

## COMMITTEE REPORT

**Date:** 7 January 2021      **Ward:** Rawcliffe And Clifton Without  
**Team:** West Area      **Parish:** Clifton Without Parish Council

20/01479/FUL

**Reference:**  
**Application at:** Whitehall Grange Wigginton Road York YO32 2RJ  
**For:** Erection of temporary office for a period of 5no. years and re-cladding of existing barn  
**By:** Autohorn Fleet Services  
**Application Type:** Full Application  
**Target Date:** 3 December 2020  
**Recommendation:** Approve

### 1.0 PROPOSAL

- 1.1 Erection of a temporary, single-storey, office building for a period of five years and recladding of an existing barn to form an attached entrance pavilion. The temporary office building would measure approximately 60m x 12.3m and would be used in connection with the applicant's phased occupation of 10 hectares of predominantly grazing land following the company's relocation from elsewhere in York, mainly York Central which is now a major redevelopment site.
- 1.2 The temporary office building would comprise modular building structures arranged side by side to form a single-storey linear accommodation block providing total floor space of 708sqm. The building would be located immediately behind an existing, partially open-sided barn which would be re-clad in timber. The barn would become the main entrance into the modular office, whilst screening it from view from the public highway.

### RELEVANT PLANNING HISTORY

- 1.3 This application is related to the following approved planning applications, which are all in connection with the relocation of the applicant's car leasing business:
- 16/01446/OUTM - Hybrid application (i.e. part full, part outline) for the demolition of existing buildings and the use of the land as a car storage facility
- Application Reference Number: 20/01479/FUL      Item No: 4b

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. Approved in April 2017. Not implemented.

- 18/01110/OUTM – Variation of condition 3 of 16/01446/OUTM to allow the previously-approved scheme to be implemented in distinct phases (phase 1 to phase 4). Approved in April 2019. Not yet implemented.
- 19/00855/REMM - Reserved matters pursuant to application 18/01110/OUTM. Approved on 15 November 2019.

- 1.4 The applicant is seeking approval for the temporary building (modular office and timber-clad entrance pavilion) due to the need to relocate from their existing premises at a time of exceptional economic uncertainty. Consent for the temporary building would enable the business to vacate its existing premises yet defer the substantial construction costs of the permanent replacement building until economic conditions are expected to have improved.
- 1.5 At the end of the 5-year consent period the applicant expects phase 1 of the approved scheme (which includes 50% of the permanent office building, some of the approved car storage areas, the access road, security kiosk, and some of the landscaping) to have been built and be ready for occupation. At that point the proposed temporary building would be removed and the entrance pavilion demolished. The planning permission for the approved change of use of the land and the office building expires on 14 November 2021, by which time the applicant intends that their development will be well underway.

## **2.0 POLICY CONTEXT**

- 2.1 Section 38 of the Town and Country Planning 1990 Act requires local planning authorities to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this 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. The application site lies within that general extent.
- 2.2 The Publication Draft Local Plan 2018 (“the emerging plan”) was submitted for examination in May 2018. Phase 1 of the hearings into the examination of the plan took place in December 2019. The policies of the emerging plan can be afforded limited to moderate weight at this stage of preparation, and subject to their conformity with the NPPF. The evidence base underpinning the emerging plan is capable of being a material consideration in the

determination of planning applications. The site falls within a strategic employment allocation ST37 of the emerging plan. Policy SS2 'The Role of York's Green Belt' proposes to take the site out of the Green Belt and can be given moderate weight.

- 2.3 Policy SS24 states that the site will provide up to 33,330sqm for B8 storage use. In addition to complying with the policies in the emerging plan the development of the site must be in accordance with the approved site masterplan of the outline consent 16/01446/OUTM (which has since been varied by 18/01110/OUTM). The policy SS24 can be given moderate weight.
- 2.4 The proposal should also be assessed against the NPPF and the saved RSS policies. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). However, this presumption in favour does not apply to the current application because of the site's Green Belt location. Local planning authorities should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area (paragraph 38).
- 2.5 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005. It does not form part of the statutory development plan and its policies carry very limited weight.

