

COMMITTEE REPORT

Date: 23 March 2017 **Ward:** Rawcliffe And Clifton Without
Team: Major and Commercial Team **Parish:** Clifton Without Parish Council

Reference: 16/01446/OUTM
Application at: Whitehall Grange Wigginton Road York YO32 2RJ
For: Demolition of existing buildings, use of land to car storage facility and erection of office building
By: Mr Richard Baines
Application Type: Major Outline Application (13 weeks)
Target Date: 20 October 2016
Recommendation: Approve after referral to Sec. of State

RECOMMENDATION

That delegated authority be given to the Assistant Director for Planning and Public Protection to

- (i) 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 paragraph 4(b) of The Town And Country Planning (Consultation) (England) Direction 2009 and, should the application not be called in by the Secretary of State, then
- (ii) APPROVE the application subject to the conditions set out later in this report.

1.0 PROPOSAL

1.1 Planning permission is being sought for the demolition of existing buildings and the use of the land as a car storage facility for up to 2000 cars. A 2-storey, 3000sqm office building for approximately 200 staff would be located at the north-west corner of the site. The proposal includes an internal circulation road, areas of hardstanding surfaced in grasscrete (which would occupy most of the site), a small security gatehouse, lighting and landscaping. Access would be taken from the existing access onto Wigginton Road. The entrance gateway would be set back to allow for a car transporter to pull up off the public highway. The application is a hybrid in that it seeks:

- (a) full planning permission for the change of use to a car storage facility and for the construction of the associated infrastructure; and

(b) outline planning permission (with appearance and landscaping reserved) for the 2-storey office building and the security gatehouse. The parameters of the office building are 9m high, 80m long across its frontage and up to 29m deep. The building would have a footprint of 1,683sqm. The security gatehouse would be single-storey and have a footprint of 40sqm.

1.2 The Town and Country Planning (Consultation) (England) Direction 2009 requires that development proposals which, by reason of their scale or nature or location would have a significant impact on the openness of the Green Belt are referred to the Secretary of State for consideration.

1.3 The applicant is a limited company that specialises in car rental, vehicle leasing and contract hire services. The company has grown significantly since it was established 20 years ago and now employs 75 to 100 staff with a fleet of 2000 cars per annum. The company's headquarters and principal car storage areas are at Leeman Road (York Central). The day-to-day car rental operation is situated at Queen Street, close to York railway station. The company proposes to vacate its current premises and relocate its headquarters/office premises and car storage areas to one site at Clifton Moor, the application site.

PLANNING HISTORY

1.4 In 2015 a screening opinion was sought as to whether an environmental impact assessment would be required for the proposal (15/02007/EIASN). The council concluded that the development is unlikely to have significant environmental effects and therefore an EIA would not be required.

1.5 In 2010 planning permission was granted for the construction, on approximately half of the application site, of a 600-space park and ride facility with a passenger terminal building and access from Wigginton Road. The permission was not implemented.

2.0 POLICY CONTEXT

2.1 Draft Development Plan Allocation:

City Boundary York City Boundary 0001

2.2 Policies: City of York Development Control Draft Local Plan (2005)

GB1 - Development in the Green Belt

GP1 - Design

GP4a – Sustainability

GP15a – Flood Risk

GP9 - Landscape

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2.3 Policies: City of York Local Plan Publication Draft (2014)

GB1 - Development in the Green Belt

D2 – Placemaking

FR1 – Flood Risk

FR2 – Surface Water Management

GI1 – Green Infrastructure

3.0 CONSULTATIONS

INTERNAL

Planning and Environmental Management (Forward Planning)

3.1 States the development would impact on the openness of green belt, undermining one of its essential characteristics and potentially weakening its future role as green belt. A policy objection would stand unless the potential harm to green belt is clearly outweighed by other considerations, such as the economic benefits to the city. We are satisfied that the applicants have appropriately considered other available alternatives, with the conclusion that the Whitehall Grange site is the only available and viable alternative. Colleagues in Economic Policy are best placed to advise on the issues of need and the stated economic benefits, to establish whether very special circumstances exist in this case.

