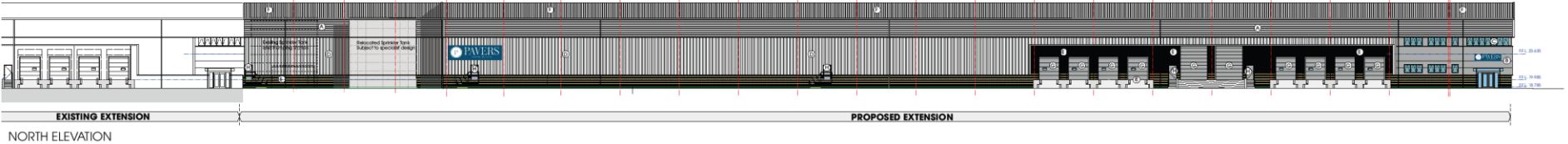
Proposed Site Layout



Proposed Elevations

1:200

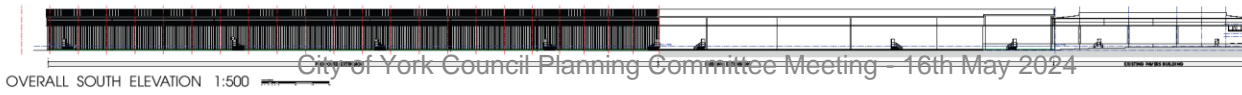
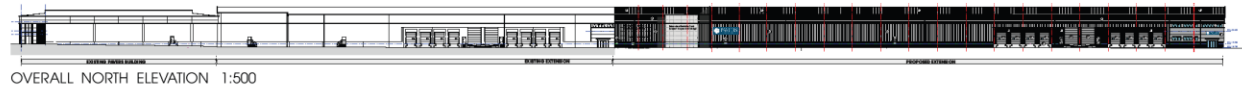
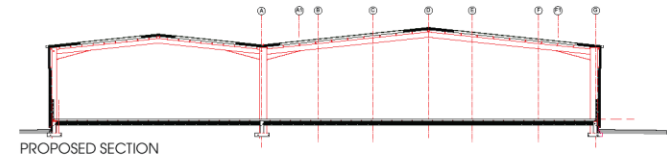
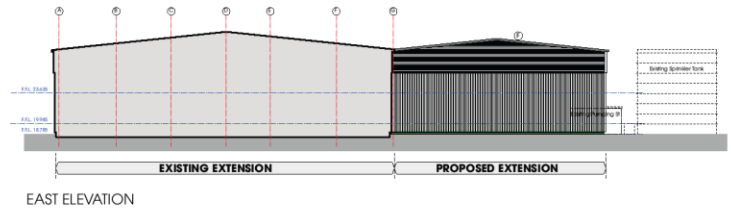
Information is provided for general information only. It is not intended to be used for any other purpose. All dimensions are in millimetres unless otherwise stated.



LEGEND

1	Factory painted profiled metal wall cladding (vertical)	200x400
2	Kingston APH 1000MS (or similar) composite insulated metal roof (1000x2000) with 100mm EPS foam, 50mm insulation	Abolition SS 18-6-17
3	Polystyrene powder coated aluminium window	Dark Grey RAL 7012 SS 18-6-17
4	Factory painted profiled metal wall cladding (vertical)	Abolition SS 18-6-17
5	Rail Street Entrance	Buff Brick
6	Tire Rackings and Racks	Dark Grey RAL 7012 SS 18-6-17
7	Loading Dock	Abolition SS 18-6-17
8	Polystyrene powder coated steel security doorset	Dark Grey RAL 7012 SS 18-6-17
9	Factory painted profiled metal roof cladding	Abolition SS 18-6-17

Note: colour 'hammer' refers to RFI200 material as manufactured by Tolo Steel. Some colours are available from other manufacturers under different names.



City of York Council Planning Committee Meeting - 16th May 2024

ht architects
 1000
 1000
 1000
 1000

client
 Pavers Shoes

project
 Extension to Existing

drawing title
 Proposed Elevations & Section

date
 Nov 2021

scale
 1:200 / 1:500 @ A0

drawn
 DGE checked TJC

job no.
 2337 dsg no PL_200 rev C