### **3.0 CONSULTATIONS**

#### INTERNAL

##### Public Protection

3.1 If approved, add the standard contamination conditions due to the development being close to land where there have been previous industrial uses. 2% of staff parking spaces should have electric vehicle recharging.

#### EXTERNAL

##### Clifton Without Parish Council

3.2 No response

##### Yorkshire Water

3.3 No comments to make.

## **4.0 REPRESENTATIONS**

4.1 The consultation period ends on 14 January 2021. At the time of publication of the report no responses had been received. Members will be updated at the meeting.

## **5.0 APPRAISAL**

### **5.1 KEY ISSUES**

Principle of Development  
Impact on Openness of the Green Belt  
Case for Very Special Circumstances  
Local economy  
Visual appearance  
Landscaping  
Access and parking  
Neighbour amenity

### **APPLICATION SITE**

5.2 Part of a 10 hectare site mainly comprising grazing land with a house and storage buildings occupying a small part. Remnants of a WWII airfield, including part of the runway and a dispersal pen, are still evident. The whole of the car storage site is within flood zone 1. 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 lies within the green wedge between is outside the settlement limit of York and is in the general extent of the Green Belt.

### **PRINCIPLE OF DEVELOPMENT - ASSESSMENT OF HARM TO THE GREEN BELT**

#### **WHETHER THE DEVELOPMENT IS INAPPROPRIATE DEVELOPMENT**

5.3 The application site lies within the general extent of the York Green Belt and therefore Section 13 (Protecting Green Belt Land) of the NPPF is applicable. Policy GB1 of the emerging plan is also relevant.

5.4 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Para 144 goes onto to state 'substantial weight' should be given to any harm to the Green Belt. The construction of new buildings in the Green

Belt should be regarded as inappropriate unless they fall within certain exceptions. The exceptions are set in Paragraph 145 of the NPPF and are as follows:

- 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 The proposed temporary buildings do not fall within any of the exceptions and is therefore inappropriate development. It is necessary to consider whether there are very special circumstances that would outweigh the harm to the Green Belt.

## IMPACT ON THE OPENNESS OF THE GREEN BELT

5.6 The NPPF advises that the essential characteristics of Green Belts are their openness and permanence. There is no definition of 'openness' in the NPPF, but it is commonly taken to mean the state of being free from development, the absence of buildings, and relates to the quantum and extent of development and its physical effect on the site.

5.7 Policy GB1 of the 2018 Draft Plan states that permission will only be granted for development where:

- i. the scale, location and design of development would not detract from the openness of the Green Belt;
- ii. it would not conflict with the purposes of including land within the Green Belt; and
- iii. it would not prejudice or harm those elements which contribute to the special character and setting of York.

5.8 There are unresolved objections to Policy GB1 that will be considered through the examination in public of the 2018 Draft Plan and therefore it should only be afforded limited weight in the decision making process for the purposes of this application.

5.9 The temporary office building would comprise modular building structures arranged side by side to form a single-storey linear accommodation. The building would be located immediately behind an existing, partially open-sided barn which would be re-clad in timber. The barn would become the main entrance into the modular office. The proposals due to their nature as built development will reduce openness within this part of the Green Belt, however due to their siting within the existing site the loss of openness is considered to be limited.

## IMPACT ON THE GREEN BELT PURPOSES

5.10 The proposed development would be inappropriate development in the Green Belt. It would lead to limited harm to the openness of the Green Belt. Paragraph 134 of the NPPF goes on to state that the Green Belt serves five purposes. These are:

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

5.10 The primary purpose of the York Green Belt is to safeguard the special character and setting of the historic city as referred to in Policy YH9C of the RSS and Policy SS2 of the 2018 Draft Plan, although limited weight can only be attached to the latter. The temporary buildings lie within the curtilage of the existing site to the rear of the existing building and will be in time part of a larger redevelopment of the site. Due to the above, the proposal is not considered to conflict with the purposes of the Green Belt.

5.12 The NPPF states that 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, is clearly outweighed by other considerations. The applicant has put forward a number of other considerations which they consider would justify the proposal and these are set out and assessed in paragraphs 4.29 to 4.33 below.