Economic Development

3.2 States there is a very strong economic case for planning permission to be granted because:

- The overall proposals are in line with the council's economic strategy in terms of growing our high value jobs base. Granting permission would protect 85 jobs in the city, which are otherwise at risk of leaving the city and would lead to 75 further jobs in the local authority area over the next four years. The overall economic impact in the city is estimated to be over £2 million a year.
- Planning permission would enable the business to vacate their current premises in the city centre (including their Leeman Road site), which would help ensure that the authority can develop the York Central Enterprise Zone, our main economic development priority.
- Autohorn predict that relocating from the city centre to Clifton Moor would require fewer road trips in the city centre of York, which would reduce the impact of congestion on business and resident travel time.

- Autohorn have shown that there is no available alternative site in York.

Highway Network Management

3.3 Objection. In pure traffic generation terms the development does not create road capacity issues. However, the location and proposed use of the site is not sustainable in travel terms. The site is poorly served by public transport and pedestrian and cycle facilities. Sustainable transport choices will be difficult to achieve and as such the proposed office accommodation would significantly be reliant on the use of the private car, which is contrary to government advice in the NPPF section 4 (Promoting Sustainable Transport).

Flood Risk Management

3.4 No objection to the proposed drainage subject to the outfall ditch being cleared prior to commencement on site. Recommends a condition preventing piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Planning and Environmental Management (Landscape)

3.5 States the site lies within a green wedge in which there is a strong sense of countryside and openness north and south of the ring road. Whilst the quality of the landscape of the green wedge is to a degree compromised by the presence of various disparate structures, the application site is fundamentally open, green, and of a countryside nature. Urban elements interrupt the clarity of this section of green wedge and reduce its landscape quality but, in essence, Wigginton Road passes through open space. The proposed development would cause further disruption to the essentially open landscape. The scale of the development is substantial; the car storage areas would be a constructed surface, very different to grazed pasture or arable land. The development would retain a degree of openness and a view of the Minster over the tops of the cars and hedges. However, the character of the landscape would be permanently changed by way of the extent of hard standing and the quantity of cars. The introduction of additional hedging and trees would increase the quantity of landscape features within the site but would be counteracted by the loss of open natural grassland.

3.6 The development should be as unobtrusive within the existing landscape as possible. If planning permission is approved add conditions requiring details of landscaping, fencing, lighting and any other external street furniture or ancillary structures.

Planning and Environmental Management (Ecology)

3.7 Satisfied with the proposed landscaping scheme and species mix.

Planning and Environmental Management (Archaeology)

3.8 This site is in an area which contains nationally significant undesignated heritage assets. A desk-based assessment has been produced but the site requires further archaeological investigation and recording. This should be secured by planning conditions.

Public Protection

3.9 No objections. Conditions should be attached regarding: details of noisy machinery; hours of construction; submission of a construction environmental management plan; submission of a lighting impact assessment; provision of vehicle recharging points; and contamination.

EXTERNAL

Clifton Without Parish Council

3.10 No response received

Yorkshire Water

3.11 No comments to make.

Environment Agency

3.12 No comments.

Kyle and Upper Ouse Internal Drainage Board

3.13 No comments.

Neighbour Notification and Publicity

3.14 No responses received

4.0 APPRAISAL

4.1 KEY ISSUES:-

- Impact on the Green Belt

- Visual impact
- Local economy
- Flood risk and drainage
- Highway matters
- Ecology
- Archaeology
- Planning balance

POLICY CONTEXT

4.2 Section 38(6) of the Planning and Compensation Act requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. This is a statutory requirement and is the starting point for consideration of the planning application. The development plan for York comprises the saved policies of the Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt, saved in 2013. These policies are YH9(C) and Y1 (C1 and C2) and the key diagram insofar as it illustrates the general extent of the Green Belt. It is for the local plan process to identify the precise boundaries of the Green Belt around York but the application site lies within the general extent of the Green Belt as shown on the Key Diagram of the RSS.

4.3 In the absence of a formally adopted local plan the most up-to date representation of relevant policy is the National Planning Policy Framework (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 14). However, this presumption in favour does not apply to the current application because of the site's Green Belt location. Sustainable development is identified as having three roles, which are economic, social and environmental (paragraph 7). These roles should not be taken in isolation because they are mutually dependent. Paragraph 17 lists twelve core planning principles that the Government consider should underpin plan-making and decision-taking. They include driving and supporting sustainable economic development and protecting the Green Belt.

4.4 Although there is no formally adopted local plan the City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005. Whilst it does not form part of the statutory development plan for the purposes of s.38(6) its policies are considered to be capable of being material considerations in the determination of planning applications, where policies relevant to the application are consistent with those in the NPPF. The most relevant Draft 2005 policies are listed at paragraph 2.2 of this report.

