

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

- To:** Councillors B Burton (Chair), Hollyer (Vice-Chair), Baxter, Clarke, Melly, Orrell, Vassie, Warters and Waudby
- Date:** Wednesday, 16 August 2023
- Time:** 4.30 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

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

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

[Please see the attached sheet for further guidance for Members.]
- 2. Minutes** (Pages 3 - 10)
To approve and sign the minutes of the last Planning Committee B meeting held on 18 July 2023.
- 3. Public Participation**
At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Monday 14 August 2023.

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

Webcasting of Public Meetings

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

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Plans List

This item invites Members to determine the following planning applications:

- a) 12 Sturdee Grove, York, YO31 8FD (Pages 11 - 50)**
[22/02349/FULM]

Members will consider a major full application by the Joseph Rowntree Housing Trust for the erection of two storey apartment building containing 10no. units, including associated landscaping, vehicle access with parking, following demolition of existing bungalow [Heworth Ward]

- b) Pigotts Autoparts, Sheriff Hutton Road, (Pages 51 - 88)
Strensall, York YO32 5XH [21/02757/OUT]**

Members will consider an outline application by Jim Pigott, for the demolition of existing structures and erection of 6no. dwellings with associated access, car parking and landscaping (with all matters reserved except for access, layout and scale) [Strensall Ward]

- c) Land and Buildings lying to the North West of (Pages 89 - 148)
Moor Lane and forming part of Oakwood
Farm, Northfield Lane, Upper Poppleton, York
[22/02605/FUL]**

Members will consider a full application by Alastair Gill for the change of use of 3no. existing agricultural buildings to use classes B2, B8 and E(g) to include; lighting, amendments to external materials and fenestration and additional hard standing to create new service yards, parking and access. Extension of Cropton Road to provide access to development from Northminster Business Park [Rural West York Ward]

5. Urgent Business

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

Democracy Officer:

Jane Meller

Contact details:

- Telephone: (01904) 555209
- Email: jane.meller@york.gov.uk

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

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

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

 (01904) 551550

Declarations of Interest – guidance for Members

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

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

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

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

City of York Council

Committee Minutes

Meeting	Planning Committee B
Date	18 July 2023
Present	Councillors B Burton (Chair), Hollyer (Vice-Chair), Baxter, Clarke, Fisher (Substitute for Cllr Waudby), Melly, Orrell, Vassie and Warters
Apologies	Councillor Waudby
Officers Present	Gareth Arnold, Development Manager Erik Matthews, Development Management Officer Natalie Ramadhin, Development Management Officer Sandra Branigan, Senior Solicitor

10. Declarations of Interest (4.38 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

In relation to items 4 d (129, Osbaldwick Lane, York, YO10 3AY) and 4 e (9 St Marys Grove, Osbaldwick, York YO10 3PZ), Cllr Warters noted that he had called in both applications and stated that he intended to approach the applications with an open mind.

11. Minutes (4.38 pm)

Resolved: That the minutes of the last meeting held on 14 June 2023 be approved as a correct record.

12. Public Participation (4.39 pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

13. Plans List (4.39 pm)

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

14. Macmillan House, 60 York Road, Acomb, YO24 4NW [22/01840/FULM] (4.39 pm)

The Committee considered a major full application by Mr Christopher Goodman for the conversion of building from 17 self-contained bedsit flats to 8no. self-contained flats; erection of 2no. bungalows to rear and associated car parking and cycle storage.

The Development Manager gave a presentation on the plans and the Development Management Officer provided an update which amended the refusal reason 1 to the following:

It is considered that the erection of the bungalows and consequent loss of the garden would harm the setting and character of a Grade II listed building (60 York Road) by virtue of the loss of its present pleasant domestic character and ambience together with the introduction of an alien form of development with a highly prominent roof form in the highest part of the site. The proposed development would also result in harm to the character and appearance of Acomb Conservation Area by virtue of disruption to the pattern of historic plots and the loss of important views across the site. There is no clear and convincing justification in support of the proposal, and the harm is not considered to be outweighed by public benefits of the scheme, and therefore the proposed development would conflict with paragraphs 199 - 202 of the National Planning and Policies D4 and D5 of the (2018) Draft City of York Local Plan.

In response to Members, it was confirmed that the objection to the application related principally to the loss of the garden area.

[4:40 pm Cllr Baxter joined the meeting, she therefore took no part in the discussion or vote relating to items 4a & 4b]

Following a short debate, Cllr Warters proposed the officer recommendation to refuse both the applications for item 4a and 4b. This was seconded by Cllr Fisher.

On being put to the vote, Members voted unanimously in favour of the recommendation, and it was therefore:

Resolved: That the application be refused.

Reason: The application site is a Grade II Listed Late Georgian villa currently in use as 17 bedsits within the Conservation Area. Planning permission is sought for the erection of two bungalows within the existing garden and the conversion of the existing house to 8 flats. It is considered that the proposed bungalows result in less than substantial harm to the significance of the listed building and the character and appearance of the conservation area. Having special regard to the statutory duties in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and giving great weight to the identified harm, it is considered that the harm is not outweighed by public benefits. The proposal would also fail to provide an inadequate standard of amenity for prospective occupants of the proposed properties. The proposal is considered to be contrary to the National Planning Policy Framework and policies D4, D5 and ENV2 of the Draft Local Plan.

**15. Macmillan House, 60 York Road, Acomb, YO24 4NW
[22/01841/LBC] (4.39 pm)**

Members also considered the application for Listed Building Consent for the Internal and external alterations in association with conversion of 17 no. self-contained bedsits to 8no. self-contained flats, alongside item 4a.

Cllr Warters proposed the officer recommendation and this was seconded by Cllr Fisher. Members voted unanimously in favour and it was therefore:

Resolved: That the application be refused.

Reason: Listed Building Consent is sought for the conversion of the premises from 17 bedsits to 8 apartments involving alteration to the existing internal pattern of subdivision. Two specific areas of harm to the significance of the internal layout have been identified. The servant's stair leading to the attic would be severed in its central section and the insertion of an entrance hall would undermine the legibility of the first-floor bay windowed room. Having

regard to the statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and paragraph 199 of the NPPF, great weight is attached to the identified harm to the listed building. No detail in terms of viability has been provided and no other case for public benefits to otherwise balance the identified harms has been provided. The proposal is contrary to policy D5 of the emerging Local Plan and paragraph 202 of the NPPF.

16. Principal York, Station Road, York, YO24 1AY [22/02629 FULM] (4.55 pm)

The Committee considered a major full application by Mr Gregor MacNaughton for the erection 4 storey extension building to provide 41 bedrooms, reception/entrance space, reconfigured car parking and landscaping.

The Development Manager provided a presentation on the application and the Development Management Officer gave an update as follows:

Additional Consultation Response

CYC Landscape Architect

The Landscape Architect notes the impact of the proposed development appears to be very similar to the proposals that have previously been approved (15/02596/FULM and 19/01322/FULM). The Planting Plan EA_1545_PL_500 Rev. A is acceptable. This comment is reflected in condition 6 and 7.

Additional Information

The following additional information has been received by the Agent with regards to waste storage and collections:

The existing waste strategy will be maintained with bins being collected from the service lift that opens up on to Station Road loading area.

In response to questions from members, officers reported the following:

- Condition 7 could be worded to cover the new trees on the plan for the lifetime of the development, however, the trees would be protected by the conservation area.
- Conditions 27 & 28 are in accordance with the Draft Local Plan and should not be removed as these are designed to give certainty to planners. If the conditions were not met, developers would have to provide a report and explain why BREEAM targets were not feasible.

- Highways had specified the use of York stone; it would be of an appropriate specification for the highway.
- The design of the parking arrangements and the turning circle were matters for the hotel management.
- There was considered to be no harmful impact on the city walls.

Following debate, Cllr Warters moved the officer recommendation to approve the application, with condition 7 (planting scheme) amended to remove the reference to 5 years. This was seconded by Cllr Fisher.

With 8 members voting for the proposal and 1 abstention, it was therefore:

Resolved: That the application be approved.

Reason: This proposal is a re-submission of planning permission 19/01322/FULM which expired in December 2022. Minor changes to the originally approved drawings are proposed to the landscaping and lower ground floor rooms. The local plan context has changed since the original submission, in terms of the weight to be attached to draft policies and the conclusion of the main modifications consultation (March 2023). The relevant policies of the Draft Local Plan have been detailed within the appraisal. It is considered that there have been no significant changes to the policy context in the intervening period to the 2019 approval to warrant a different appraisal of the scheme, apart from the consideration of biodiversity enhancements in line with paragraph 174 (d) of the NPPF (2021). The previous planning permission carries significant weight in the decision making process.

The application would provide 41 no. additional bedrooms specifically related to the conference facilities of the hotel through a new dedicated reception point. The new building has been carefully designed to complement the existing building group whilst maintaining the dominance, setting and garden aspect of the Victorian hotel building. The development would respect the host Listed Building and its setting. Important views would be preserved and some views, such as along the main access from Station Road and from the city walls, would be enhanced within the Conservation Area. There is considered to be no harm to the setting of the listed building or the character and appearance of the conservation area. All other issues, such as archaeology, amenity, sustainability,

ecology, construction and flood risk, are satisfactorily addressed either within the plans or are dealt with via a condition.

The application accords with national planning policy set out within the National Planning Policy Framework and policies of the Draft Local Plan (2018). The application is therefore recommended for approval subject to conditions.

[5:28 – 5:34 pm the meeting was adjourned for a comfort break]

**17. 129 Osbaldwick Lane, York YO10 3AY [23/00540/FUL]
(5.39 pm)**

The Committee received a full application from Mr C Brown for a single storey rear extension and dormer to rear.

The Development Manager gave a presentation on the plans and provided the following update:

Bat Report

A bat report had been received from the applicant. Property and emergence surveys had been undertaken. The building has low suitability for roosting bats. The property does not support a bat roost. The impact to roosting bats from the extension and new dormer is considered to be negligible.

Additional letter of objection

This letter commented on waste left out to the rear of the property.

It was confirmed that the additional information had been assessed and the officer's recommendation remained for approval subject to the conditions within the report.

In response to members question it, was reported:

- Discussions were ongoing on how best to approach bat surveys.
- Under use class C4, the property could be occupied by up to 6 people. The HMO license was currently for 5 people, it would need to be updated, should one of the communal rooms be converted to an additional bedroom and the occupancy increased to 6.
- The planned changes do not adversely impact the local area and building; the existing living conditions would be improved.

- The property had an existing certificate of lawfulness that covered the cycle and bin storage.

Following debate, Cllr Melly proposed the Officer recommendation to approve the application. This was seconded by Cllr Hollyer. Members voted 8 in favour of the proposal and 1 against, it was therefore:

Resolved: That the application be approved.

Reason: The proposals are small scale and are not considered to result in harm to residential or visual amenity. As such the proposal is considered to comply with NPPF policy, policy D11 of the emerging Local Plan and guidance with the SPD.

**18. 9 St Marys Grove, Osbaldwick, York, YO10 3PZ
[23/00532/FUL] (6.05 pm)**

The Committee received a full application by Mr Nikolai Krasnov for the change of use from dwelling (use class C3) to House in Multiple Occupation (use class C4).

The Development Manager gave a presentation on the plans and explained the parking arrangements which was the reason for limiting the number of occupants to 4 people. He responded to questions from members as follows:

- As it was possible for rooms to be double occupied, the number of people, and by implication, the number of cars, had been specified in condition 4.
- Paragraph 8 of the emerging local plan specified high standard accommodation, large enough to accommodate the number of residents. Policy H8 of the NPPF (National Planning Policy Framework) made provision for sufficient storage space.

Following debate, Cllr Melly proposed the Officer recommendation, subject to an amendment to condition 4, whereby the number of bedrooms were to be limited to 4, rather than the limit placed on the number of tenants. There was no member willing to second this motion.

Shortly thereafter, Cllr Fisher proposed the Officer recommendation with no amendments, this was seconded by Cllr Hollyer. Members voted, 4 for the motion and 5 against, the motion therefore fell.

Cllr Warters then proposed a reason for refusal, that the application was detrimental to residential amenity. This was seconded by Cllr Orrell. Members voted 4 in favour and 5 against the motion, therefore this motion also fell.

[6:54 – 7:05 pm the Chair took an adjournment to take advice from Legal on procedural matters relating to the meeting processes]

Following the adjournment and further debate, Cllr Melly moved the Officer recommendation to approve the application. This was seconded by Cllr Hollyer. On being put to a vote, members voted 5 for the motion, 3 against and 1 abstention, it was therefore:

Resolved: That the application be approved.

Reason: The application property is considered to be appropriate for the needs of future occupants within a 4.no. bedroom small HMO. Acceptable provision for off-road vehicle parking has been demonstrated and secure cycle storage will be required by condition. The existing density levels of current HMO's is below the policy threshold (at both Street Level and Neighbourhood Level). Therefore, the proposal is considered to comply with policy H8 of the 2018 draft Local Plan and the requirements of the Draft Supplementary Planning Document (SPD): Controlling the Concentration of Houses in Multiple Occupancy.

Cllr B Burton, Chair

[The meeting started at 4.35 pm and finished at 7.24 pm].

COMMITTEE REPORT

Date: 16 August 2023

Ward: Heworth

Team: East Area

Parish: Heworth Planning Panel

Reference: 22/02349/FULM

Application at: 12 Sturdee Grove York YO31 8FD

For: Erection of two storey apartment building containing 10no. units, including associated landscaping, vehicle access with parking, following demolition of existing bungalow

By: Joseph Rowntree Housing Trust

Application Type: Major Full Application

Target Date: 31 July 2023

Recommendation: Approve

1.0 PROPOSAL

The Site

1.1. The application site is located off Sturdee Grove, a residential area located east of Huntington Road, approximately 1 mile north of the city walls.

1.2. The application site comprises a warden's bungalow and its parking area and curtilage, a communal car parking area for up to 6 cars, a communal car parking area for 2 cars, an area of landscaping around the car parking and a large part of a communal garden area associated with the flats in the two-storey building at 21-51 Fossway.

1.3. The site is within Flood Zone 1 (low risk). It is not within a Conservation Area

The Proposed Scheme

1.4. It is proposed to demolish the existing warden's bungalow and erect a two storey pitched roof building containing 10 one bedroom flats. 5 flats would be on the first floor and 5 on the ground floor. The drawings for consideration at Committee indicate that there would be a communal garden at the rear of the proposed flats for the use of the occupiers of the

development (this would also contain a building for cycle/mobility scooter parking). A car park for 10 cars is proposed to the side of the proposed building. The proposed building is set back from the pavement edge by around 5 metres with a proposed area of landscaping to the front.

1.5. The applicant (Joseph Rowntree Housing Trust (JRHT)) had stated in their application that the property would be occupied by the elderly and people with disabilities. However, in later discussions with the Local Planning Authority the applicant stated that they were unable to accept a condition restricting occupancy of the proposed flats to a certain age group or people with disabilities. This was stated as being related to the funding conditions of their lender. Although the applicant has confirmed that they intend to manage the occupation of the property so it would house the elderly or people with disabilities and one warden, because they cannot agree to a planning condition restricting occupancy the application must be dealt with on the basis that there are no restrictions in who could occupy the flats. As such the proposed development must be considered on the basis that it could be open market housing.

Planning history

1.6. There is no recent planning history on the application site. The bungalow that has served as warden accommodation, and is proposed for demolition, was part of a larger Joseph Rowntree approved scheme from 1985 for 28 flats (Planning Application Reference Number: 7/03/2762C/PA). This contains a planning condition (Number 5) that the flats shall be occupied by elderly people.

1.7. In the course of the application being considered there have been several revisions to the scheme. These include:

- A reduction in the number of proposed off-street car parking spaces from 15 to 10.
- Improved parking provision for cycles/mobility scooters.
- Enhanced landscaping to the front of the property.
- The building shifted approximately 2 metres forward towards Sturdee Grove.

- Revisions in the fenestration, cycle parking and porch details.
- Change in description to remove reference to occupation by the elderly or people with disabilities.

2.0 POLICY CONTEXT

National Planning Policy Framework

2.1. The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. The NPPF is a material consideration in the determination of planning applications. Key chapters and sections of the NPPF relevant to this application are as following:

Chapter 2 – Achieving sustainable development

Chapter 5 - Delivering a sufficient supply of homes.

Chapter 4 – Decision making

Chapter 9 – Promoting healthy and safe communities

Chapter 12 – Achieving well designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change.