## CONSIDERATION OF VERY SPECIAL CIRCUMSTANCES

5.13 The agent for the application has outlined the Very Special Circumstances (VSC) from the originally approved application along with further considerations for this applications:

VSC – previously approved car storage applications

- 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.

VSC – Current application

- Autohorn's current premises are at Leeming Road and are located within the York Central site. Outline planning permission has now been granted for the York Central site and the site's development is starting to progress at an advanced pace. Accordingly, the landowners of Autohorn's existing premises have previously informed them that they will likely give them notice to vacate the site within the coming months. Autohorn therefore simply do not have time to construct the approved development within these timescales. Accordingly, the proposals seek to deliver temporary buildings to provide office accommodation to enable the immediate relocation of Autohorn's operations from their existing site whilst the approved office building (and ancillary infrastructure) is being constructed at the Whitehall Grange site. Once the approved office building has been constructed the temporary buildings will be removed.
- Over the last year the business has been hugely impacted by the Covid-19 pandemic. This has caused huge economic uncertainty for the business that has resulted in the need to use their reserves to keep the business operational. Reserves that were in place to be used as funding to enable the progression of the approved relocation proposals.

- The operational needs for the business to relocate as soon as they practicably can still exist in respect of issues associated with the current on-site car storage space; existing constraints associated with the surrounding highway network (including low bridges); and other general operational efficiencies. Factors which were considered by the Council as part of their approval of the original outline planning application.
- The original plan for the business was to continue their operations at their existing site for a 1 to 2-year period whilst Phase 1 of the approved development was being constructed. However, due to the aforementioned uncertainties and change in circumstances the build period for Phase 1 of the approved development is now expected to be extended to 5 years. When this is combined with the immediate financial and operation concerns associated with Autohorn's current site at Leeming Road, this has required the business to act immediately.
- Autohorn are seeking temporary planning permission for office accommodation at the Whitehall Grange site for a 5-year period.

The supporting documentation also states that the approval of the temporary office building application is needed to ensure that the socio-economic benefits of Autohorn's relocation are realised and even more importantly for the City, so that the York Central project can continue to progress in the manner proposed.

## LOCAL ECONOMY

5.14 The NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development (paragraph 80). The proposal would increase the quantity and quality of commercial floorspace to the general benefit of the local economy and support the sustainable development policy DP2 of the emerging plan.

5.15 The business is a significant contributor to the local economy. It provides a variety of commercial services and has a close working relationship with local dealerships, a large number of which are based at nearby Clifton Moor. The applicant's successful relocation to a consolidated, fit-for purpose facility at Whitehall Grange would 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. The current



application would support the relocation and consolidation of the business during a very challenging time for the business and the local economy.

## VISUAL APPEARANCE

5.16 Paragraph 127 of the NPPF states that, among other things, planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Policy D1 (Placemaking) of the emerging plan states, among other things, that proposals that cause damage to the character and quality of an area will be refused.

5.17 The applicant has always intended to demolish the barn that would now be used as the entrance to the proposed modular building. The approved phasing plans for planning permission 18/01110/OUTM show it being demolished in phase 1. Under the current proposal it would be demolished at the end of phase 1, by which time the permanent office accommodation would be ready for occupation. The barn lies over 100m from the public highway at Wigginton Road. It can only be glimpsed through a break in the boundary hedge where the site access joins the highway boundary. Under the current proposal the building would be re-clad with timber, thereby improving its appearance until demolition. The modular building would be located behind the re-clad barn, i.e further from the public highway and entirely screened from public view by the barn. It would also be partially screened from adjacent premises by other existing storage buildings that are programmed to be demolished when the modular building is no longer required. The modular building would be clad in neutral-coloured aluminium, giving it a satisfactory appearance. Overall, the scale, height and appearance of the combined entrance/modular building would not appear prominent or out of keeping with the character of the site.