4.5 The emerging Local Plan is progressing and the 2016 consultation on Preferred Sites ended on 12 September 2016. The consultation document includes a package of sites which together would address identified housing and employment growth over the Plan period. The plan is at an early stage in the statutory process therefore the weight that can be given to it is very limited. The site is not allocated for development. The main draft policies that cover matters raised by this application are listed at paragraph 2.3 of this report.

4.6 The site was submitted for consideration for development as part of the Call for Sites in 2012. As set out in the Site Selection Paper (2013) the site was logged as Site 246: Whitehall Grange. A four stage criteria methodology was used to sieve out sites which did not meet the provisions of the criteria. The chosen criteria are based upon the spatial principles for York as set out in the Spatial Strategy in the emerging Local Plan. The assessment criteria specifically included:

- Criteria 1: Environmental Assets (historic character and setting, green corridors, nature conservation sites, ancient woodland and high flood risk (flood zone 3b));
- Criteria 2: Existing openspace;
- Criteria 3: Greenfield sites in high flood risk (Flood Zone 3a));
- Criteria 4a: Access to services; and
- Criteria 4b: Access to transport.

4.7 The site failed criteria 1 as it is considered to be in an area of value in terms of historic character and setting of York (sites failing criteria 1 were not assessed against the other criteria). It was therefore not considered appropriate for development. The site was re-submitted through the preferred options consultation for employment use but without any evidence relating to the previous reasons for rejection. The site therefore continued to fail our site selection process. One representation was received through the further sites consultation, objecting to the conclusions made on the site's suitability. The Site Selection Addendum report (2014) responded to this and recommended no change to previous comments, ie that the site would not be taken forward as a potential allocation

APPLICATION SITE

4.8 Predominantly grazing land with a house and storage buildings occupying part of the site. Remnants of a WWII airfield including part of the runway and other military features are still evident. The whole of the base is within flood zone 1 and occupies approximately 10ha. To the north is ROKO Health Club. To the east is Wigginton Road with agricultural land beyond. To the south is a golf range and to the west is a business park. The site is outside the settlement limit of York and is in the general extent of the Green Belt.

IMPACT ON THE GREEN BELT

4.9 The Framework makes clear at section 9 that the fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open (paragraph 79). Paragraphs 89 and 90 of the Framework specify the types of development that are 'not inappropriate' in the Green Belt. All other development is inappropriate and, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The application proposal does not fall within any of the categories of appropriate development in paragraphs 89 or 90. It therefore constitutes inappropriate development for the purposes of paragraph 88 of the Framework and by definition causes harm to the Green Belt which must be given substantial weight.

4.10 Paragraph 80 the Framework lists the five purposes of the Green Belt, which are:

- 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.

4.11 The council considers that the application site serves purposes 2 to 5 and that, despite the boundaries not having been formally set in an adopted local plan, the site should be treated as being within the Green Belt. The proposal would have some impact on openness due to the presence of the office building, gatehouse, cars parked for long periods, lighting etc, but some of this impact would be mitigated by the demolition of the existing buildings. The proposal would conflict with purposes 2 to 5 of the Green Belt as set out at paragraph 80 of the NPPF. When considering planning applications 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 harm to the Green Belt by reason of inappropriateness, impact on openness, conflict with the purposes of including land in the Green Belt and any other harm is clearly outweighed by other considerations. Whether there are such other considerations, amounting to very special circumstances, is assessed at paragraphs 4.35 to 5.1 below.

VISUAL IMPACT

4.12 All existing buildings on the site would be demolished. The proposed 2-storey office building would be located at the north-west corner of the site, close to the boundary with Clifton Moor Business Park. The building would be seen against a backdrop of the business park, thereby minimising its visual impact. The single-

storey security gatehouse would be in a more-prominent position close to the public highway at Wigginton Road but the footprint would be small and the building would be partially screened by the hedge along the highway boundary.

4.13 The site is located in a green wedge between Clifton Moor to the west and New Earswick to the east. The green wedge extends northwards from the city centre to beyond the outer ring road and includes Bootham stray. Whilst the quality of the landscape of the green wedge is to a degree compromised by the presence of disparate structures within it (ROKO Health Club, the buildings on the application site and the DM Keith car dealership), the immediate area has a largely open character (the playing pitches of the health centre, the agricultural land of the application site, Melodies golf driving range and the agricultural land on the east side of Wigginton Road). This openness is the predominant and defining characteristic of the immediate area and which contributes to the setting of the historic city of York. The generally open character of the green wedge is particularly important because it is publicly prominent due to Wigginton Road passing through it. In order to protect the effectiveness of the green wedge any development should aim to increase the clarity and openness of the green wedge rather than further erode it.