Chapter 15 – Conserving and enhancing the natural environment

Draft Local Plan (2018)

2.2. The Publication Draft Local Plan 2018 was submitted for examination on 25 May 2018. It has now been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan will be adopted in late 2023. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

D1 – Placemaking

D2 – Landscape and Setting

H2 - Density of Residential Development

H3 - Balancing the Housing Market

H9 – Older Persons Specialist Housing

H10 – Affordable Housing
GI2 – Biodiversity and Access to Nature
GI4 – Trees and Hedgerows
GI5 – Protection of Open Space and Playing Fields.
G6 – New Open Space Provision
ENV2 – Managing Environmental Quality
ENV3 – Land Contamination
ENV5 – Sustainable Drainage
CC2 Sustainable Design and Construction of New Development
WM1 – Sustainable Waste Management
T1 – Sustainable Access

3.0 CONSULTATIONS

3.1. The application has been advertised via Site Notice, local press notice and neighbour notification letter.

3.2. INTERNAL CONSULTEES

ECOLOGY

3.3. No objections subject to conditions, requiring the provision of the proposed biodiversity enhancement features.

PUBLIC PROTECTION TEAM

3.4. No objections subject to conditions regarding the provision of vehicle recharging, submission of a Construction Environmental Management Plan (CEMP), assessment of ground contamination and dealt with if found, details regarding noise levels and sound proofing required for the ground source heat pumps.

FLOOD RISK MANAGEMENT TEAM

3.5. The proposed revised drainage scheme complies with the Council's guidance in regard to managing surface run-off from development sites in a sustainable manner.

HIGHWAY DEVELOPMENT CONTROL

3.6. No objection subject to conditions. The scheme is acceptable in regard to the cycle and mobility scooter store, access to the store, space to provide visitor cycle parking, vehicle access and resident and visitor car parking.

3.7. A dropped crossing at the eastern end of the road would prevent cars from parking and in the context a turning head is not required to stop unduly long reversing from the end of the cul-de-sac. Additional pedestrian dropped kerbs should be provided between the site and the JRHT community building on Mistral Court.

3.8. Request funding for parking measures required to protect the junctions/ crossings and alleviate indiscriminatory parking (over footways). This contribution may be returned, dependant on the agreement, should the street not require these measures once the building has been occupied for a number of years. The contribution would be £6,000 and covers, consultation and implementation of the measures (may include traffic regulation parking restrictions or physical measures such as bollards).

3.9. HOUSING POLICY OFFICER

3.10. Supports the proposal as they consider it will provide a contribution to the local need for affordable housing and older persons specialist housing. However, the Housing Policy Officer acknowledges that the scale of the development (below 1000square metre floor area) is such that there is no Draft Local Plan Policy requirement, for a grant of planning permission for the flats to include a legal agreement requiring them to be affordable housing.

LIFELONG LEARNING AND LEISURE

3.11. Because the homes have one bedroom no children's play space contribution will be required. A contribution to amenity open space and sports provision should be provided. This would amount to a contribution of £2,130 towards the improvement of sports and leisure provision within 2 kilometres of the development and a contribution of £1,510 towards improved seating provision at King George's Field.

EXTERNAL CONSULTEES

YORKSHIRE WATER

Application Reference Number: 22/02349/FULM

Item No: 4a

3.12. No objection subject to drainage details being controlled by condition.

4.0 REPRESENTATIONS

4.1. Neighbours have been consulted on three occasions. This was in respect to the original submission (consulted on 22 November 2022), the revised layout (consulted on 4 July 2023) and the change in description (consulted on 17 July 2023). The latest consultation expires on 7 August 2023 and any additional responses received will be reported to Committee.

4.2. 14 residents objected to the original scheme consulted on 22 November 2022. The comments received are summarised below:

- The proposal will increase parking pressures. Parking on footpaths impacts particularly on people with limited mobility. Additional parking will impact on access by emergency vehicles. Parking is needed for residents as well as visitors including health workers and deliver drivers. Development of the car parks will mean residents will lose their designated car parking space. Photographs have been submitted indicating times when the area has been heavily parked including pavement parking and work persons' vans. A space on the site should be safeguarded for ambulances. A mobile library comes once a month.
- Use of the roads and paths will be hazardous during construction. There should be a construction management plan agreed.
- The proposal will lead to the loss of 14 trees and also hedges. It will decimate wildlife. The scheme is bad for wildlife, biodiversity and the environment generally. Occupiers of homes in the JRHT site have little access to green space.
- The scheme includes land to be sold to the developer by the Council – the Council have a vested interest in approving the scheme.
- There should be a gateway feature to demark the entrance to the area of Sturdee Grove that is sheltered housing.

- The communal facilities and laundry on site are too small to serve the additional flats. This facility needs to be expanded and this should take place before the new flats are occupied.
- The land to the rear that will be lost is used by the occupants of the Fossway flats as an amenity space.
- The scheme is trying to squeeze in as many flats as possible. It is over-development.
- No provision for scooter parking and paths are uneven in the area.
- The development will harm the privacy, light and views for existing residents to the front and rear. Residents will look out on to a large building rather than trees and shrubs at present.
- Will be very close to the flats on Fossway. The communal garden was gardens for the first floor flats. Although the ground floor flats have small attached rear gardens, the first floor flats only have access to the small front gardens. The property will devalue the first floor flats and will be seeking compensation.
- The site should only be used for a replacement warden dwelling and perhaps an additional dwelling.
- The flats are too small for two people. They are poorly laid out, particularly for people with limited mobility in respect to access, circulation space, outlook and room and corridor sizes. The top floor flats have a tortuous route to the rear communal space.
- In respect to the design, the proposed building is unattractive. It should have a stepped house layout to reflect the local character. It should not have a hipped roof. It should also not read as a single block but a row of different terraced houses. This could be achieved by stepping the homes, using different materials within it and varying window positions//styles.

Comments received following re-consultation on 4 July 2023

- Consider there is inadequate car parking and losing access to existing designated parking spaces.
- Consider the loss of the trees and vegetation will detract from residents enjoyment of the area.

Councillor Warters

4.3. JRHT's development of Dewenthorpe indicates poor standards and they should focus on finishing that. The proposal removes car parking and green space that should remain available to residents. There has been a failure to re-assure existing residents that new residents will be aged over 55.

5.0 APPRAISAL

Key Issues

5.1. The key issues are as follows:

- Principle of the proposed development.
- Affordable Housing Provision
- Impact of the loss of green space on the living conditions of the flats fronting Fossway.
- Impact on car parking and highway safety.
- Impact on neighbours living conditions.
- Impact on the streetscene.
- Quality of accommodation provided.
- Habitat and ecology.
- Sustainable Design.
- Flood Risk.
- Infrastructure and developer contributions
- Public Sector Equality Duty

PRINCIPLE OF THE PROPOSED DEVELOPMENT

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

Neighbourhood Plans form part of the statutory Development Plan for the City of York. The site is not considered to be within the general extent of the greenbelt.

5.3. The NPPF requires local planning authorities to seek the efficient use of land in sustainable locations, focus development toward previously developed land and to deliver a wide choice of high quality homes. Within built up areas, the definition of previously developed land would not include residential gardens.

5.4. There is a strong imperative in favour of housing delivery in the NPPF. It states that a Council must always be able to demonstrate a five-year supply of housing land. It provides that where a five-year housing land supply is absent then relevant policies for the supply of housing should not be considered up-to-date and the determining authority should therefore make decisions in accordance with paragraph 11 of the NPPF. Paragraph 11 requires that authorities should grant permission for development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole, or where specific policies in the Framework indicate development should be restricted.

5.5. The site lies within an established residential area approximately a mile from the edge of the city centre, and as such the principle of the development of the site for 10 flats is considered to be acceptable in this location subject to an assessment of the key issues below.

AFFORDABLE HOUSING PROVISION

5.6. The applicant is a registered provider of Social Housing. The applicant states that all of the flats would be affordable housing with a mix of shared ownership and social rent. There is no legal agreement proposed with the application that would ensure that the accommodation would be affordable. In addition, if granted, the permission would not be restricted to the applicant. The floor area of the development is around 700 square metres. As this is less than 1,000 square metres there is not a planning policy requirement to provide affordable housing. This is consistent with advice in the City of York Draft Local Plan Policy H10 (Affordable Housing) and also reflects Central Government Guidance (Paragraph: 023 Reference ID: 23b-023-20190901) on Planning Obligations relating to the thresholds for development where contributions for affordable housing should not be sought.

IMPACT OF THE LOSS OF GREEN SPACE ON THE LIVING CONDITIONS OF THE FLATS FRONTING FOSSWAY

5.7. The NPPF states that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is supported by Draft Local Plan Policies ENV2 and D11.

5.8. Policy GI5 of the Draft Local Plan relates to the protection of Open Space. The Policy is afforded moderate weight because it is subject to modification. It states that the loss of land of recreational importance will not be permitted unless it is replaced. The land is not identified as open space in the Draft Local Plan proposals map, however, Policy GI5 would not just relate to land identified on the proposals map. As the land will not be replaced, when assessing whether its loss would be acceptable it would need to be considered if it is 'recreationally important'. It is noted that around half of the land will remain undeveloped and is intended to be used as communal gardens for the proposed flats. In assessing its loss, the key issue to assess is its importance to the existing occupants and visitors to the 16 flats at Fossway.

5.9. The area of the grass land behind the Fossway flats that is within the application site is approximately 50 metres by 13 metres. It is laid to grass and surrounded on three sides by hedges and small trees. There is one tree on the grass area itself. It reads as a communal garden to serve the flats and contains a number of washing lines within it. A strip of the land approximately 2.3 metres by 50 metres is indicated to remain for use by the occupants of the flats on Fossway. The land is owned by the City Council. On 15 April 2021 it was agreed by the Executive Member for Housing and Safer Neighbourhoods that it be sold to JRHT to enable new affordable housing to be provided subject to planning permission being granted for the development. The report stated that a strip of communal land would remain with the flats which could include raised beds, seating and space for drying clothes.

5.10. It is understood that the land has not functioned as public open space available to the wider community, however, residents have said that on occasions people, from outside the site have entered the site and used it for, for example, play and dog walking.

5.11. The vast majority of objections to the development of the land have been received from the occupants of homes on Sturdee Grove and Mistral Court. However, two objections have been received from residents of the flats at Fossway. These state that the loss of the space would be detrimental to the health and wellbeing of the occupants of the first floor flats and also devalue the flats. It is understood that two of the 16 flats have been sold. The ground floor flats at Fossway have small rear gardens, however, the first floor flats only have access to the small shared front gardens and the communal area of grass to the rear. No details have been submitted indicating how the strip of land to the rear of the site will be laid out. It would only be 2.3 metres wide (3.8 metres when including the adjacent footpath). It could be used for cycle storage and wall fixed clothes dryers could be provided, though clearly its recreational value would be very limited.

5.12. In assessing the acceptability of the loss of the communal land it should be considered whether it is needed for the wellbeing of the occupants of the flats at Fossway to serve their day-to-day requirements. The Council's Housing Department undertook consultation with residents in regard to the sale of the land and concluded that the land is surplus to requirements providing a small strip were retained for occupants' needs.

5.13. The 8 ground floor flats at Fossway have small enclosed rear gardens capable of meeting their needs. If the communal space were lost it is considered that the occupants of the ground floor flats could continue utilising the small front gardens for storing waste. Provision could also be made for clothes drying within the narrow remaining communal strip that would be retained to the rear. The key consideration in assessing the acceptability of the loss of the open space is whether it would unacceptably harm the living conditions of the occupants of the flats through loss of access to open space – particularly the 8 first floor flats at Fossway which do not have a rear garden.

5.14. All of the 16 flats at Fossway that currently have private access to the land contain one bedroom. It would not be expected as such that the land is regularly needed for children's play. In respect to play, for visiting children, the site is located close to the equipped play area at King George's Field. There is an adjacent zebra crossing that can be used to cross to the field.

5.15. In respect of adult recreation, it would be expected that the occupiers of the ground floor flats at Fossway would use their rear gardens for recreation and have minimal need for the additional land to the rear. The individual rear gardens of the ground floor flats can be accessed directly from the properties. To access the part of the area of communal private space that is proposed to be lost, the occupiers of the first floor flats at Fossway would have to exit from the front of the properties, and travel along the path between the two blocks of flats, or the path around the side to reach the open space. Measured from the ground floor front doors this would entail a walk of around 30 metres. The walk to the entrance to King George's Field is around 70 metres to 115 metres depending on the location of the particular flat.

5.16. Because of the proximity of the park to the flats at Fossway it would be difficult to conclude that the loss of access to the open space would significantly impact on the ability of the occupants' of the first floor flats to access green space. In respect to a qualitative consideration, although King George's Field covers a large area it does not have the intimate quality of the communal gardens and would not be expected to be as popular for sitting out, although it is noted that the communal gardens contain no fixed seating. The flats at Fossway do have small front gardens enclosed by a hedge around 1.3 metres high. One contains a bench and there is scope for the occupiers of the first floor flats to sit within them, though they would only be suitable for small scale quiet recreation given the proximity of the space to the living room window of the ground floor flats.

5.17. On balance, taking account of the position of the communal gardens detached from the first floor flats at Fossway, the existence of small front gardens by the main entrance door and the very close proximity of the flats to King George's Field it is considered that even if the communal garden space were no longer available the occupiers of the flats at Fossway would retain reasonable access to external open space. Accordingly, its partial loss would not conflict with the guidance in the NPPF or the advice in Draft Local Plan Policy GI5 regarding the protection of recreationally important space.

IMPACT ON CAR PARKING AND HIGHWAY SAFETY

5.18. The NPPF encourages development that is sustainably located and accessible. Paragraph 110 requires that all development achieves safe

and suitable access for all users. It advises at paragraph 111 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Further, paragraph 112 requires development to give priority first to pedestrians and cycle movements and create places that are safe, secure and attractive thereby minimising the scope for conflicts between pedestrians, cyclists and vehicles. Policy T1 of the Draft Local Plan supports the approach of the NPPF in that it seeks the safe and appropriate access to the adjacent adopted highway, giving priority to pedestrians and cyclists.

5.19. The proposed scheme for 10 flats indicates 10 off-street car parking spaces and secure covered space for at least 10 cycles or mobility scooters. The internal layout of the ground floor flats also indicates a potential storage space for a small mobility scooter in the hallway. The communal car parking is intended to serve the warden, future residents of the flats and off-set the impacts of the loss of the existing off-street car parking on the site.

5.20. The proposal involves the loss of two existing communal car parking areas allocated for use by the residents of the existing JRHT flats. The larger car park can accommodate 6 cars if users park considerately, and their vehicles are not large. The other car park is effectively a driveway for two cars. The bungalow that will be lost also contains 2 parking spaces (potentially 4 if parked in a tandem fashion).

5.21. It is considered that the proposed cycle and/or mobility scooter parking is acceptable. It is not considered that the loss of the larger communal car parking for turning will be unacceptable taking account of traffic levels and the short distance to the junction with Mistral Court. A number of objections have been received from residents in the existing JRHT flats expressing concerns that the provision of a total of 10 car parking spaces in the new development to meet the needs of existing residents, new residents and the warden is unacceptable given the scheme will in itself be built on land containing 10 existing car parking spaces and these existing spaces will be lost. A number of residents state that the scheme will create unacceptable parking pressures which will inconvenience residents and lead to hazardous parking, including the obstruction of footpaths. This is seen as particularly problematic given residents in the existing development are elderly.

5.22. Highway Development Control are satisfied that the car parking provision is acceptable taking account of the proposed one bedroom nature of the flats and existing local parking levels. This applies whether the flats are occupied by the elderly or no occupancy restrictions are applied. JRHT have stated that the car parking will be managed to enable use by occupiers of the proposed flats as well as to compensate for the loss of the existing car parking areas used by existing residents. They state that generally JRHT sheltered housing schemes have parking provision of one space per 2 dwellings.

5.23. In the light of neighbour objections, Officers have visited the site on a number of occasions during the evenings and noted that generally the area is lightly parked and communal off-street car park spaces not fully utilised. Because of some residents on-going concerns that officers had not fully understood the local parking conditions overnight, the site was visited at 05:20 on Tuesday 25 July 2023. This would be a time when the vast majority of residents would be at home. At this time only 3 of the 8 off-street car parking spaces marked for JRHT residents use were occupied. It is understood the warden's accommodation is vacant and none of the associated car parking spaces were in use. Within the small communal parking areas within the Mistral Court area of the JRHT development there were 4 free spaces. There was also on-street car parking available on Sturdee Grove within the proximity of the proposed development and there were numerous on-street parking spaces available on the adjacent housing development (Montrose Avenue).