## LANDSCAPING

5.18 Policy D2 (Landscape and Setting) of the emerging plan states, among other things, that development will be supported where they conserve and enhance landscape quality and character. The site is currently fundamentally open, green, and has a countryside nature. The site will continue to be fundamentally open when the approved car storage use has been implemented. The parking areas for the stored cars and their distributor roads would occupy most of the application site. The landscaping of these areas and roads was approved as part of the hybrid consent. A key element of the approved landscaping scheme site is the permanent retention of a strip of agricultural land along the Wigginton Road frontage. The purpose of the strip is to retain as far as possible the site's rural character when viewed from the public highway. The applicant has agreed to carry out this element of the landscaping scheme prior to first use of the temporary building for office/commercial purposes. This should be made a condition of approval. The

other landscaping elements of the car storage facility would be carried out in phases as previously approved.

## ACCESS AND PARKING

5.19 Vehicular access would be via the single existing access point from Wigginton Road. The modular building would be approximately 120m from the public highway and would be served by the existing internal access road, which terminates at a large existing hardstanding in front of the proposed pavilion building. The hardstanding would be used temporarily for staff car parking (the approved scheme for the whole site would provide 160 parking spaces for staff and would be located in front of the permanent office building). The application form states that 20 temporary parking spaces would be provided for staff but this has since been increased to about 70 spaces, which is commensurate with the number of staff to be accommodated within the modular building. Details of the proposed temporary staff parking, temporary cycle storage and temporary recharging points for two electric vehicles should be submitted as conditions of approval.

## NEIGHBOUR AMENITY

5.20 Within the car storage site, and about 10m from the proposed modular building, is a detached house which is due to be demolished during phase 4 of the car storage development. The wing of the house nearest to the modular building is a garage/storage/amenity room; there are no bedrooms or general living areas in it. The tenants of the house are family members of one of the applicant company's directors and are fully aware of the current application. Bearing in mind all of these factors the proximity of the modular building to the house is acceptable. No other residential premises would be affected.

## PLANNING CONDITIONS

5.21 The planning permission for the change of use of the land to a car storage facility (18/01110/OUTM) lapses in November 2021, i.e. two years from the date of approval of the last of the reserved matters. Approval of the current application (the modular building and entrance pavilion) would not extend this consent for the use of the rest of the land for car storage. The applicant intends to construct the modular office in the first quarter of 2021 and, at about the same time, start implementing the change of use of the overall site (in phases, as approved). The conditions of the outline consent are comprehensive so, bearing in mind that the two applications would be implemented more or less concurrently, there is no reason to repeat, for this application, many of the conditions of the outline consent. Nevertheless, in case the modular building is constructed and is in operation prior to the implementation of car storage consent some of its conditions should be attached to the current application, with or without modification.

## 6.0 CONCLUSION

6.1 The proposals is considered to be inappropriate development within the Green Belt and would, therefore, by definition be harmful to the Green Belt. Substantial weight is to be given to any harm to the Green Belt. In accordance with the NPPF, inappropriate development should not be approved except in very special circumstances. 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. There is limited harm on the openness of the Green Belt and limited harm to the green belt purposes.

6.2 The very special circumstances are considered cumulatively to be afforded significant weight in the decision making process. The temporary nature of the proposal has also been considered in terms of the proposals impact. The proposal is also considered to be acceptable on the other relevant matters including design, drainage and highway safety. Moderate weight is considered to be applied to these matters. Weighing up the planning balance, it is considered that with regard to this proposal, the very special circumstances set out do outweigh the identified harm to the Green Belt.

6.3 The application is recommended for approval for a period of five years and subject to no new planning issues being raised before the consultation period expires on 14 January 2021.

**7.0 RECOMMENDATION:** Approve subject to no new material planning issues being raised before the consultation period expires on 14 January 2021.

1 TIME2 Development start within three years

2 The building hereby approved shall be removed by 20 January 2026 unless prior to that date a renewal of the permission shall have been granted in writing by the Local Planning Authority.

Reason: The temporary nature of the building is such that it is considered inappropriate on a permanent basis.