4.14 The scale of the proposed development is substantial. It would result in a permanent change in the nature of the landscape. Reinforced grass has a very different nature to pasture, grassland or meadow. Much of the proposed grass is unlikely to form a complete sward if it is covered by cars for much of the time, due to lack of light and water. Furthermore, it is essentially a constructed surface, and therefore of a very different physical character to grazed pasture or arable land. If managed at the right height, the proposed hedgerows would screen most of the cars from much of the surrounding road and footpath network and Bootham stray, although it would be less effective during the Winter months. The proposals include a high percentage of native evergreens to reduce the loss of screening in winter.

4.15 The strays and the views of The Minster are key characteristics of York, identified in the 'York Heritage Topic Paper'. The site contributes to the openness associated both with views of the Minster and Bootham stray. The distant view of The Minster from Wigginton Road contributes to the historic setting of the city. Despite the slightly degraded landscape, the existing view is still, fundamentally, fairly typical i.e. a foreground of fields with The Minster in the distance.

4.16 The development retains a degree of openness by way of removing one set of buildings and replacing it with another that would be set further back from Wigginton Road. It also retains a view of York Minster over the tops of the relatively low level cars and hedges. However, the character of the landscape would be permanently changed by way of the extent of hard standing (reinforced grass) and the quantity of permanently present cars, albeit in fluctuating numbers. This impact would be exacerbated with additional lighting along the driveways, security cameras and

signage and fencing at the site entrance. The loss of open natural grassland would be partially counteracted by the additional hedging and trees, which would increase the quantity of landscape features within the site.

4.17 Since submission the layout and landscape proposals have been revised to provide a uniform width of existing 'pasture' alongside Wigginton Road. This would assist in retaining some landscape connectivity between the land to the west of Wigginton Road and Bootham Stray to the east, and lessen the visual impact of the development and its impact on landscape character. Lighting is proposed to be low level to seek to minimise its impact.

LOCAL ECONOMY

4.18 The NPPF states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system (paragraph 19). To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century (paragraph 20).

4.19 The application would support an established local business and contribute to the local economy. The business provides a variety of commercial services. All are vehicle-based and all require substantial areas of land for the storage of cars (which are usually parked for several weeks at a time before they are required). Services include:

- Fleet leasing to companies. When the lease term is complete the cars are usually returned to Autohorn and stored until market conditions are right for them to be sold back to the dealerships.
- Short-term car rental. Once the cars have reached their allotted rental mileage they are usually returned to Autohorn and stored until market conditions are right for them to be sold on to the dealerships.
- Long-term car leasing (usually several months or years) to individuals. As with fleet rental, when the lease term is complete the cars are usually returned to Autohorn and stored until market conditions are right for them to be sold back to the dealerships.
- Storage of cars for dealerships which generally have insufficient storage space of their own, particularly during the months either side of car registration dates.

4.20 The various elements of the applicant's business all have a close working relationship with local dealerships, a large number of which are based at Clifton

Moor. The applicant's relocation to a consolidated, fit-for purpose facility at Whitehall Grange would therefore provide significant benefits for the business, the local car dealerships and the local economy in general. The site would also enable the business to continue to grow, as it has since its establishment in the 1990s.

FLOOD RISK AND DRAINAGE

4.21 The National Planning Policy Framework (NPPF) aims to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding and to direct development away from areas of highest risk.

4.22 The development is in low risk Flood Zone 1 and should not suffer from river flooding. At present the site appears to have no formal surface water drainage. The applicant proposes to attenuate the surface water run-off on site and discharge it into a drainage ditch alongside Wigginton Road. The council's flood risk officers are content with the proposals subject to the ditch and related pipework first being cleared of debris and obstructions. The applicant has agreed to clear the ditch at his expense. This should be made a condition of approval.

4.23 At present the site appears to have no formal foul drainage other than septic tanks serving the existing buildings. The applicant intends to negotiate rights to use the foul water infrastructure on adjacent premises.