5.24. It is accepted there will be times when parking will be heavier than what has been witnessed by officers, including visits by for example, work people or family, however, it is considered the level of parking proposed in the development is acceptable taking account of local parking conditions and expected car ownership levels. Because three separate parking areas will be replaced by one larger car park, the proposal will increase the availability of space for on-street parking on Sturdee Grove near the proposed flats.

Given the development is in part, designed for people with limited mobility, and is in a location with a large number of existing units occupied by the elderly, it is important to ensure that the proposal does not increase pavement parking and impede safe and convenient access to the community building in Mistral Court or residents' movement along Sturdee Grove to local bus stops. A £6,000 contribution towards Traffic

Regulation Order measures has been agreed with the applicant. This funding will be returned, if once the occupation of the building is established, parking conditions are such that restrictive measures to stop pavement parking or other parking that impacts significantly on highway safety are not considered necessary.

5.25. A condition is also included requiring improved dropped kerbs between the new flats and the existing residents' community building on site. A Construction Environmental Management Plan condition is included which will require the developer to address the parking of vehicles related to the site's construction.

IMPACT ON NEIGHBOURS' LIVING CONDITIONS

5.26. One of the core principles of the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is supported by Policy ENV2 and Policy D11 of the Draft Local Plan.

5.27. The key considerations are the impact of the development on the light, outlook and privacy of nearby homes. There is adequate separation to the front and rear to avoid unacceptable harm. The distance between the rear of the proposed flats and habitable room windows of properties directly behind on Fossway is around 22 metres and complies with normal minimum back to back distances (21 metres). Separation to rear gardens (around 12 metres) is also acceptable. Distances to habitable rooms on the front of properties on Sturdee Grove are around 18 metres to 19 metres. This is considered acceptable between the fronts of homes and the building line of the proposed flats reflects that of existing properties in the area. The scale of the proposed cycle store in the rear garden is not considered to be such that it would harm amenity. Planting is proposed to both the front and rear boundaries of the development and this will help soften the visual impact of built development. The indicative landscaping scheme suggests that the chosen trees proposed to the front boundary will grow to around 3.5m and those to the rear up to around 6 metres.

5.28. The proposal will increase vehicle movements to the side of 10 Sturdee Grove, however, the level of activity is not considered to be so intensive to cause unacceptable harm. Details of the boundary around the parking area can be controlled by condition.

5.29. In view of the above it is considered that the proposed development would not result in any unacceptable impact on the amenity of neighbouring residents.

IMPACT ON THE STREETSCENE

5.30. Chapter 12 of the NPPF gives advice on design. Paragraph 130 of the NPPF states that planning decisions should ensure that development, will add to the overall quality of the area, be visually attractive and sympathetic to local character. This advice is reflected in Policy D1 and Policy D2 of the 2018 Draft Local Plan.

5.31. The bungalow and car parking that will be lost does not have a positive impact on the existing streetscene. The proposal will lead to the loss of a number of trees and hedgerows – mostly surrounding garden boundaries. Although the greenery as a whole creates a relatively verdant backdrop to the south side of the street, it is not considered that individually or cumulatively the vegetation is of such visual importance in the locality that it should be protected. The proposed flats will include a belt of planting to the front including small trees – this will run along an area 35 metres by 3.5 metres. Although different in scale and character than the existing planting it will provide a landscaped frontage to the development.

5.32. The proposed flats are of a conventional design and read as a terrace of 5 homes. They are fairly contemporary in respect of the proposed fenestration. The height of the new flats reflects the local character. The proposed building would differ from the nearby 1980's development in that it has a hipped roof form and contains no step within its frontage, however, it is considered that it would sit comfortably within the street. The key attractive visually characteristic of the JRHT development in Mistral Court and the immediate area of Sturdee Grove is the generous and well maintained planting to the front and sides of the properties and largely discrete car parking provision. The proposed development respects this important characteristic of the local area.

5.33. In view of the above it is considered that the proposed development will not have an adverse effect on the streetscene and character of the local area.

QUALITY OF ACCOMMODATION PROVIDED

5.34. Paragraph 60 of the NPPF states that the needs of groups with specific housing requirements should be addressed. Policy H3 of the Draft Local Plan states that homes should be provided with features attractive to older people.

5.35. The flats have been designed with circulation space and room designs to help support occupation by the elderly and people with disabilities. The ground floor flats have level access and also direct access to the landscaped shared communal garden.

5.36. If the flats were occupied without restrictions and no warden was on site it might be more applicable to divide the communal gardens so that the land to the rear serves as individual gardens for each of the ground floor flats. It is not considered the Local Planning Authority would need to control this matter. Even if the garden were subdivided, all flats in the site would still retain access to the cycle stores, bin stores and parking area. King George's field is around 130 metres away from the development.

5.37. There is a detached laundry and meeting room around 65 metres away in Mistral Court for use by the occupiers of the existing JRHT development. In March of this year planning permission was granted to extend the building (Planning Application Reference: 23/00139/FUL). It is not clear if occupiers of the proposed flats will be allowed washing and drying facilities to be housed in the building. This is considered to be a matter best dealt with by JRHT. Improved access between the proposed flats and community building will be provided by inserting additional dropped kerbs.

HABITAT AND ECOLOGY

5.38. Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities to have regard, in the exercise of the functions, to the purpose of conserving biodiversity. Paragraph 174 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by, minimising impacts on and providing net gains for biodiversity. Draft Local Plan policies reflect this advice in relation to trees, protected species and habitats.

5.39. The proposed development will see the loss of hedgerow and a number of trees. Although the trees individually or as a group are not

considered to be of such value to be protected using a Tree Preservation Order, regard should be given to the impact of the proposed application on matters of habitat and biodiversity. The applicant has submitted studies looking at the existing ecological value of the site and that of the proposed scheme following the provision of new landscaping. A bat survey has also been undertaken. It is considered that subject to new landscaping being provided and retained along with the ecological enhancements, such as the provision of bat boxes, the proposed development will provide an overall gain in the ecological value of the site.

SUSTAINABLE DESIGN

The proposal makes effective use of land whilst providing appropriate areas of soft landscaping. It is located within an established residential area. The submitted drawings indicate the provision of solar panels on the southern roof slope and the use of ground source heat pumps. The building has good provision for cycle parking and/or the parking of mobility scooters. Suitable provision is also made for the recycling and collection of waste materials. It is considered that the proposal suitable addresses matters relating to sustainable development.

FLOOD RISK

5.40. The NPPF requires that suitable drainage strategies are developed for sites, so there is no increase in flood risk elsewhere. Local Plan Policy GP15a (Development and Flood Risk) and Publication Draft York Local Plan (2018) Policy ENV5 Sustainable Drainage) advise discharge from new developments should not exceed the capacity of receptors and water run-off should, in relation to existing runoff rates, be reduced.

5.41. All of the site is within Flood Zone 1 (low risk) and as such the development should not be at risk from flooding from watercourses.

5.42. The applicant has submitted information to indicate that surface water and foul water can be discharged from the site in an acceptable manner, and this will be the subject of a condition.

INFRASTRUCTURE AND OTHER DEVELOPER CONTRIBUTIONS

5.43. To seek to ensure that any potential costs in the near future required for traffic regulation order measures required to stop parking on pavements or across dropped kerbs are not borne by the City Council, a contribution of £6,000 is required for this should it be considered necessary following occupation. Unspent funds would be re-funded.

5.44. A contribution of £2,130 is required towards the improvement of sports and leisure provision within 2km of the development. A contribution of £1,510 is required towards improved seating provision at King George's Field.

5.45. These proposed planning obligations to be secured by means of a Section 106 Agreement would meet the statutory tests set out in Regulation 122(2) of The Community Infrastructure Levy Regulations 2010 (as amended).

PUBLIC SECTOT EQUALITY DUTY

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

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

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

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

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

5.48. The PSED does not specify a particular substantive outcome, but ensures that the decision made has been taken with “due regard” to its equality implications. Officers have given due regard to the equality implications of the proposals in making its recommendation. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

6.0 CONCLUSION

6.1. The proposal is to construct a two storey pitched roof building containing 10 one bedroom flats. It would be located on a mix of land uses including a communal garden serving two blocks of flats on Fossway, a warden’s bungalow and communal off-street car parking serving JRHT homes on Sturdee Grove. The accommodation would be built to enhanced access standards to support use by the elderly and disabled people.

6.2. The applicant has indicated that the homes will be affordable and occupied by the elderly or people with disabilities, however, there is no policy requirement to provide affordable housing for a development of the size proposed. The applicant is unwilling to accept a condition restricting the ‘groups’ who can occupy the flats - they state that this would undermine their ability to gain a loan to develop the scheme. Although it might be likely that the property is occupied as affordable accommodation by older people and is suited for occupation by people who are elderly or disabled, it must be assessed on the basis that it is open market accommodation with no occupancy restrictions.

6.3. If approved the scheme will see the loss of most of the communal garden space associated with 16 flats on Fossway. The communal land is owned by the Council’s Housing Department and they do not object to the proposals given they consider it will enable sites in different ownerships to be combined to bring forward new affordable housing. It is

considered that the communal land that will be lost serves a relatively modest role in terms of meeting the day to day needs of the occupants. In terms of access to open space, King George's Field is within close proximity.

6.4. It is considered that the proposed development would sit comfortably in its surroundings and would not have an unacceptable impact on neighbours living conditions. Subject to the proposed new landscaping being conditioned it is not considered that the loss of existing trees and vegetation on the site would detract from the streetscene, or the ecological value of the site. Taking account of existing parking conditions in the vicinity and the fact that the proposed flats would contain 1 bedroom, it is considered that ten off-street parking spaces when coupled with available on-street parking provision will allow the development to be constructed without having an unacceptable impact on highway safety or local parking needs.

6.5. On balance the proposal is considered acceptable and approval is recommended subject to conclusion of a Section 106 Agreement securing commuted payments towards off site open space and leisure improvements in the locality and funding towards a Traffic Regulation Order should it be required following occupation.

7.0 RECOMMENDATION:

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

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

Traffic Regulation Order

£6,000 should it be considered necessary following occupation to stop parking on pavements or across dropped kerbs. Unspent funds would be re-funded.

Sport & Leisure

Improvement of sports and leisure provision within 2 kilometres of the development

£2,130

Open Space

Improved seating provision at King George's Field

£1,510

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

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

1 TIME2 Development start within three years

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

Proposed site plan - STURD-WBA-SI-XX-DR-AL-PL_004 Rev. P10

Proposed floor plans - STURD-WBA-NB-XX-DR-AL-PL_100 Rev. P7

Proposed elevations - STURD-WBA-NB-XX-DR-AL-PL_101 Rev. P7

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

3 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 and approved in writing by the Local Planning Authority prior to the commencement of the construction of the development, with the exception of the demolition of the bungalow. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices sample materials should 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.

4 Notwithstanding the details shown on the approved drawings details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the installation of such means of enclosure to the site boundaries and shall be provided in accordance with the approved details before the development is occupied.

Reason: In the interests of the visual amenities of the area and the amenities of neighbouring properties.

5 Notwithstanding the details shown on the approved drawings the development shall not be occupied until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. This scheme shall be implemented within a period of nine months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site in the interests of the character and appearance of the area.

6 The development shall be carried out in accordance with the details shown on the approved Proposed Drainage Layout - Re: P20-00516-MET-M2-C-003 Revision 04 dated 27th July 2023, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage

7 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

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

8 The building shall not be occupied 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.

9 The flats shall not be occupied until the cycle parking and mobility scooter enclosure and waste and recycling enclosures have been provided within the site in accordance with such approved details, and these areas and enclosures shall be retained and used only for their prescribed purpose.

Reason: To promote use of cycles and mobility scooters and for the effective storage of waste and recycling and in the interests of the amenity of neighbours.

10 A biodiversity enhancement plan/drawing shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of works. The plan shall include a minimum of two bat boxes/features and two boxes for nesting birds. The plan/drawing shall also include details of where native planting is to be incorporated into landscape design, and provide planting schedules. The approved works shall be carried out in accordance with details shown on the approved enhancement plan/drawing.

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

11 Details of the proposed heat pump equipment to be installed on the site, which is audible outside of its boundaries, 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 representative LA90 1 hour during the hours of 07:00 to 23:00 or representative LA90 15

minutes during the hours of 23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014+ A1 2019, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics.

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

12 Prior to the occupation of the flats details of recharging provision for cars, cycles and mobility scooters shall be submitted to and approved in writing by the Local Planning Authority and shall be installed as agreed.

Reason: To promote and facilitate the uptake of electric vehicles on the site in line with the Council's Low Emission Strategy and the National Planning Policy Framework.

13 The development shall not be occupied until all existing vehicular crossings not shown as being retained on the approved plans have been removed by reinstating them to match adjacent levels.

Reason: In the interests of good management of the highway and road safety.

14 The development hereby permitted shall not come into use until the following highway works have been carried out in accordance with the approved plans, or arrangements entered into which ensure the same.

The Provision of 3 pairs of Tactile pedestrian crossings as indicated on the proposed site plan.

Reason: In the interests of the safe and free passage of highway users.

15 The development (excluding demolition) shall not commence until a detailed remediation strategy relating to land contamination has been submitted to and approved by the Local Planning Authority. The remediation strategy must demonstrate how the site will be made suitable for its intended use and must include proposals for the verification of the remediation works.

Reason: To ensure that the proposed remediation works are appropriate and will remove unacceptable risks to identified receptors.

16 Prior to occupation of any of the flats contamination remediation works shall be carried out in accordance with the approved remediation strategy. On completion of those works, a verification report (which

demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the agreed remediation works are fully implemented and to demonstrate that the site is suitable for its proposed use with respect to land contamination. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

17 In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

18 A detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The development shall be undertaken in accordance with the approved details. The statement shall include at least the following information:

- measures to prevent the egress of mud and other detritus onto the adjacent public highway;
- a dilapidation survey jointly undertaken with the local highway authority;
- the routing for construction traffic that will be promoted;
- a scheme for signing the promoted construction traffic routing;
- where contractors will park; and
- where materials will be stored within the site.

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

19 Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of

noise, vibration and dust during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must include a site specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and include a package of mitigation measures commensurate with the risk identified in the assessment. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

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

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

With respect to dust mitigation, measures may include, but would not be restricted to, on site wheel washing, restrictions on use of unmade roads, agreement on the routes to be used by construction traffic, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust. Further information on suitable measures can be found in the dust guidance note produced by the Institute of Air Quality Management, see <http://iaqm.co.uk/guidance/>. The CEMP must include a site specific risk assessment of dust impacts in line with the IAQM guidance note and include mitigation commensurate with the scale of the risks identified.

For lighting details should be provided on artificial lighting to be provided on site, along with details of measures which will be used to minimise

impact, such as restrictions in hours of operation, location and angling of lighting.

In addition to the above the CEMP should provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved. Written records of any complaints received and actions taken should be kept and details forwarded to the Local Authority every month during construction works by email to the following addresses public.protection@york.gov.uk and planning.enforcement@york.gov.uk

Reason: To protect the amenity of the locality

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

Monday to Friday	0800 to 1800 hours
Saturday	0900 to 1300 hours

Not at all on Sundays and Bank Holidays

8.0 INFORMATIVES:

Notes to Applicant

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

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Sought re-location of building, improved landscaping and improved storage for cycles and mobility scooters.

2. Informative - nesting birds

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or

destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Suitable habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess nesting bird activity.

3. Informative - wildlife and lighting

When designing external lighting its potential impacts on light sensitive species should be considered. Direct lighting and light spill should be avoided where new bat roosting and bird nesting features are installed, on trees, soft landscaping and 'green' linear features, such as hedges. Advice on lighting design for light sensitive species is available from the Bat Conservation Trust (2018) Bats and artificial lighting in the UK guidance

4. INF1 Consent for highway works

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

Works in the highway (Section 171) - streetworks@york.gov.uk

Vehicle crossing (Section 184) - streetworks@york.gov.uk

5. LEGAL AGREEMENT

Your attention is drawn to the existence of a legal obligation under Section 106 of the Town and Country Planning Act 1990 relating to this development.

6. For Information - Drainage

The applicant should be advised that the Yorkshire Waters prior consent is required (as well as planning permission) to make a connection of foul and surface water to the public sewer network.