3 The development shall not be carried out otherwise than in complete accordance with the following approved plans:

20051-AP-001\_Site Location Plan  
20051-AP-010\_Proposed Block Plan  
20051-AP-011\_Proposed GA Plan

20051-AP-012\_Proposed Elevations - Sheet 1 of 2  
20051-AP-013\_Proposed Elevations - Sheet 2 of 2  
20051-AP-014\_Proposed Sections

Reason: To achieve an acceptable form of development.

4 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to the Local Planning Authority within one month of commencement of the development for approval in writing. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

5 The premises shall be used in connection with the use of the land 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.

6 Within one month of commencement of development details of cycle parking areas, including means of enclosure, shall be submitted to the local planning authority for approval in writing. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site 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 Prior to first use of any part of the office building, a full travel plan, in line with local and national guidelines, shall be submitted to the local planning authority for approval. The development shall 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.

8 Within one month of commencement of development details of car parking for staff shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area.

9 Within one month of commencement of development details of refuse and recycling facilities shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area.

10 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.

11 Prior to the installation of any external lighting a full Lighting Impact Assessment undertaken by an independent assessor shall be submitted to the Local Planning Authority for approval in writing. The report shall detail predicted light levels at neighbouring residential properties and contain the following as a minimum:

- o Description of the proposed lighting: number of lighting columns and their height, and proposed lighting units including the access road
- o 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 first use of the development 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.

12 Prior to occupation of the development two Electric Vehicle Recharging Points shall be provided for the exclusive use of zero emission vehicles. The recharging points shall be located in a prominent position which shall first be agreed in writing by the local planning authority. Within 3 months of the first occupation of the development, the owner shall submit to the Council for approval in writing (such approval not be unreasonably withheld or delayed) an Electric Vehicle Recharging Point Management Plan that shall detail the maintenance, servicing and access arrangements for each Electric Vehicle Recharging Point for a period of 5 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.

13 Prior to commencement of 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 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:
  - o human health,
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - o adjoining land,
  - o groundwaters and surface waters,
  - o ecological systems,
  - o 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.

14 Prior to commencement of 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 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.

15 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.

16 In the event that previously unidentified contamination is found at any time when carrying out the approved development, work shall be suspended and the contamination 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 submitted to and approved in writing by the local planning authority. Following completion of the remediation measures identified in the approved remediation scheme a verification report shall be submitted to the local planning authority within [x] days of the report being completed and approved in writing by the local planning authority.

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

17 The areas along the eastern boundary shown as existing pasture on the approved plan RFM-XX-00-DR-L-0001 Rev.PL04 (Landscape General Arrangement Plan) of planning permission 19/00855/REMM shall be retained in their entirety as open pasture and shall not be used for any other purpose.

Reason: In the interests of the openness of the Green Belt and the visual amenity of the area.

## **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 sought further information from the developer and discussed proposed planning conditions.

#### **2. CONTROL OF POLLUTION**

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 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228-1:2009 + A1:2014 and BS 5228-2:2009 + A1:2014, a code of practice for "Noise and Vibration Control on Construction and Open Sites".

Best practicable means shall be employed at all times in order to minimise noise, vibration, dust, odour and light emissions. Some basic information on control noise from construction site can be found using the following link.

[https://www.york.gov.uk/downloads/download/304/developers\\_guide\\_for\\_controlling\\_pollution\\_and\\_noise\\_from\\_construction\\_sites](https://www.york.gov.uk/downloads/download/304/developers_guide_for_controlling_pollution_and_noise_from_construction_sites)

All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well maintained mufflers in accordance with manufacturer's instructions.



There shall be no bonfires on the site.

3. Electric Vehicle Charging Points should incorporate a suitably rated 32A 'IEC 62196' electrical socket to allow 'Mode 3' charging of an electric vehicle. Each Electric Vehicle Charge Points should include sufficient cabling and groundwork to upgrade that unit and to provide for an additional Electrical Vehicle Recharging Point of the same specification, should demand require this in this future. Charging points should be located in a prominent position on the site and should be for the exclusive use of zero emission vehicles. Parking bay marking and signage should reflect this.

**Contact details:**

**Case Officer:** Kevin O'Connell

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