HIGHWAY MATTERS

4.24 104 parking spaces would be provided for the 200 staff expected to work at the site. The site would be served by the existing access from Wigginton Road. Security gates would be erected at the entrance, set back far enough to allow car transporters to come to a halt off the public highway.

4.25 This section of Wigginton Road (B1363) is unlit and the traffic speed is unrestricted. The site access is 150m from a footway leading to the outer ring road and 464m away from the nearest footway on Clifton Moorgate. The approach to the site has no dedicated cycle lanes or routes and therefore is unappealing and potentially unsafe for all but the most experienced cyclists. The site is on the route of an infrequent bus service, where bus stops are inaccessible to pedestrians from the site. The verge on Wigginton Road is too narrow to install a suitable footway and successfully leave room to maintain the ditch alongside without land negotiation and/or works to culvert the ditches. The site is 1.5km from the nearest residential estate. This distance coupled with the fact that pedestrians would be expected to walk on the narrow unlit verge for a minimum of 150m would not be an attractive walking route to work or indeed safe.

4.26 The applicant has taken a positive attitude towards sustainable travel by submitting a travel plan with the planning application. However, given the lack of attractive infrastructure for pedestrians, bus users and cyclists, their aspiration that 'less than 50% of the staff will travel by car' is viewed by officers as unrealistic. The applicant has offered to introduce a minibus for a minimum of two years.

4.27 The site is close to the car dealerships at Clifton Moor, which may reduce the amount of movement of goods. Whilst, in pure traffic generation terms, the development does not create capacity issues officers do not consider the site to be reasonably accessible by sustainable means of transport. The council's travel plan officer is of the view that the submitted travel plan would have little material impact on people's mode of travel to/from the site.

ECOLOGY

4.28 This type of development is unlikely to have significant impacts on the nearest Site of Special Scientific Interest, which is 2.2km from the application site.

Amphibian surveys were undertaken in 2015. Great crested newts were found to be breeding in several ponds in low numbers, the closest being about 140m east of the site. There is a residual risk that there could be an impact on great crested newts through site clearance and construction. The applicant's approach to address this residual risk by reasonable avoidance measures is accepted, which should set out in detail the methods of working on site and the action to be taken if any newts were to be found. The buildings on site are assessed as having negligible-low potential to support roosting bats through undertaking a detailed daytime inspection. The outbuildings and farm house are in good condition with few roosting opportunities for bats and no further surveys were recommended. The site is not considered to contain any habitats of high foraging/commuting value for bats, apart from the boundary hedgerows which will be retained and enhanced.

4.29 The proposed grasscrete-type ground reinforcement surface would provide a good opportunity to enhance this for wildlife by sowing it with a native and appropriate wildflower grassland mix. The suggested species for the proposed native hedgerow and hedge tree planting are appropriate. There would be an area of retained pasture land at the front of the site (to Wigginton Road). There is an opportunity to enhance this for wildlife by sowing and managing a native meadow mix followed by low density grazing. It is considered that lighting should be kept to a minimum and be directed away from adjacent habitat to minimise potential impacts on wildlife.

ARCHAEOLOGY

4.30 This site is located outside of the Central Area of Archaeological Importance but is in an area which contains nationally significant undesignated heritage assets. A desk-based assessment (2015) flagged up the possibility of prehistoric and

Romano-British remains on the site. In addition to this, from the 1930s the site was occupied by a civil, and later military, airfield. A number of structures relating to the airfield are still evident. The airfield contains practice trenches and an aircraft dispersal pen. The pen is of particular importance - other examples in the country are designated heritage assets. The site requires further archaeological investigation in the form of geophysical survey followed by the excavation of trial trenches. The dispersal pen and its adjacent tarmac apron would ideally be retained as part of a landscape feature. The pen would require recording and, be assessed for consideration for designation, both could be secured by conditions of any approval.

ENVIRONMENTAL IMPACT

4.31 Given the location of the site near to major roads and the proximity of industrial and commercial uses nearby, the general background noise level in the area is likely to mask any noise produced by the development. Noise associated with plant in the new office building is unlikely to result in loss of amenity. Nevertheless, a condition is suggested requiring details of noisy machinery to be submitted for approval. Further conditions would be recommended restricting hours of construction and requiring submission of a construction environmental management plan.

4.32 Lighting during operational hours would be sensor-activated at night time and would be 'dark skies' compliant. A condition could be attached requiring a lighting impact assessment to be submitted for approval.