Contact details:

Case Officer: Neil Massey

Tel No: 01904 551352

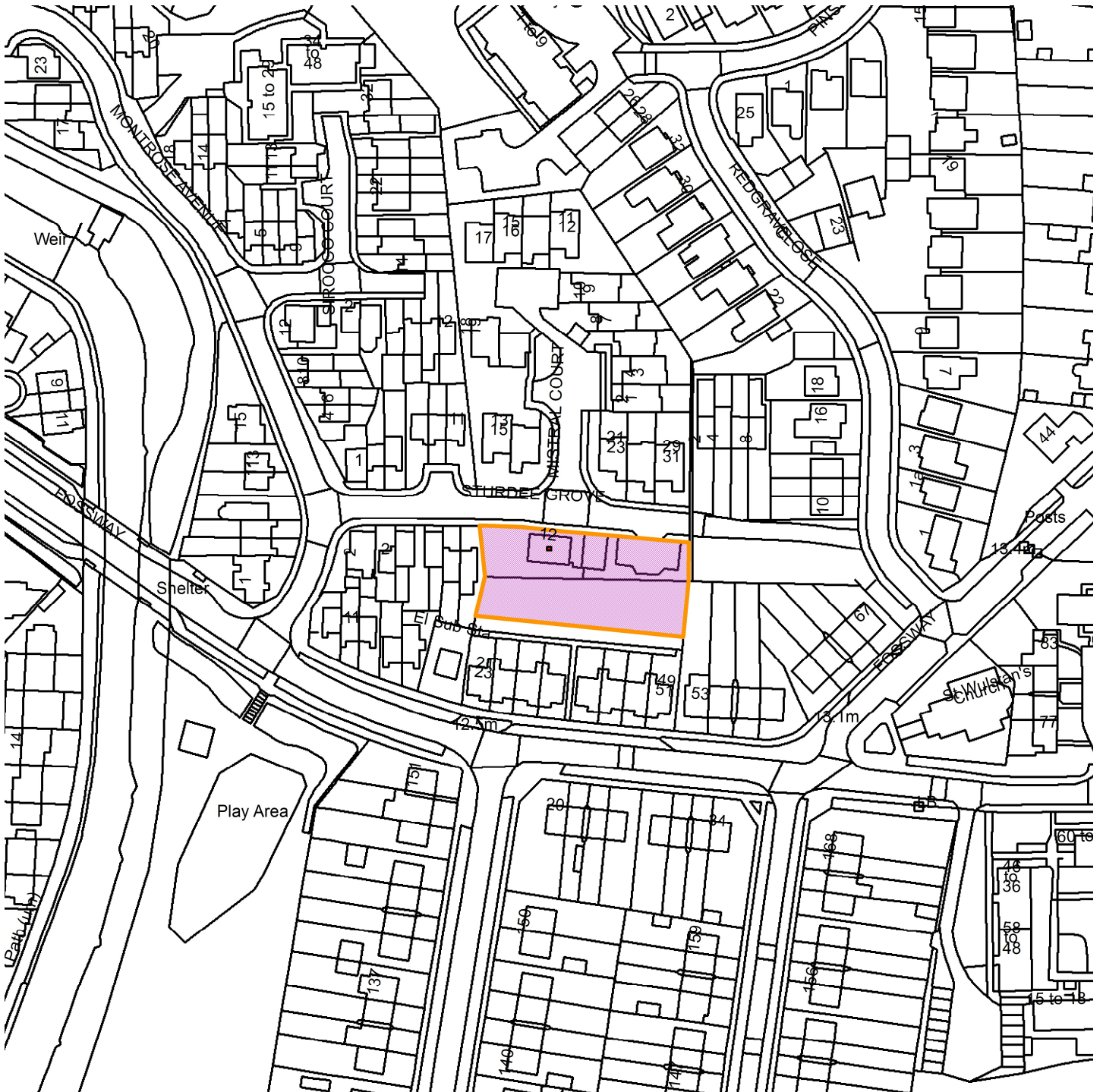
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12 Sturdee Grove, York YO31 8FD

22/02349/FULM



GIS by ESRI (UK)



Scale : 1:1433

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

Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	01 August 2023
SLA Number	Not Set

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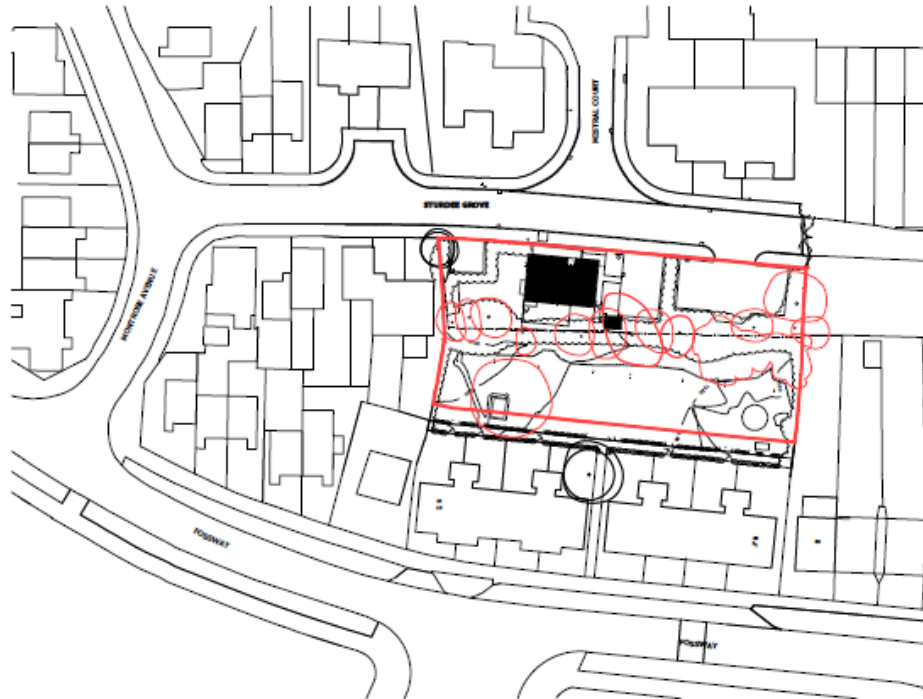
Planning Committee B

To be held on 16th August 2023

22/02349/FULM – 12 Sturdee Grove, York

Erection of two storey apartment building containing 10no. units, including associated landscaping, vehicle access with parking, following demolition of existing bungalow

Site Location Plan (Extract)



Site Location Plan
SCALE: 1 : 1250 @ A4

Key
— Site Area - 0.13 Hectares



Revision: P1 Date: 15.09.2022 Drawn: AKB Checked: DW
Planning Submission

S0	Work In Progress
-----------	-------------------------

Sturdee Grove, York

Site Location Plan

Location:
Sturdee Grove, Fossway
York
YP318FD

Client:
Joseph Rowntree Housing Trust

UPRN	Originator	Zone	Level	Type	Role Number	Revision
STURD	WBA	SI	XX	DR-A	PL-001	P1

Date: 12.09.2022 Drawn:AKB Checked:DW Scale:1:1250 Int Job No: 4045_001
CAD REF:

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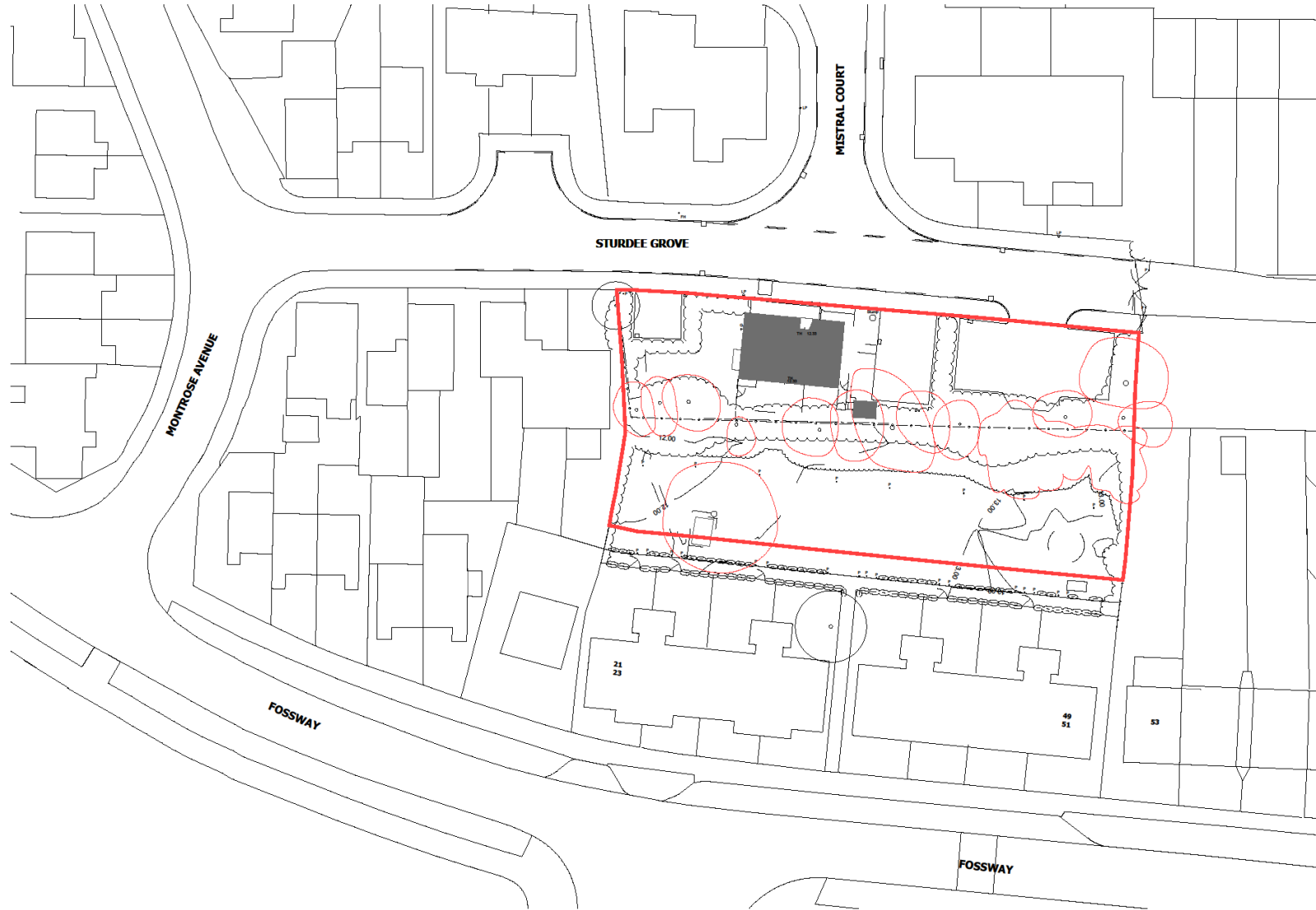
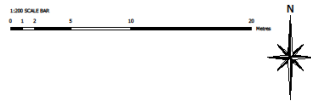
FUTURE BUILT

Note: Do not Scale from this drawing. All dimensions to be checked on site.



Google Earth Aerial Image – Wider Context

Existing Site Plan



Existing Site Plan
SCALE: 1 : 200 @ A1

Revision: P1 Date: 15.09.2022 Drawn: ANB Checked: DW
Planning submission

PL	Planning
----	----------

Sturdee Grove, York
Existing Site Plan

Location:
Sturdee Grove, Fossoy York
York
YP31 8FD

Client:
Joseph Rowntree Housing Trust

Project:
STURD WBA NB XX DR A PL-002 P1
Date: 12.09.2022 Drawn: ANB Checked: DW Scale: 1:200 Int. Job No: 4945_001
CAD REF:

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5
Notes: Do not Scale from this drawing. All dimensions to be checked on site.

Proposed Site Layout Plan

Fire Strategy Notes

Escapes:

- Ground Floor Escape via Entrance hall or rear.
- First Floor Escape via stair or alternatively through egress/escape windows.

Compartmentation:

- 30 minute integrity & 15 minute insulation: External Heavy Wall Core (Bore) required within the external wall of the separating junction. Watson Bailey Architects advise on also installing or full fill cavity insulation.
- 30 minute integrity & 15 minute Insulation: Cavity Barrier required for doors located along separating wall line.
- 30 minute integrity & 15 minute Insulation: Cavity Closer required to all reveals and cills.

Detection (all fires):

- Smoke detector to BS5829 at S. Smoke Detector to GF Hallway and FF Stair landing. Watson Bailey Architects advise on also installing within the main living rooms.
- Heat Detector to kitchen.
- Carbon Monoxide Detectors adjacent to any gas appliances.

Unprotected Areas:

- Any part of external wall which has a resistance of less than 30 minutes not to be located within 1m of the External Boundary.

Fire Service Access:

- For dwelling houses access for a pumping appliance to be within 45m of all points inside the dwelling house.



Area Schedule (GIA)	
GIF Area	Level
59 m ²	FF
54 m ²	GF

Proposed Boundary
0.13 hectares

Parking	Number
Residence	5 (inc. 3 accessible)
Visitor	2
Warden	1
General use	3

Key

- Existing Trees retained
- Existing Tree Root Zone
- Proposed Trees
- Proposed Vegetation and planting
- Proposed hedges

Note: For further information regarding tree removal please refer to Tree Protection Plan SOV 03A. Also please refer to landscape architect scheme (drawing MR23-056/101) for all hedge and planting details.

Rev	Date	Drawn	Checked	Description
P10	04.07.2023	AKB	DW	Further alterations to site store size and dropped curbing as per LA email dated 02/07/2023
P9	21.06.2023	AKB	DW	Alterations following meeting 01.06.23 with PC and Highway officer. Revisions include: 1. Site and landscape conditions reviewed. 2. Internal GF full alterations 3. Retaining wall repositioned. 4. Introduction of dropped kerb crossing 5. Retained existing footpaths for wider road to allow for 3-point turning Amendments as per landscape scheme and PO comments
P8	06.06.2023	AKB	DW	Amendments to layout as per PO comments
P7	06.03.2023	AKB	RJ	Revisions to layout as per PO comments
P6	23.02.23	DW	RJ	Soilder provision added
P5	15.02.2023	DW	RJ	Updated layout incorporating CHC Highway comments
P4	06.02.2023	AKB	DW	Amendments following comments from YCC PO
P3	12.10.2022	AKB	DW	Planning Application Submission
P2	14.09.2022	AKB	DW	Address of P10 and design
P1	14.09.2022	AKB	DW	Planning Submission Review

Rev	Date	Drawn	Checked	Description
PL				Planning

Sturdee Grove, York
Proposed Site Layout Plan

Location:
Sturdee Grove, Fossway
York
YP31 8FD
Client:
Joseph Rowntree Housing Trust

Project:
STURD-WBA-SI-XX-DR-A-PL_004 P10

Date:
09/14/22

Drawn:
AKB

Checked:
DW

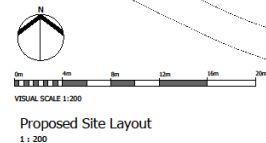
Scale:
As indicated

Ref No:
4045-001

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W: www.watsonbutty.com

FUTURE BUILT



Proposed Elevations



Proposed Front Elevation (N)
1 : 100



Proposed Side Elevation (E)
1 : 100



Proposed Rear Elevation (S)
1 : 100



Proposed Side Elevation (W)
1 : 100

Proposed Bin Store



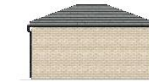
Front Elevation (W)
1 : 100



Side Elevation (N)
1 : 100

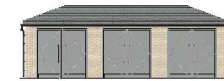


Rear Elevation (E)
1 : 100



Side Elevation (S)
1 : 100

Proposed Bike Store



Front Elevation (N)
1 : 100



Side Elevation (W)
1 : 100



Rear Elevation (S)
1 : 100



Side Elevation (E)
1 : 100



- Proposed Materials**
- Main Brickwork - Buff and Dark brown Mull (tbc)
 - Roof Tile - White edge (Dark grey)
 - Windows - UPVC (Grey)
 - Fascia & Soffits (White)
 - Rainwater/Gutters - Black
 - Doors - Composite (Grey-colour tbc)
 - Canopy - Flat Lead effect GRP (colour tbc)
 - Photovoltaics to the Southern Roof Elevation



05/01/2022	AMB	DIV	Bike and bin store revised as per H1 request
04/07/2022	AMB	DIV	Bike and bin store revised as per H1 request
01/05/2022	AMB	DIV	Comments re pre-application and E10
06/02/2022	AMB	DIV	Comments following comments from H100 PO
01/02/2022	AMB	DIV	Planning Application E10
01/02/2022	AMB	DIV	Address of Site and E10
24/05/2022	AMB	DIV	Planning Decision on Refuse

PL Planning
Sturdee Grove, York
Typical Proposed Elevations

Location:
 Sturdee Grove, Fossway
 York
 YP31 8FD

The:
 Joseph Rowntree Housing Trust

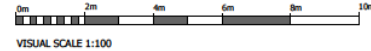
APP: STURD-WBA-NB-XX-DR-A-PL_101 P7
 Date: 05/14/23 Drawn: JAW Checked: AS Date Issued: 02/05/2023

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 W: www.watsonbatty.com

FUTURE BUILT

Note: Do not scale from this drawing. All dimensions to be checked on site.