4.33 The increased number of vehicles in the area is unlikely to have any adverse impact on air quality. Furthermore, Autohorn's relocation would result in a slight reduction in existing vehicle movements within the Leeman Road/Salisbury Terrace Air Quality Management Area AQMA. Nevertheless, in line with the Council's Low Emission Strategy and the NPPF, developers are required to demonstrate that they are making all reasonable efforts to minimise total emissions from development sites. Therefore, a condition would be recommended requiring at least four electric vehicle recharging points, serving four dedicated bays, to be provided on the site.

4.34 The site previously formed part of a military airfield. The submitted geo-environmental appraisal report is acceptable but if contamination were to be found, appropriate remedial action would be required to ensure that the site is safe and suitable for its proposed use. This could be secured by standard contamination conditions attached to planning approval.

THE PLANNING BALANCE

4.35 The application site is situated within the general extent of the Green Belt. Planning policy dictates that substantial weight should be given to any harm to the

Green Belt and that inappropriate development should not be permitted unless very special circumstances exist. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

4.36 The applicant has advanced the following other considerations, which they consider to amount to very special circumstances in respect of the proposal:

- The need for the facility arises from the continued growth of the business and demand from car dealerships on Clifton Moor, which are their major clients;
- No other suitable sites are available;
- The development would provide ongoing economic benefits for the city;
- If planning permission is not granted the likely outcome is that Autohorn would be forced to look for suitable sites outside York, probably Leeds, Selby or Hull;
- The development would provide sustainability benefits compared with the current operations, e.g. car transport movements would be taken out of the city, there would be shorter journeys for collections and deliveries and the site would provide better scope for Autohorn to explore sustainable fuel technologies.

4.37 The business currently operates from two sites, neither of which is particularly suitable for the company's purposes. In particular the York Central site has very poor access (Leeman Road) for car transporters. Operating from two sites and having to transport large numbers of cars on small vehicles or low loaders is inefficient. Furthermore the site is on the other side of the city centre from the company's principal customer base. The current situation provides no long term security for the business and there is no capacity for expansion on the existing sites.

4.38 The council's economic development officers fully support the planning application on the basis that it is fully aligned with the council's economic strategy, which was approved by the Executive in May 2016. The economic case is that consent would support the growth of the city's high value jobs base, it would protect 85 jobs in the city, lead to an additional 75 jobs in the local authority area and contribute over £2m to the city's economy.

4.39 The site at Leeman Road lies within York Central, which is the city's main priority for economic development. The council's aspirations for the site cannot be realised unless and until the existing occupiers have been relocated. Approving the

application at Whitehall Grange to enable Autohorn's relocation would be a significant step towards the facilitation of the redevelopment of the York Central site.

4.40 Property consultants for the applicant have carried out a search for alternative sites that would be suitable for Autohorn's business. The consultants have concluded that the only suitable and available site within the search area (close to or within York outer ring road) was the application site. The council's economic development and forward planning officers are satisfied that the search was appropriate and that no suitable site other than the application site is available.

4.41 These matters in support of the application have to be weighed against the harm to the Green Belt and any other harm.

4.42 The application proposal does not fall within any of the categories of appropriate development in paragraphs 89 or 90. It therefore constitutes inappropriate development for the purposes of paragraph 88 of the Framework and by definition causes harm to the Green Belt. The proposal also causes harm to the Green Belt due to conflict with the purposes of including land in the Green Belt and some impact on openness.

4.43 The proposal would have a detrimental impact on the green wedge and the visual character of the area generally. The scale of the proposed development is substantial and would result in a permanent, not temporary change to the character of the landscape by way of the extent of hard standing (reinforced grass) and the quantity of permanently present cars, albeit in fluctuating numbers.

4.44 The site is in an unsustainable location in that it is not well served by public transport and the characteristics of the site deter travel by sustainable modes of transport. As such the proposed office accommodation would significantly be reliant on the use of the private car.

5.0 CONCLUSION

5.1 On balance, the strong economic case for supporting the applicant's business and for releasing their Leeman Road premises for redevelopment, together with the absence of suitable alternative sites that could accommodate the particular needs of the applicant's business, are compelling reasons in favour of the application. Notwithstanding the substantial weight being given to the identified harm to the Green Belt and the other harm (to the landscape character and to the council's sustainable transport objectives) the economic benefits of the proposal amount to very special circumstances that clearly outweigh that harm and justify planning permission being granted.

COMMITTEE TO VISIT

6.0 RECOMMENDATION:

That delegated authority be given to the Assistant Director for Planning and Public Protection to:-

(i) 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 paragraph 4(b) of The Town And Country Planning (Consultation) (England) Direction 2009 and, should the application not be called in by the Secretary of State, then

(ii) APPROVE the application subject to the following conditions:

1 Application for approval of all reserved matters shall be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission and the development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To ensure compliance with Section 92 and 93 of the Town and Country Planning Act 1990 as amended.

2 Fully detailed drawings illustrating all of the following matters shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works and the development shall be carried out in accordance with such details: appearance and landscaping of the approved office building and security gatehouse, including a schedule of all external materials to be used.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the development.

3 The development shall not be carried out otherwise than in complete accordance with approved plans numbered D138.L.102 Revision E

Reason: To achieve an acceptable form of development.

4 The premises shall be used as a car storage facility and for no other purpose, including any other purpose in Class B8 in the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.

Reason: So that the Local Planning Authority may re-assess alternative uses which, without this condition, may have been carried on without planning permission by virtue of Article 3 of the Town and Country Planning (Use Classes) Order 1987.

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5 Vehicular access shall be from Wigginton Road. Within one month of commencement of development details of the design of this access, together with associated sightlines, shall be submitted to the local planning authority for approval. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety.

6 Within one month of commencement of development details of the cycle parking areas, including means of enclosure, shall be submitted to the local planning authority for approval. The development shall be carried out in accordance with the approved details and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

7 The use as a car storage facility shall not commence until the areas shown on the approved plans for parking and manoeuvring of vehicles 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.

8 Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of site clearance/excavation/preparatory and construction works shall be submitted to and approved in writing by the local planning authority. The statement shall include at least the following information;

- a dilapidation survey jointly undertaken with the local highway authority;
- the routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours;
- details of any implications to the highway of demolition and waste removal vehicle operation;
- where contractors will park to avoid affecting the highway;
- where materials will be stored within the site;
- measures employed to ensure no mud/detritus is dragged out over the adjacent highway.

Reason: To ensure that the development can be carried out, throughout the construction period, in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

9 Prior to first occupation a full travel plan, in line with local and national guidelines, shall be submitted to the local planning authority for approval. The development shall thereafter be occupied in accordance with the aims, measures and outcomes of the approved travel plan.

Reason: To ensure that adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site, together with parking on site for those users.

10 The developer shall undertake an annual travel survey of users of the car storage facility. The results of each survey shall be submitted to the local planning authority within three months of the date of the survey. The first annual survey shall be submitted within 12 months of first occupation of the development.

Reason: To ensure that adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site, together with parking on site for those users.

11 The developer shall submit a BREEAM assessment after construction, at a time to be agreed in writing by the Local Planning Authority, and a completion assessment when issued by the BRE. The assessments shall confirm a minimum rating of 'Very Good'.

Reason: To ensure the development complies with the principles of sustainable development

12 The development shall be carried out in accordance with the NPPF Flood Risk Assessment and Drainage Strategy dated 1 December 2015, including the Drainage Strategy Drawing numbered 60310-DR-01, received 13 June 2016.

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

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

Reason: So that the Local Planning Authority may be satisfied that no foul or surface water discharges take place until proper provision has been made for their disposal.

The details are required before commencement of development in order to ensure that no construction operations are carried out that may result in conflict with the proper drainage of the site.

14 Prior to commencement of development the surface water ditches and pipework along the western side of the public highway at Wigginton Road shall be cleared of obstructions between the northern boundary of the application site and the junction with the public highway at Clifton Moorgate.

Reason: So that the local planning authority may be satisfied that adequate protection against flooding is achieved. The works are required to be carried out before commencement of development in order to ensure that the site is properly drained throughout the construction period.

15 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: So that the local planning authority may be satisfied that adequate protection against flooding is achieved.

16 Prior to the completion of the approved surface water drainage works surface water from the application site, entering the surface water ditches and pipework along the western side of the public highway at Wigginton Road, shall first pass through a temporary settlement tank to remove sediment and other contaminants from groundwater. Prior to commencement of development details of the temporary drainage measures including the settlement tank shall be submitted to the local planning authority for approval. The development shall be carried out in accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper and sustainable drainage of the site. The details are required before commencement of development in order to ensure that the site is properly drained throughout the construction period.