Proposed Floor Plans

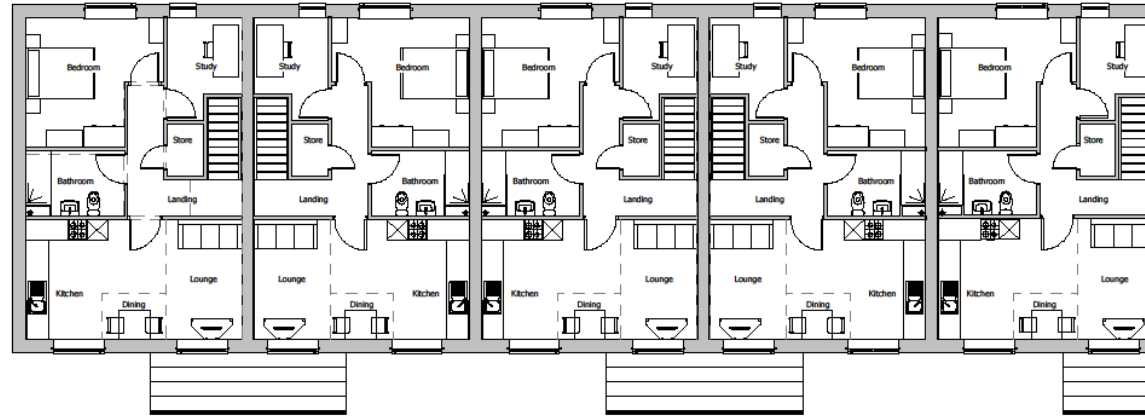


VISUAL SCALE 1:100

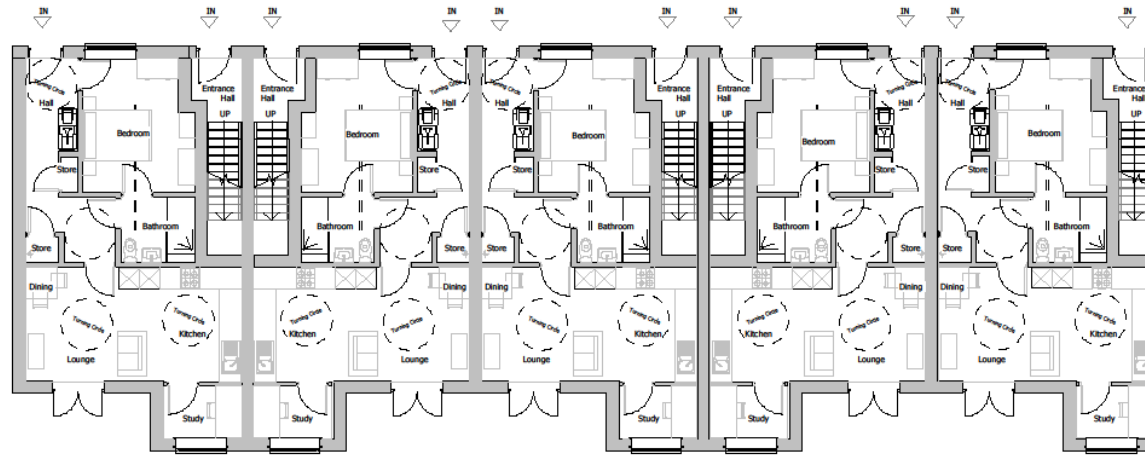
Accommodation Schedule

Ground floor Apartment x 5 units
 Hall - 5m²
 Store - 2m²
 Study - 4m²
 Bedroom - 12m²
 Bathroom - 4m²
 Kitchen/ Lounge/ Dining - 23m²

First Floor Apartment x 5 units
 Landing - 5m² (Excluding GF entrance hall of 3m²)
 Store - 2m²
 Study - 4m²
 Bedroom - 13m²
 Bathroom - 5m²
 Kitchen/ Lounge/ Dining - 23m²



First Floor Plan
1 : 100



Ground Floor Plan
1 : 100

Rev	Date	Drawn	Checked	Description
P7	04.07.2023	AKB	DW	Further alterations to bike store size and depth crossing as per LA email dated 03/07/2023.
P6	21.06.2023	AKB	DW	Internal GF hall alterations following meeting (21.06.23) with PO and Highways officer.
P5	06.06.2023	AKB	DW	Amendments as per landscape scheme and PC comments.
P4	06.02.2022	AKB	DW	Amendments following comments from YCC PC.
P3	12.10.2022	AKB	DW	Planning Application Submission
P2	16.09.2022	AKB	DW	Addition of PIs and A&BP
P1	14.09.2022	AKB	DW	Planning Submission Review

PL Planning

Sturdee Grove, York

Typical Proposed Plans

Location:
 Sturdee Grove, Fossway
 York
 YP31 8FD
 Client:
 Joseph Rowntree Housing Trust

UPRN	Originator	Zone	Level	Type	Rate	Series/Number	Revision
STUR-WBA-NB-XX-DR-A-PL_100	AKB						P7

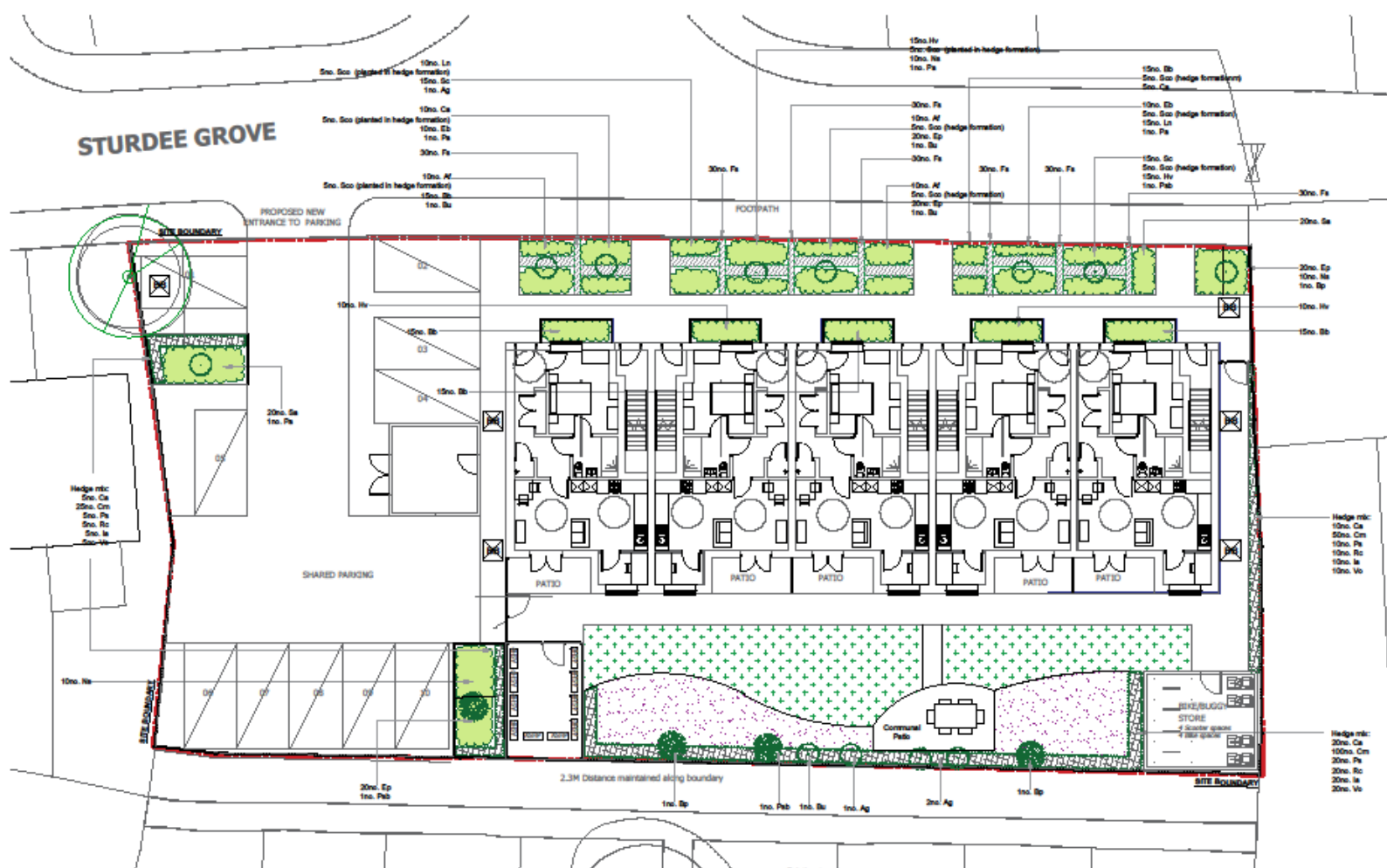
Date: 09/14/22
 Drawn: AKB
 Checked: DW
 Scale: B/A2
 1 : 100
 Job No: 4045-001

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Landscape Plan



- HARD LANDSCAPE SCHEDULE**
- PROPOSED SITE BOUNDARY:** Proposed site boundary. See Watson Baty Architects drawings for details.
 - PROPOSED BUILDING:** Proposed residential buildings. See Watson Baty Architects drawings for details.
 - PROPOSED BOUNDARY TREATMENTS:** Proposed boundary treatments including walls, gates and fencing. See Watson Baty Architects drawings for details.
 - HARDSTANDING AREAS & LEVELS:** Proposed hardstanding areas including car parking, footpaths, patios and levels. See Watson Baty Architects drawings for details.
 - PROPOSED BIRD BOXES:** Proposed bird boxes use W800 Integrated Bird Box mounted to trees or the exterior of buildings or similar to be approved. Locations and quantities shown as indicative and to be approved by ecologist. Ecological considerations and EPA statement of products as per manufacturer and Ecologist specification. See Future Ecology survey or further details.
- SOFT LANDSCAPE SCHEDULE**
- EXISTING TREES TO BE RETAINED:** Existing trees to be retained. All construction work adjacent to trees to be in accordance with BS 5822:2012. Trees in relation to design, demolition and construction recommendations. Tree protective fencing should be erected prior to the commencement of works on site. No machine works to be carried out within the Root Protection Areas. See Arboriculturists report and Future Ecology survey drawings for further details.
 - PROPOSED NATIVE, EXTRA HEAVY STANDARD TREE PLANTING:** Native Extra Heavy Standard (EHS) trees to improve bio-diversity, structure and interest through fruit, blossom and autumn colour. 14-18m girth, total height min 4.25m, tree pit to be 900 x 900mm x depth of root. Double timber stakes for support, pit drainage as required. See specification for species details.
 - PROPOSED STANDARD (SELECTED) TREES:** Standard (Selected) Trees to improve bio-diversity, structure and interest. Overall 3 - 3.5m height, 1.75-2m clear stem, tree pit to be 700 x 700mm x depth of root. Double timber stakes for support, pit drainage as required. See specification for species details.
 - PROPOSED SINGLE SPECIES HEDGE:** Single species hedge to improve bio-diversity and add habitat structure. Use bare root 0.5-1.2m high, planted in double staggered row. Until hedge becomes established use 1.80 Horizontal Supplier's straining wire, securing clips and bamboo canes to each plant for additional support and maintain access through mowing / establishing hedge. Call 01282 873033. See specification for species details.
 - PROPOSED MIXED NATIVE HEDGEROW / WHP PLANTING:** Mixed native hedge boundary which planting to improve bio-diversity, create a dense buffer while creating new habitats for wildlife and softening boundaries. Comprising of feathered whip 0.45-1m high, saw rooted. Planted in double staggered row, single species group of 5-10. All plants to have stakes and canes for rabbit protection. To include evergreen species. See specification for species details and numbers.
 - PROPOSED ORNAMENTAL SHRUB PLANTING:** Low maintenance, low growing shrub planting to provide all year interest, colour and structure while improving bio-diversity and habitat creation. More ornamental planting to internal areas of the site with more native and evergreen species to boundaries. To include natives, evergreen, perennials, ornamental grasses and stock planting. Groundcover 3'. Container size at 30x30. See specification for species details and numbers.
 - PROPOSED HERITAGE GRASS AND WILDFLOWER SEED MIX:** Low maintenance grass and wildflower seed mix to support existing retained vegetation at the boundaries and create semi-rural/public open spaces to improve habitat creation. Use Ecograss Seeds EMO Seed mix (ideal for country parks, nature reserves and public open spaces. See website or visit website for further details.
 - LOW MAINTENANCE TURF:** Hard wearing, slow growing, drought tolerant, low maintenance turf. Use Robur, Mediant. Tel: 01462 504 000. Or similar to be approved.

LANDSCAPE SPECIFICATION

No.	Species Name	Pot Size	Height	Density	Specification
1	Red Hawthorn	H1	4.25 - 6m	As shown	Even Heavy Shrubbed, 14.00m girth, min 2 stakes
3	Prunus Spine & Boulevard	RC	4.25 - 6m	As shown	Even Heavy Shrubbed, 14.00m girth, min 2 stakes
Standard (Selected) Trees					
4	Buddleia	B6	3 - 2.5m	As shown	10-12m girth, min 2 stakes, 1.75m clear stem
4	Amelanchier	A6	3 - 2.5m	As shown	10-12m girth, min 2 stakes, 1.75m clear stem
4	Prunella	P6	3 - 2.5m	As shown	10-12m girth, min 2 stakes, 1.75m clear stem
Single Species Hedges					
47	Salix viminalis	2L	30 - 45cm	3m	Barren, planted in groups of 3
210	Fagus sylvatica	B	1.2m	7 plants	Leafless, planted in groups of 3
Mixed Native Hedge					
25	Ulex europaeus	B	30 - 45cm	3m	Barren, planted in groups of 3
26	Ulex europaeus	B	30 - 45cm	3m	Barren, planted in groups of 3
27	Ulex europaeus	B	30 - 45cm	3m	Barren, planted in groups of 3
28	Ulex europaeus	B	30 - 45cm	3m	Barren, planted in groups of 3
29	Ulex europaeus	B	30 - 45cm	3m	Barren, planted in groups of 3
30	Ulex europaeus	B	30 - 45cm	3m	Barren, planted in groups of 3
Groundcover Shrubs					
82	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
83	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
84	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
85	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
86	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
87	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
88	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
89	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
90	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
91	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
92	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
93	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
94	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
95	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
96	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
97	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
98	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
99	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3
100	Agrostis alba	3L	30 - 45cm	4m	Bare, planted in groups of 3

All planting areas to be maintained weed free and watered at appropriate / necessary periods during establishment of plants.

Following planting, ornamental planted areas to receive 75mm depth ornamental grade bark mulch.

If within a period of five years from the date of the planting of any tree/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

All landscape works to be carried out in accordance with Landscape Specification above.

All planting implementation to be carried out in the first planting season unless an alternative planting schedule has been agreed with the Local Authority.

All construction work adjacent to trees to be in accordance with BS 5822:2012. Trees in relation to design, demolition and construction recommendations.

No machine works to be carried out within the Root Protection Area.

All plant material to be supplied in accordance with HTA National Plant Specification and Nursery Certification Scheme.

All soil in proposed planting areas to be well broken to add the drainage. Topsoil to be analysed to 100mm depth with straw compost worked into topsoil 200mm depth.

Topsoil depth to new shrub planting areas to be minimum 300mm, topsoil depth to new lawns to be minimum 100mm, topsoil depth to new seeded areas to be minimum 150mm.

All EHS tree pits to be minimum 900mm x 900mm x depth of root base. Allow for double timber stakes and pit drainage as required.

PLANTING & DRAWING NOTES:



City of York Council Planning Committee Meeting - 16th August 2023



FOR PLANNING

PROJECT: STURDEE GROVE, FOSSWAY, YORK

SCALE: 1/200 @ A3

DATE: 02/05/2023

DRW: DM

CHECKED: TL

DATE: 02/05/2023

PROJECT NO: MR23-056/101

DATE: 02/05/2023

SCALE: 1/200 @ A3

DATE: 02/05/2023

PROJECT NO: MR23-056/101

DATE: 02/05/2023



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COMMITTEE REPORT

Date: 16 August 2023 **Ward:** Strensall
Team: East Area **Parish:** Strensall With Towthorpe
 Parish Council

Reference: 21/02757/OUT
Application at: Pigotts Autoparts Sheriff Hutton Road Strensall York YO32 5XH
For: Outline application for the demolition of existing structures and erection of 6no. dwellings with associated access, car parking and landscaping (with all matters reserved except for access, layout and scale)
By: Jim Pigott
Application Type: Outline Application
Target Date: 10 November 2022
Recommendation: Refuse

1.1. The application seeks outline planning permission for the erection of 6 dwellings following demolition of existing buildings and structures. Approval is sought for access, layout, and scale, with appearance and landscaping reserved for later consideration. Access to the site would be from Sheriff Hutton Road in the same position as the existing access.

1.2. The plans show the 6 dwellings. The plans show 2 x 5 bed dwellings, 1 x 4 bed dwelling, 2 x 2 bed dwellings, and 1 x 1 bed dwelling. A total gross internal floor area of 788.4 m². The plans detail that Plots 1 – 3 would be 2 storey, from the provided floor area it would appear Plots 4 and 5 would be 2 storey and Unit 6 would be single storey . The layby within the highway verge would be formalised.

1.3. The site lies within the general extent of the Green Belt. The site is within Flood Zone 1. The site is in close proximity to a Roman road (MY04315). The site is within the Natural England Impact Risk Zone (IRZ) for Strensall Common Special Area of Conservation (SAC).

1.4. There is an extensive planning history for the above site, including a number of historic applications for residential development on the site, for which planning permission was refused. The site up until very recently has been used as a scrap/breakers yard for many years. When Officers visited the site at the beginning of August 2023 the site had been mostly cleared of cars and scrap material. When in operation as a scrap yard the vehicles were stacked towards the boundary facing Sheriff Hutton Road, however it was noted from a site visit that this did not occur across the remainder of the site. There is a long established portal framed building

on the site, and a modular building towards the front/east of the site. There is an open sided building, no planning permission can be found for this building, however the 2017 aerial photographs show this building, it is considered that the building has been in situ for in excess of 4 years as such is exempt from planning enforcement action.

1.5. During the application process revised plans have been submitted altering the access and revising the number and location of the proposed dwellings.

1.6. The application has been called into committee by Councillor Doughty. The Councillor requested that committee assess the sustainability of housing development in this location outside of the village.

1.7. Pre-application advise was sought for 9 dwellings on the site. The applicant was advised that the application would not be supported on the following grounds: Green Belt; unsustainable location; visual amenity; residential amenity. In addition officers also advised the applicant of the requirement for Habitat Regulations Assessment Stage 1 screening.

1.8 RELEVANT PLANNING HISTORY

4/2/522 (1952) – Use of Land for the stacking and sawing timber – Approved

4/2/522A (1952) Installation of underground petrol storage tank and erection of a petrol pump – Approved

4/2/522B (1958) – Alterations and improvements to retain existing buildings – Approved

4/2/522C (1958) – Erection of Office accommodation – Approved

4/2/522D (1961) – Retention of gantry for overhead crane – Approved

4/2/522E (1961) – Use of land for the storage of motor vehicles and the sale of scrap metal – Refused

4/2/522F (1966) – Change of use of timber yard to iron and steel storage yard with office – Refused

4/2/522G (1967) – Installation of petrol pumps – Refused

Appeal dismissed APP/2089/A/2243 (11.01.1968) – Ministry of Housing considered that there were road safety issues due to high vehicle speeds, introduction of development into a rural area which would be conspicuous

4/2/522H (1967) – Use of land for the sale of motor vehicles – Refused

Appeal dismissed APP/2089/A/22438 (11.01.1968), Ministry of Housing considered that there were road safety issues due to high vehicle speeds, the introduction of development into a rural area which would be conspicuous

4/2/522J (1967) Outline application for construction of dwellinghouse – Refused,

Appeal dismissed APP/2089/A/22439 (11.01.1968), Ministry of Housing considered that the site was situated in an open rural countryside where housing development is sporadic. At least half mile from development limits of Strensall and house would appear isolated and well-removed from any established pattern of development

3/131/93/PA (1979) - Outline application for the construction of a motor vehicle showroom, workshop and office – Refused for the following reasons: Green Belt, and lies within open countryside

3/131/93A/PA (1979) - Construction of a building to enclose existing gantry and to be used for the dismantling and repair of vehicles – Refused for the following reasons: Green Belt, and within open countryside

Appeal (APP/5340/A/80/05733) for 3/131/93A/PA is dismissed (21.11.1980) Planning Inspector considered the site falls within the Green Belt

3/131/93B/PA (1979) - Use of land for the siting of a caravan – Refused for the following reasons: Green Belt

3/131/93C/PA (1980) - Application for the siting of a caravan for use as temporary office accommodation - Refused for the following reasons: Green Belt

Appeal (APP/5340/A/80/07842) for 3/131/93C/PA is allowed (21.11.1980) for the siting of 1 caravan for two years. Planning Inspector considered the site falls within the Green Belt

3/131/93D/PA (1981) - Outline application for construction of a new office, workshop, and store to replace existing structures - Approved

3/131/93E/PA (1981) - Demolition of existing building and construction of a new office workshop and store – Approved subject to legal agreement

3/131/93F/PA (1985) - Construction of house with domestic garage - Refused for the following reasons: Green Belt

3/131/93G/OA (1988) - Outline application for erection of a two storey house with domestic garage (Appeal dismissed 01.06.89) – Refused for the following reasons: Green Belt

Appeal (APP/N2725/A/88/105962/P5) for 3/131/93F/PA is dismissed (01.06.1989) Planning Inspector considered the site falls within the Green Belt

3/131/93H/EU (1993) – Certificate of Lawful Use for the use of land, storage shed, workshop/office Building and Portable Building for the Storage and dismantling of vehicles with retail sale of parts

15/01424/OHL - Re-align existing overhead network and transformer point – No objections

2.0 POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK

2.1. The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. The NPPF is a material consideration in the determination of planning applications. Key chapters and sections of the NPPF relevant to this application are as following:

- 5 – Delivering a sufficient supply of homes
- 6 – Building a strong, competitive economy
- 8 – Promoting healthy and safe communities
- 9 – Promoting sustainable transport
- 11 - Making effective use of land
- 12 – Achieving well-designed places
- 13 – Protecting Green Belt land
- 14 – Meeting the challenge of climate change, flooding and coastal change
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

THE DEVELOPMENT PLAN

2.2. The Statutory Development Plan for the City of York comprises the saved policies and key diagram of the otherwise revoked Yorkshire and Humber Plan Regional Spatial Strategy (2008) and any made Neighbourhood Plan. The relevant part of the Development Plan for this application is:

Strensall Neighbourhood Plan (2023)

- DH1 – Promotion of Local Distinctiveness
- DH2 - General Design Principles

DG5 – Affordable Housing

The Publication Draft York Local Plan (2018)

2.3. The Publication Draft Local Plan 2018 was submitted for examination on 25th May 2018. It has now been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan will be adopted in late 2023. The draft policies can be afforded weight in accordance with paragraph 48 of the NPPF.

2.4. Key relevant DLP 2018 policies are:

SS1 Delivering Sustainable Growth for York
SS2 The Role of York's Green Belt
EC2 Loss of Employment Land
H2 Density of Residential Development
D1 Placemaking
D2 Landscape and Setting
D6 Archaeology
GI1 Green Infrastructure
GI2 Biodiversity and Access to Nature
GI3 Green Infrastructure Network
GI4 Trees and Hedgerows
GB1 Development in the Green Belt
CC1 Renewable and Low Carbon Energy Generation and Storage
CC2 Sustainable Design and Construction of New Development
ENV1 Air Quality
ENV2 Managing Environmental Quality
ENV3 Land Contamination
ENV5 Sustainable Drainage
WM1 Sustainable Waste Management
T1 Sustainable Access

2.5. Please see the Appraisal Section (5.0) for national and local policy context.

3.0 CONSULTATIONS

3.1. The application has been advertised via Site Notice, local press notice and neighbour notification letter.

INTERNAL CONSULTATIONS

HIGHWAY DEVELOPMENT CONTROL

3.2 Is unable to support the proposed works to the highway and internal layout of this scheme in its current form. The quality of design, resultant safety of highway users and amenity of residents are poor or not to sufficient standard. Furthermore, it is considered that the development is not situated in a sustainable location and will predominantly require dependency on motorised vehicles due to the lack of sustainable transport options available.

3.3 Proposed works to the highway - Due to the requirements of servicing and the fact that a suitable adopted highway is not to be provided within the site to receive refuse vehicles; a fully constructed layby is required on the highway verge, to ensure Sheriff Hutton Road is kept clear. The existing layby is not fit for the required purpose, being poorly maintained and extended without proper construction for some years. The proposed use as a bin lorry loading bay would not be acceptable without full construction (Tarmac or concrete).

3.4 Although a bin lorry loading bay would be acceptable within the existing layby if properly constructed, a refuse bin collection point located in the layby would not be acceptable as this is public highway (contravening paragraph 149 of the Highways Act 1980 - Obstruction/ Nuisance on the highway). A refuse bin collection point would have to be located within the site, within 15 metre drag distance to the highway/bin lorry loading bay.

3.5 Internal Layout – The proposed design of the footway does not provide a safe access for pedestrians. The proposed car parking is insufficient and should be revisited.

3.6 Sustainable Access - The nearest bus stop and local facilities are located 1200 metres away in Strensall village with no footway or lighting and narrow verges for the initial 800 metres of this journey from the site alongside an unrestricted speed road. Cycling would be unattractive to all but the ardent cyclist due to the narrowness of the road lack of street lighting and unrestricted speed limit for the initial 800 metres towards Strensall village. This residential development will be significantly reliant on car borne vehicle trips as the alternatives are so unattractive/ unable to be mitigated by the developer.

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT (LANDSCAPE ARCHITECT)

3.7 The existing use of the site has a negative influence on views and landscape character. The proposed tree and hedge planting would provide suitable mitigation for the loss of trees. Given the site's disparate location to Strensall village and the existing pattern of development seen within the surrounding rural landscape, the revised arrangement could render the scheme more in keeping with the character of farmsteads and individual detached houses that are found in the surrounding rural context.

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT (ECOLOGY OFFICER)

3.8 The application site is located approximately 1.7km to the north west of Strensall Common Special Area of Conservation (SAC). In accordance with regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended), appropriate assessment should be undertaken where projects have the potential to adversely impact sites with European designation. The need for appropriate assessment is also address through national and local planning policy.

3.9 Consideration should be given to the potential impacts of increased visitor pressure and the potential environmental impacts of the construction works on Strensall Common, through a Habitats Regulations Assessment (HRA). The proposed development should not be assessed in isolation, the cumulative impacts of the proposed development in association with other current and proposed developments should also be fully evaluated.

3.10 HRA is the process that competent authorities must undertake to consider whether a proposed development plan or programme is likely to have significant effects on a European site designated for its nature conservation interest. HRA is often referred to as 'Appropriate Assessment' (AA) although the requirement for AA is first determined by an initial 'Screening' stage undertaken as part of the full HRA.

3.11 As a competent authority it is our (the LPA) responsibility to produce a Habitat Regulations Assessment. However, it is common practice for the applicant to produce a 'shadow HRA' and for the LPA, in coming to its own conclusions, to 'adopt' this to fulfil its legal duty.

3.12 Although it is the LPA's, responsibility to produce an HRA under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), the applicant would need to provide a greater level of detail to appropriately assess the likely significant effects of the proposed works, on Strensall Common SAC.

3.13 For the initial Screening process (Stage One) likely significant effects upon a European site of a project or plan would need to be identified, either alone or in-combination with other projects or plans. The following likely impacts resulting from the proposed works would need to be considered:

- Air quality
- Habitat disturbance and fragmentation
- Hydrological cycles
- Recreational pressure
- Species disturbance and isolation
- Water quality
- Water supply

- Urban edge effects

3.14 In addition to these specific impacts, impacts created by newly created pathways to the designated site (as a result of the proposed works) would also need to be assessed. These would include:

- Footpaths and associated foot traffic
- River networks
- Roads and subsequent pollution (noise, air quality, vibration, light, etc)
- Species movement
- Water supply
- Wind (air quality)

3.15 The above impacts and newly created pathways would need to be assessed for each feature that led to Strensall Common's European designation as a SAC. For Strensall Common this would include:

- Northern Atlantic wet heath with *Erica tetralix*
- European dry heaths

3.16 The likely significant effects for both the construction and operational phases of the proposed development would also need to be assessed for all of the above impacts.

3.17 Where adverse impacts are identified through the Screening process, further assessment and recommendations for mitigation would be required through an Appropriate Assessment (Stage Two of the HRA process).

3.18 To conclude that without a far greater level of detail regarding the potential impacts of the proposed construction works and the final development, the local competent authority, do not have sufficient information to carry out a Screening assessment (Stage One of the HRA process) for the proposed development.

3.19 Request following conditions: Up-to-date information should be submitted to ensure on-site ecology is afforded appropriate mitigations and enhancements; No vegetation clearance of tree works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests; an invasive non-native species protocol shall be submitted; biodiversity enhancement plan/drawing shall be submitted; lighting design plan shall be submitted. Request following informative: consideration of permeable fencing or leaving occasional gaps suitable to allow passage of hedgehogs

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT
(ARCHAEOLOGY)

3.20 Recommends a condition is attached to any grant of planning permission requesting a programme of post-determination archaeological evaluation.

3.21 The proposed development site has not been subjected to any significant development or any archaeological investigation. Its archaeological potential is unknown although any resource on the site is likely to be relatively shallow and date to the late prehistoric and/or Romano-British periods. The line of a Roman road may run through the eastern edge of this plot although its course is uncertain. The site will require an archaeological evaluation once the site has been cleared but prior to any development work starting. This will take the form of trial trenching covering approximately 4% of the site. The results of the evaluation will determine whether any further work is required.

LEAD LOCAL FLOOD AUTHORITY

3.22 Should follow the Planning Practice Guidance hierarchy for the management of surface water. Insufficient information has been submitted. The submitted information and drainage scheme should be in accordance with CYC Sustainable Drainage Systems Guidance for Developers. Further information is required prior to determination.

PUBLIC PROTECTION

3.23 The Public Protection Officer has no objection to the proposed development subject to conditions being attached to any grant of permission regarding noise insulation measures, submission of a site investigation and risk assessment; a remediation scheme; a verification report; EV charging points, a Construction and Environmental Management Plan and restrictions on hours of demolition and construction.

AFFORDABLE HOUSING

3.24 An affordable housing contribution may be required in accordance with Local Plan Policy H10. As the final layout and proposal is not known for this Outline application. It is recommended that a section 106 agreement sets the terms for establishing whether a contribution is required using the current Policy H10 obligations, and the amount.

3.25 If the relevant policy conditions are met, a commuted sum calculated at 11% provision equivalent for this brownfield site in the rural setting may be required. The total affordable housing obligation in respect of this application would be £25,283.06 per dwelling commuted sum. The full gross floor area will be used to determine whether the final layout exceed the policy requirement threshold of 1,000 square metres.

WASTE SERVICES

3.26 The maximum distances that operatives are required to wheel containers, measured from the furthest point within the storage/collection area to the loading position at the back of the vehicle, is 10 metres (*Officer Note – The Waste Guidance has been updated since the submission of these comments and the revised distance is now 15 metres*). The stopping point for the refuse collection vehicle should be safe, legal and designed to minimise any obstruction to traffic. The developer is required to provide an appropriate place and hardstanding on which to place these bins for collection. This area should be able to contain the household waste bins and the communal recycling bins.

3.27 Each dwelling is entitled to a 180 litre household waste bin and use of the communal recycling bins. As a central collection point is required for this site recycling waste will have to be presented in communal bins, to be located at the bin presentation point. The allocation of recycling bins for this site is 3 * 240 litre + 1 * 236 litre bins. Slopes should be avoided wherever possible along the pathway linking the bin storage / central collection point area to the refuse collection vehicle point.

FORWARD PLANNING

3.28 The site lies within the general extent of the City of York Green Belt. The site is currently in use as a vehicle scrap yard / vehicle dismantlers, with scrap vehicles stacked and a number of buildings on the site. It is therefore, regarded as previously developed land and the application should be considered against criterion (g) of NPPF paragraph 149, in relation to the impact of the proposed development on the openness of the Green Belt and whether it would have any greater impact than the existing use.