17 All ecological measures and/or works shall be carried out in accordance with the details contained in 'Section 7 Method Statement' of the Autohorn Great Crested Newt Survey Report dated April - May 2015 by Wold Ecology Ltd as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure the favourable conservation status of a European protected species.

18 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscape scheme which shall include the species, stock size, density (spacing), and position of trees (including any existing trees that are shown to be retained), shrubs and other plants, means of protection, seeding mix, and sowing rate where applicable. It shall also include details of ground preparation and maintenance. The scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants that, during the lifetime of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing.

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

19 Within one month of commencement of development details of street lighting, signage, security cameras and any other external street furniture or ancillary structures shall be submitted to the local planning authority for approval. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and the openness of the Green Belt.

20 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (an archaeological excavation and subsequent programme of analysis and publication by an approved archaeological unit) in accordance with the specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits which must be recorded prior to any works of demolition or construction on site.

21 No works of demolition, alteration or removal of fabric shall take place until the applicant has secured the implementation of an agreed programme of analysis/photographic recording of the dispersal pen to EH Level Recording 2 which has been agreed in writing by the local planning authority and the applicant has submitted a report and copies of the survey and record to the local planning authority and these have been agreed in writing by the local planning authority.

Reason: The structures on the site are of archaeological interest and must be recorded prior to demolition/removal

22 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. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be 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 background noise level at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics.

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

23 Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents

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

Monday to Friday	08.00 to 20.00
Saturday	09.00 to 17.00
Not at all on Sundays and Bank Holidays.	

Reason. To protect the amenity of local residents

25 No development shall take place until a full Lighting Impact Assessment undertaken by an independent assessor has been submitted to and been approved in writing by the Local Planning Authority. The report shall detail predicted light levels at neighbouring residential properties and contain the following as a minimum:

- Description of the proposed lighting: number of lighting columns and their height, and proposed lighting units including the access road
- Plan showing vertical illuminance levels (Ev), showing all buildings within 100 metres of the edge of the site boundary.

Thereafter the approved details shall be implemented to the satisfaction of the Local Planning Authority prior to the occupation of the building and the lighting maintained in accordance with the specification.

Note: Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Professionals Guidance Notes for the Reduction of Obtrusive Lighting .

Reason: To protect amenity of neighbouring occupiers and the character of the area.

26 Four (4) electric vehicle recharge points, serving four car parking bays, should be installed prior to first occupation of the site. The location and specification of the recharge points shall be agreed in writing with the Local Planning Authority prior to installation. Also, to prepare for increased demand in future years, appropriate cable provision should be included in scheme design and development in agreement with the Local Planning Authority. Prior to first occupation of the site, the applicant will submit to the Council for approval in writing (such approval not be unreasonably withheld or delayed) an Electric Vehicle Recharging Point Plan that will detail the maintenance, servicing, access and bay management arrangements for the electric vehicle recharging points for a period of 10 years.

Reason: To promote the use of low emission vehicles on the site in accordance with the Council's Low Emission Strategy, Air Quality Action Plan and paragraph 35 of the National Planning Policy Framework.

27 Prior to construction, 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 shall be undertaken by competent persons and a written report of the findings shall be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings shall 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).

The assessment 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.

28 Prior to construction, 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 prepared and is subject to the approval in writing of 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.

29 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 produced and is subject to the approval in writing of the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

30 In the event that previously unidentified contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the local planning authority. An investigation and risk assessment

shall be undertaken and where remediation is necessary a remediation scheme shall 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 shall be prepared, which is subject to the approval in writing of the local planning authority.

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

7.0 INFORMATIVES: Notes to Applicant

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

In considering the application, the local planning authority implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) by seeking solutions to problems identified during the processing of the application. In order to achieve an acceptable outcome the local planning authority negotiated changes to the layout of the site and sought further information about surface water drainage and the applicant's use of the site.

2. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

For noise details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situations, 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 result in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. Ideally all monitoring results should be recorded and include what was found and mitigation measures employed (if any).

For dust details should be provided on measures the developer will use to minimise

dust blow off from site. 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. In addition I would anticipate that details would be provided of proactive monitoring to be carried out by the developer to monitor levels of dust to ensure that the necessary mitigation measures are employed prior to there being any dust complaints. Ideally all monitoring results should be measured at least twice a day and result recorded of what was found, weather conditions and mitigation measures employed (if any). The plan should also provide detail on the management and control processes. 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/>

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

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