EXTERNAL CONSULTATIONS

STRENSALL AND TOWTHORPE PARISH COUNCIL

3.29 Object, inappropriate and unsustainable development within the Greenbelt

YORKSHIRE WATER

3.30 This proposal is in an area not served by the public sewerage network. The application should be referred to the Environment Agency and the Local Authority's Environmental Health Section for comment on private treatment facilities.

FOSS INTERNAL DRAINAGE BOARD

3.31 Require further information regarding the proposed drainage on site and have recommended this information be required by a pre-commencement condition.

NORTHERN POWERGRID

3.32 No objections, providing that the rights of Northern Powergrid are not affected and will continue to ensure rights of access to the apparatus on the site for maintenance, replacement or renewal works necessary. Plans have been submitted indicating the NP infrastructure on the site. Ground cover must not be altered either above or below overhead cables, in addition no trees should be planted within 3 metres of existing underground cables or 10 metres of overhead lines

NATURAL ENGLAND

3.33 No comments

4.0 REPRESENTATIONS

4.1. One representation of Support

- High demand for dwellings within Strensall and would benefit the area and local business
- Would improve the visual appearance of the area
- Enhance wildlife
- Plenty of parking spaces

4.2 One representation of objection

- The existing use appears to have been abandoned, as such question the current use class
- Not suitable for residential by virtue of the distance from the facilities within the village.
- Business use would be more sustainable and would replace the jobs lost by the closure of the car breakers yard

5.0 APPRAISAL

Key Issues

5.1. The key issues are as follows:

- The Green Belt
- Habitats Regulations
- Housing Land Supply
- Loss of employment land
- Sustainability
- Highways

- Visual Amenity & Character
- Residential Amenity
- Drainage
- Archaeology
- Public Sector Equality Duty

THE GREEN BELT

5.2. The site is regarded as being within the general extent of the Green Belt. Paragraph 138 of the NPPF states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open and that, the essential characteristics of the Green Belt are its openness and permanence. The Green Belt serves 5 purposes:

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

5.3. In line with the decision of the *Court in Wedgewood v City of York Council [2020]*, and in advance of the adoption of a Local Plan, decisions on whether to treat land as falling within the Green Belt for development management purposes should take into account the RSS general extent of the Green Belt, the 2005 DCLP, the 2018 Draft Plan, insofar as can be considered against paragraph 48 of the NPPF (2019) and site specific features in deciding whether land should be regarded as Green Belt.

5.4. The site is identified as falling within the Green Belt in the proposals maps of the emerging Local Plan (2018), the plan has been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan and maps will be adopted in late 2023. The outer Green Belt boundary in the emerging Local Plan has been drawn to maintain openness and retain permanence based on an assessment of land against the Green Belt purposes set out in para 138 of the NPPF. The proposed Green Belt boundary follows historic features such as administrative and parish boundaries, natural features such as field boundaries and manmade features such as tracks and roads. The swathe of land within which the application site sits has been assessed against the five purposes. In particular the land lies within an area of open, typically agricultural countryside to the north of Strensall and is dominated by flat open fields, with views of isolated farms and hedge and tree boundaries. It is considered that the area within the site sits seeks to safeguard the countryside from encroachment and preserve the setting and special character of the historic town of York, which compromises the main urban area of York encircles by a number of smaller

peripheral settlements sit within relatively flat open countryside. As such, the site should be treated as lying within the general extent of the York Green Belt and the proposal falls to be considered under the restrictive Green Belt policies set out in the NPPF.

5.5. The NPPF (paragraph 147) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include: 149(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. It is considered that the application sites falls under the exception of complete redevelopment of previously developed land and is therefore considered to be appropriate development within the Green Belt.

5.6. In terms of the impact on openness the site sits within open countryside, a significant distance from Strensall village. The permanent built form is to the front of the site, the rest of the site has until very recently been occupied by piles of cars between 2 and 4 vehicles high, they were often piled higher towards the Sheriff Hutton Road boundary. Whilst the cars were not a permanent fixture, the storage of cars has taken place on the site for in excess of 30 years. Over the years an informal lay-by has been created on the grass verge of Sheriff Hutton Road. The proposal would be for 6 dwellings and a permanent form of development to the existing a wider access road into the site and the formalised lay-by. Officers on balance would consider that the dwellings on the site would have no further impact on the openness of the greenbelt than the existing use, and it could be considered that the proposal would be an improvement in character and appearance of this site within the countryside. The existing lay-by is of a similar scale to that proposed on the plans, and as such it not considered to impact further on the openness of the Green Belt.

HABITATS REGULATIONS

5.7. A Habitats Regulations Assessment (HRA) refers to the several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it. European Sites identified under these regulations (such as Strensall Common Special Area of Conservation (SAC) are referred to as 'habitats sites' in the NPPF. The application site is located approximately 1.7 kilometres from the Strensall Common SAC, within the Natural England Impact Risk Zone (IRZ), which indicates that development within these zones could potentially have adverse impacts on the SAC, and therefore a HRA

must be carried out to determine if the proposed development may affect the protected features of Strensall Common.

5.8. With regards to undertaking a HRA, the NPPG sets out that all planning applications 'which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. This consideration – typically referred to as the 'Habitats Regulations Assessment screening' – should take into account the potential effects both of the plan/project itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, a competent authority, in this instance the Local Planning Authority (LPA), must make an appropriate assessment of the implications of the plan or project for that site, in view the site's conservation objectives. The competent authority may agree to the development only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the development can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured.

5.9. If a proposed development is considered likely to have a significant effect on a protected habitats site (either individually or in combination with other plans or projects) then an appropriate assessment of the implications for the site, in view of the site's conservation objectives, must be undertaken (Part 6 of the Conservation of Habitats and Species Regulations 2017).

5.10. Policy G12a 'Strensall Common Special Area of Conservation (SAC)' of the draft Local Plan (2018) sets out in (b(ii)) 'Proposals for other housing development which are not within plan allocations will not be permitted unless it can be demonstrated that they will have no adverse effects on the integrity of the SAC, either alone or in combination with other plans or projects. Any necessary mitigation measures may be sought through planning contributions and must be secured prior to the occupation of any new dwellings and secured in perpetuity. Open space provision must also satisfy policy G16.' The supporting text advises that where windfall development is proposed between 400 metres and 5.5 kilometres from the SAC, permission will not be granted unless it can be demonstrated that the proposals will not have an adverse effect on the integrity of the SAC, both in respect of the proposals themselves and in combination with other development; any necessary measures which avoid or reduce such effects must be provided before first occupation and established in perpetuity. The Council will have to consider whether planning obligations will be required, including financial contributions to secure such measures.

5.11. The application site is located approximately 1.7 kilometres to the north west of Strensall Common SAC and within the Natural England IRZ. The proposal would result in 6 additional dwellings, the development would provide garden space for

each dwelling. The site is isolated and there are no footpaths, public rights of way, or pavements in the immediate vicinity, as such the SAC is the closest public access amenity space (via vehicle) to the application site. The Council's Local Plan Habitats Regulations Assessment identified a likelihood of increased recreational impact on the SAC/SSSI as a result of development within the IRZ.

5.12 The CYC Ecologist has reviewed the application and considers that the information submitted by the applicant is insufficient to enable the LPA as the competent authority to undertake the HRA screening assessment and appropriate assessment as required by the Conservation of Habitats and Species Regulations 2017 (as amended). The CYC Ecologist has set out in detail the required information which is set out in Section 3 of this report. LOSS OF EMPLOYMENT LAND

5.13 The NPPF at paragraph 38 states that the LPA should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. 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 81).

5.14 Draft Policy EC2 (Loss of Employment Land) of the Draft Local Plan (2018) sets out that when considering proposals which involve the loss of land and/or buildings which are either identified, currently used or were last used for employment uses, the council will expect developers to provide a statement to the satisfaction of the Council demonstrating that: the existing land and or buildings are demonstrably not viable in terms of market attractiveness, business operations, condition and/or compatibility with adjacent uses. The supporting text for Draft Policy EC2 sets out that the Council will expect the applicant to provide evidence proportionate to the size of the site of effective marketing the site/premises for employment uses for a reasonable period of time, the Local Plan Policy Modifications details an 18 month marketing period.

5.15 Where an application is seeking to prove a site is no longer appropriate for employment use because of business operations, and/or condition, the LPA will expect an objective assessment to be submitted with the application detailing the shortcomings of the land/premises that demonstrates why it is no longer appropriate for employment use. The proposed modifications to the Policies are now with the Planning Inspectorate following consultation earlier in the year. The wording of Draft Policy EC2 has not altered in the proposed modifications to the Planning Inspector, only the supporting text as set out above as such this policy is considered to have moderate weight.

5.16 No marketing evidence or an objective assessment as required by Draft Policy EC2 has been submitted with the application. Without this information Officers are unable to assess if the loss of employment land is acceptable. Therefore, the

proposed development does not comply with Draft Local Plan Policy EC2 paragraph 81 of the NPPF.

SUSTAINABILITY

5.17 The NPPF is clear that the purpose of the planning system is to contribute to the achievement of sustainable development. The development is not situated in a sustainable location. It will require dependency on motorised vehicles due to the lack of sustainable transport options available. The nearest bus stop and local facilities are located 1200 metres away in Strensall village with no footway or lighting and narrow verges for the initial 800 metres of this journey from the site alongside an unrestricted speed road. Cycling would be unattractive to all but the ardent cyclist due to the narrowness of the road, lack of street lighting, and unrestricted speed limit for the initial 800metres towards Strensall village.

5.18 Residents of the proposed dwellings would be entirely reliant on private cars and local services are some distance from the site. The proposal would result in relatively high comings and goings by vehicle to access local services. To this extent the proposal would result in vehicle movements with no potential for more sustainable modes of transport being utilised.

5.19 As such the proposed development fails to comply with paragraphs 92 104, 105, 112, 124 and 130 of the NPPF, which sets out that decision should create places that are safe, inclusive and accessible, and development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

HIGHWAYS

5.20 The NPPF encourages development that is sustainably located and accessible. Paragraph 110(b) of the NPPF requires that all development achieve safe and suitable access for all users. It advises at paragraph 111 of the NPPF that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Further, paragraph 112 of the NPPF requires development to, inter alia, give priority first to pedestrians and cycle movements and create places that are safe, secure and attractive thereby minimising the scope for conflicts between pedestrians, cyclists and vehicles. Draft Local Plan Policy T1 supports the approach of the NPPF in that it seeks the safe and appropriate access to the adjacent adopted highway, giving priority to pedestrians and cyclists. The proposed modifications to the Policies are now with the Planning Inspectorate following consultation earlier in the year. Draft Local Plan Policy T1 has been revised to 'For all development, public transport services should be within reasonable safe walking distance of all parts of the development'. This policy is considered to reflect the aims of the NPPF.

5.21 The Highways team have expressed dissatisfaction at the vehicle parking layout/provision within the site, however this is not considered to result in sufficient harm as to warrant a recommendation for refusal on this basis.

5.22 Approval is sought for access and layout as part of this outline application. Access into the site is proposed over the existing informal layby. The existing informal layby is located on highway verge and has grown over time, no consent can be found for this layby. The existing layby is earth with no formal surfacing. The proposed access and site layout does not allow refuse vehicles to enter the site. Therefore Highway Development Control would require the layby to be formally constructed and surfaced to allow for access to the site but also to allow the bin lorry to pull off the road when collecting refuse. The submitted site plan (Reference 660-01-PL Revision M) shows proposals to form a new layby constructed to the Highway Authority Specification. This would be the subject of a Section 278 Highway Agreement.

5.23 The proposed plan shows the refuse bins storage area located on the adopted highway. Highway Development Control have advised this is contrary to paragraph 149 of the Highways Act (1980) and that the refuse bin storage area should be located within the site with a maximum 15 metre drag distance for operatives to the bin lorry. As such it is considered that the proposed site layout which is subject to approval under this outline application could not be delivered as it is contrary to the Highways Act 1980.

VISUAL AMENITY AND CHARACTER

5.24 Chapter 12 of the NPPF gives advice on design, placing great importance to that design of the built environment. In particular, paragraph 130 of the NPPF states that planning decisions should ensure that development, inter alia, will add to the overall quality of the area, be visually attractive, sympathetic to local character and history and have a high standard of amenity for existing and future users. This advice is reflected in Draft Policies D1 and D2 of the Draft Local Plan. These policies are subject to minor modifications as such moderate weight can be afforded.

5.25 Field and property boundaries are marked with hedges and trees in the immediate vicinity of the application site. There are a few detached dwellings and farm houses directly accessed off Pottery Lane and Sheriff Hutton Road, within a short distance of the site. The impression from Sheriff Hutton Road is of a minor road traveling through open countryside, with occasional farmsteads and small rural businesses. Public visibility of the site is restricted to Sheriff Hutton Road, which has no pavement and is mostly travelled by vehicles. The deciduous trees and hedges around the perimeter of the site provide some screening, but the operational site is nonetheless visible, especially in the winter months. The content of the site is only

apparent within the immediate approach/proximity. The proposed development would also be visible from Sheriff Hutton Road. Screening of the site from Pottery Lane would be more effective in the long term due to the greater physical distance between the lane and the narrowest edge of the site, the proposed planting, and the context of other neighbouring dwellings and vegetation.

5.26 The development would be of a substantially different and permanent character than the existing. The plans indicate one and two storey buildings. The dwellings have been grouped towards the eastern part of the site, the height and scale of the buildings would be similar to the existing buildings on site. Materially, it would be quieter than the scrap vehicles, and would present a more pleasing aesthetic. Retention of the existing landscaping and replacement/mitigating landscaping is considered to be important to the success of the development.

5.27 The proposed density of 12 units per hectare is lower than that required by Policy H2 (35 units per hectare), however the proposed density is considered to be appropriate to the area, an increase in density would likely impact on the openness of the greenbelt and visual amenity.

5.28 In terms of the proposed formalisation of the existing layby and the storage of refuse bins fronting onto Sheriff Hutton Road, whilst Officers have concerns that the formalisation of the layby could result in an overtly urban appearance in this mainly rural location, it is not considered that this would warrant a reason for refusal. Furthermore, if planning permission were to be granted for this application the proposed layby design would be the subject of a Grampian Condition.

RESIDENTIAL AMENITY

5.29 The NPPF seeks a good standard of amenity for all existing and future occupants, and that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are sympathetic to local character and history, including the surrounding built environment and landscape setting. Policy GP1 of the 2005 Development Control Draft Local Plan and policies D1 and ENV2 of the 2018 Draft Local Plan seek to ensure that development proposals do not unduly affect the amenity of nearby residents in terms of noise disturbance, overlooking, overshadowing or from overbearing structures.

5.30 The sites is likely to be heavily contaminated from the existing use, as such the Public Protection team have requested conditions for the decontamination of the report, it is consider that if the development was considered acceptable that these conditions would be necessary.

5.31 There would be minimal impact on other properties outside the site given the separation distances. The proposed properties would have adequate internal and external private space and there would be limited overlooking between the dwellings subject to conditions regarding boundary treatment. As such the proposed development would comply with Draft Policies D1 and ENV2.

DRAINAGE

5.32 The NPPF requires that suitable drainage strategies are developed for sites, so there is no increase in flood risk elsewhere. Local Plan Policy GP15a (Development and Flood Risk) and Publication Draft York Local Plan (2018) Policy ENV5 (Sustainable Drainage) advise discharge from new developments should not exceed the capacity of receptors and water run-off should, in relation to existing runoff rates, be reduced. Insufficient details have been provided to demonstrate that a soakaway would be suitable in this location. There appear to be no surface water sewers in the locality. The applicant intends to discharge water into the watercourse. We would usually require details of the drainage scheme to be submitted prior to determination. Officers consider that an acceptable drainage scheme can be achieved on site as such if the development was considered to be acceptable details of the foul and surface water could be sought via condition to be submitted with the reserved matters application.

ARCHAEOLOGY

5.33 Paragraph 203 of the NPPF requires the effect on an application on the significance of a non-designated heritage asset to be taken into account in determining the application. Paragraph 194 advises that an appropriate desk-based assessment and where necessary a field evaluation be submitted where a development site includes heritage assets with archaeological interest. Policy D6 (Archaeology) of the draft Local Plan (2018) is considered to reflect national policy.

5.34 The Council's Archaeologist has been consulted and considers any resource on the site is likely to be relatively shallow and date to the late prehistoric and/or Romano-British periods. The line of a Roman road may run through the eastern edge of this plot although its course is uncertain. The Archaeology Officer has confirmed they would require a condition for archaeological investigation.

PUBLIC SECTOR EQUALITY DUTY

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

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

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

5.38 Insufficient information has been provided to determine if the loss of employment and loss of the particular business would impact people with protected characteristics. However the unsustainable location and the resulting difficulties in accessing local facilities, schools, public transport etc and accessing the application site would affect people with protected characteristics in particularly those with disabilities and those of age and disability where they are unable to drive a vehicle. Officers have given due regard to the equality implications of the proposals in making its recommendation.

6.0 CONCLUSION

- 6.1 The presumption in favour of sustainable development set out at paragraph 11 of the NPPF does not apply when the application of policies relating to Green Belt and habitats sites (180) indicate that permission should be refused.
- 6.2 The application site is located within the general extent of the York Green Belt and serves a number Green Belt purposes. The proposal is not considered to further impact on the openness of the Green Belt and proposed development is considered to fall within exceptions 149 (g) of the NPPF.
- 6.3 Insufficient information has been submitted with the application for the LPA, as the Competent Authority, to undertake a Habitats Regulations screening Assessment and Appropriate Assessment. On the basis of the lack of information, Officers are unable to assess whether there are any adverse

effects on the integrity of the SAC, either alone or in combination with other plans or projects, or if any necessary mitigation measures may be required.

- 6.4 The proposed development is in an unsustainable location. It will require dependency on motorised vehicles due to the lack of sustainable transport options available. The nearest bus stop and local facilities are located 1200 metres away in Strensall village. Residents of the proposed dwellings would be entirely reliant on private cars. The proposed development fails to comply with paras 92 104, 105, 112, 124 and 130 of the NPPF.
- 6.5 No information has been submitted with respect of policies EC2 (Loss of Employment Land)), as such without further information officers are unable to assess whether the loss of employment land is acceptable and therefore determine if the proposed development complies with Draft Local Plan Policy EC2 and paragraph 81 of the NPPF
- 6.6 It is noted that the proposal would provide additional housing, however this is not considered to outweigh the above specified harms. Refusal is recommended.

7.0 RECOMMENDATION: Refuse

1 Insufficient information has been submitted with the application for the Local Planning Authority, as the Competent Authority, to undertake a Habitats Regulations Screening Assessment and Appropriate Assessment as required by the Conservation of Habitats and Species Regulations 2017 (as amended). As a result, Officers are unable to undertake the required screening assessment and assess whether there are any adverse effects on the integrity of the SAC, or if any necessary mitigation measures may be required. Due to the insufficient information, Officers are also unable to determine if the application complies with Policy G12a 'Strensall Common Special Area of Conservation (SAC) of the draft Local Plan (2018).

2 The proposed development is in an unsustainable location. Residents of the proposed dwellings would be entirely reliant on private vehicles due to the lack of sustainable transport options available. The proposal would result in vehicle movements with no potential for more sustainable modes of transport being utilised. As such the proposed development fails to comply with paras 92, 104, 105, 112,

124 and 130 of the NPPF, that requires developments to 'create places that are safe, inclusive and accessible' and to promote walking, cycling and public transport.

3 No information has been submitted to demonstrate that the proposal would comply with the requirements of Policy EC2 (Loss of Employment Land) of the draft Local Plan (2018) and Policy E3b (Existing and Proposed Employment Sites) of the Development Control Local Plan (2005). On the basis of the lack of information, Officers are unable to assess whether the proposed development complies with these policies and Paragraph 81 of the NPPF.

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. Notwithstanding the above, it was not possible to achieve a positive outcome, resulting in planning permission being refused for the reasons stated.

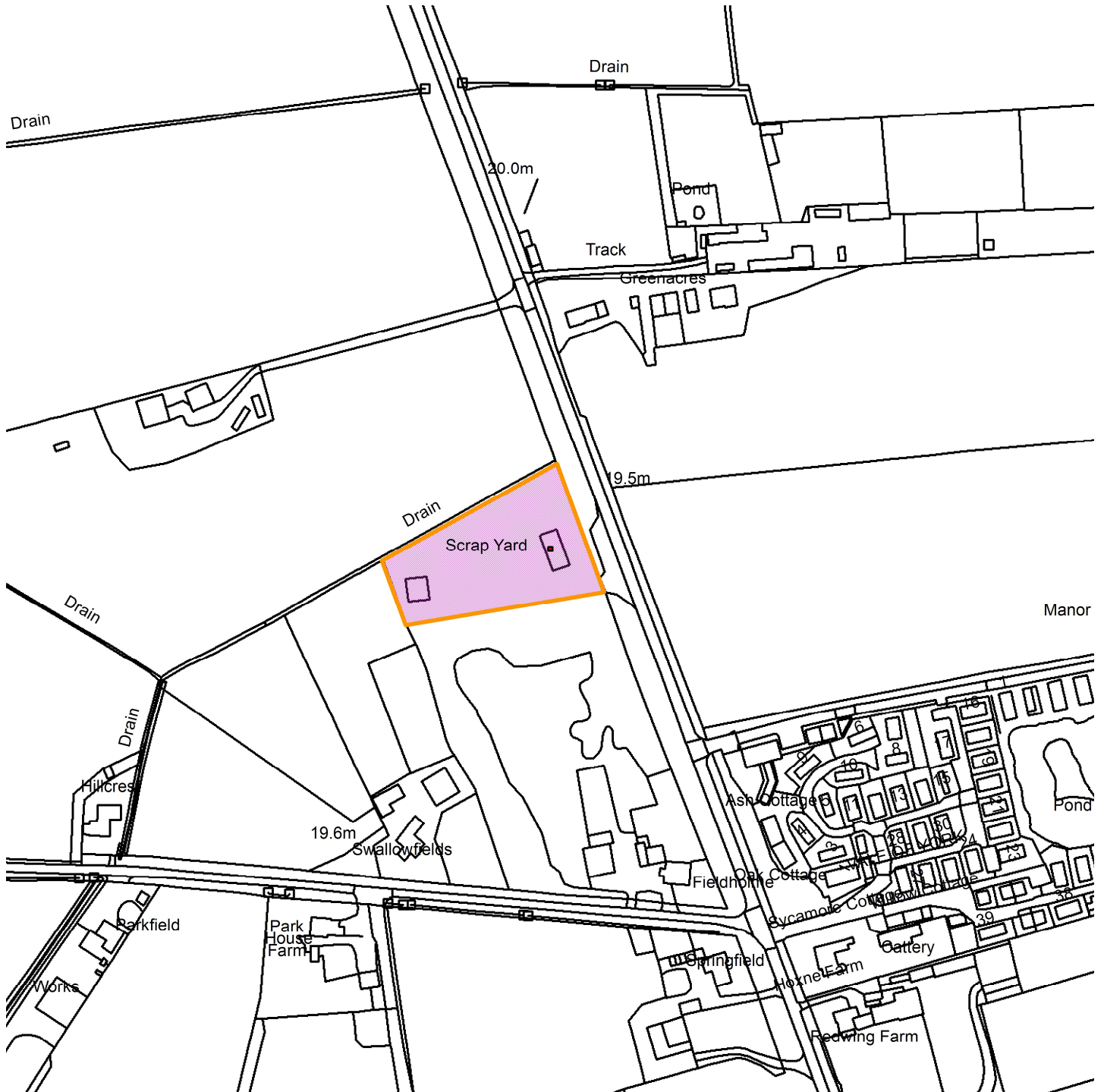
Contact details:

Case Officer: Victoria Bell

Tel No: 01904 551347

Pigotts Autoparts, Sheriff Hutton Road, YO32 5XH

21/02757/OUT



Scale : 1:2866

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	01 August 2023
SLA Number	Not Set

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Planning Committee B

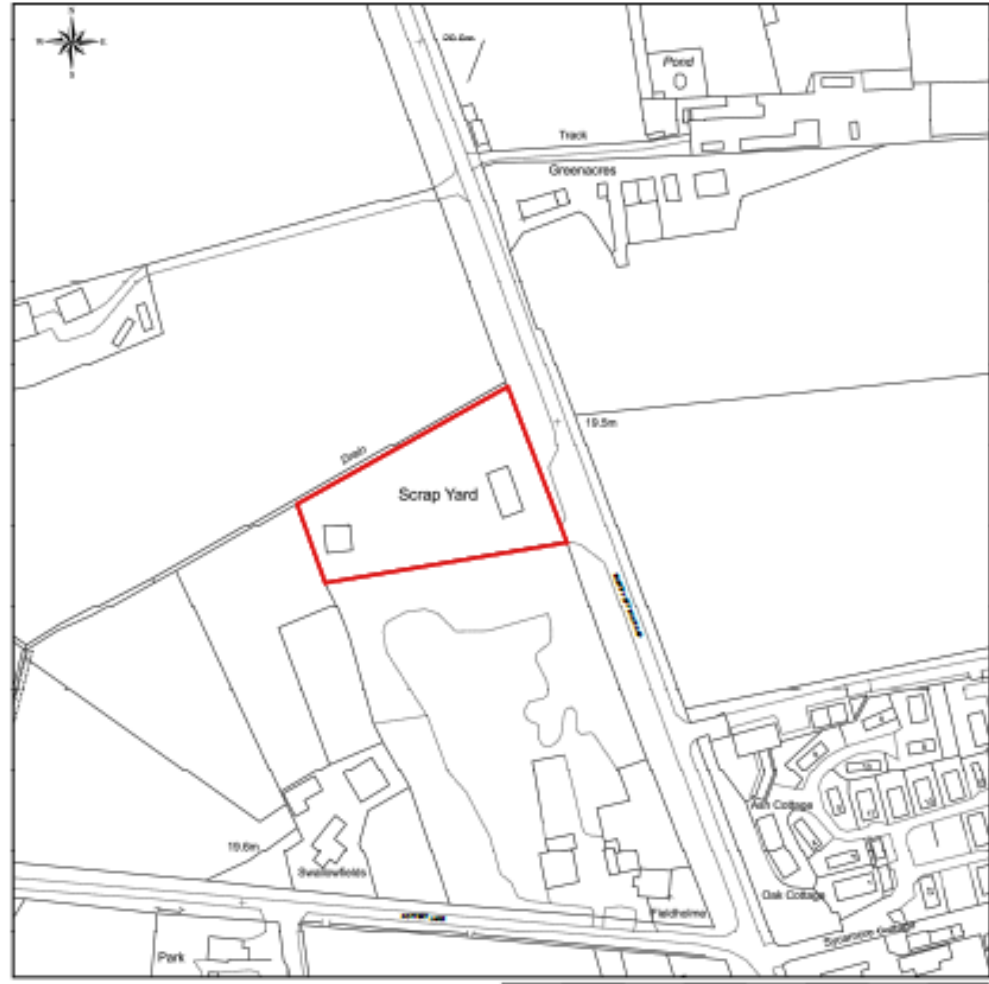
To be held on 16th August 2023

21/02757/OUT - Pigotts Autoparts, Sheriff Hutton Road, Strensall, York

Outline application for the demolition of existing structures and erection of 6no. dwellings with associated access, car parking and landscaping (with all matters reserved except for access, layout and scale)

Site Location Plan (Extract)

Location Plan of YO32 5XH



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Google Earth
Aerial Image





Sheriff Hutton Road looking North
(towards Sheriff Hutton) inc. Layby



Sheriff Hutton Road looking South (towards Strensall)



Existing Buildings (1)



Existing Buildings (2)



Existing Buildings (3)



Site in use as Scrap Yard

Site cleared of Vehicles
– with business now
appearing to have
ceased

(Photo taken August 2023)



Existing Site Plan



Proposed Site Layout

NO	REVISION	DATE	BY
1	ISSUED FOR PERMITTING	2022	KB
2	REVISED TO REFLECT COMMENTS	2022	KB
3	REVISED TO REFLECT COMMENTS	2022	KB
4	REVISED TO REFLECT COMMENTS	2022	KB
5	REVISED TO REFLECT COMMENTS	2022	KB
6	REVISED TO REFLECT COMMENTS	2022	KB
7	REVISED TO REFLECT COMMENTS	2022	KB
8	REVISED TO REFLECT COMMENTS	2022	KB
9	REVISED TO REFLECT COMMENTS	2022	KB
10	REVISED TO REFLECT COMMENTS	2022	KB

SITE PLAN AS PROPOSED

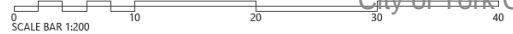


Total volumetric of proposed dwellings:
 Plot 1 - 696m³
 Plot 2 - 721m³
 Plot 3 - 673m³
 Plot 4 - 246m³
 Plot 5 - 246m³
 Plot 6 - 174m³

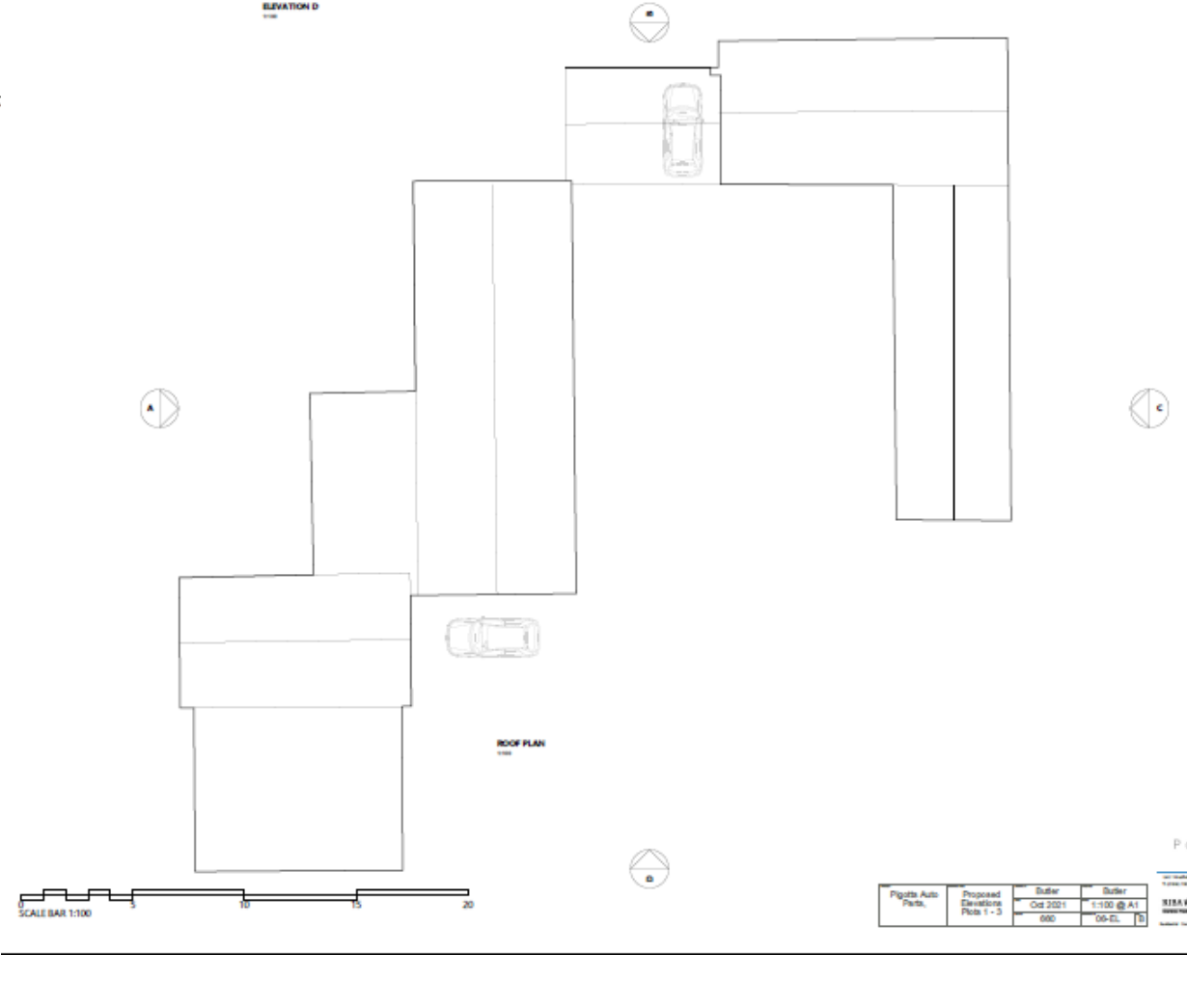
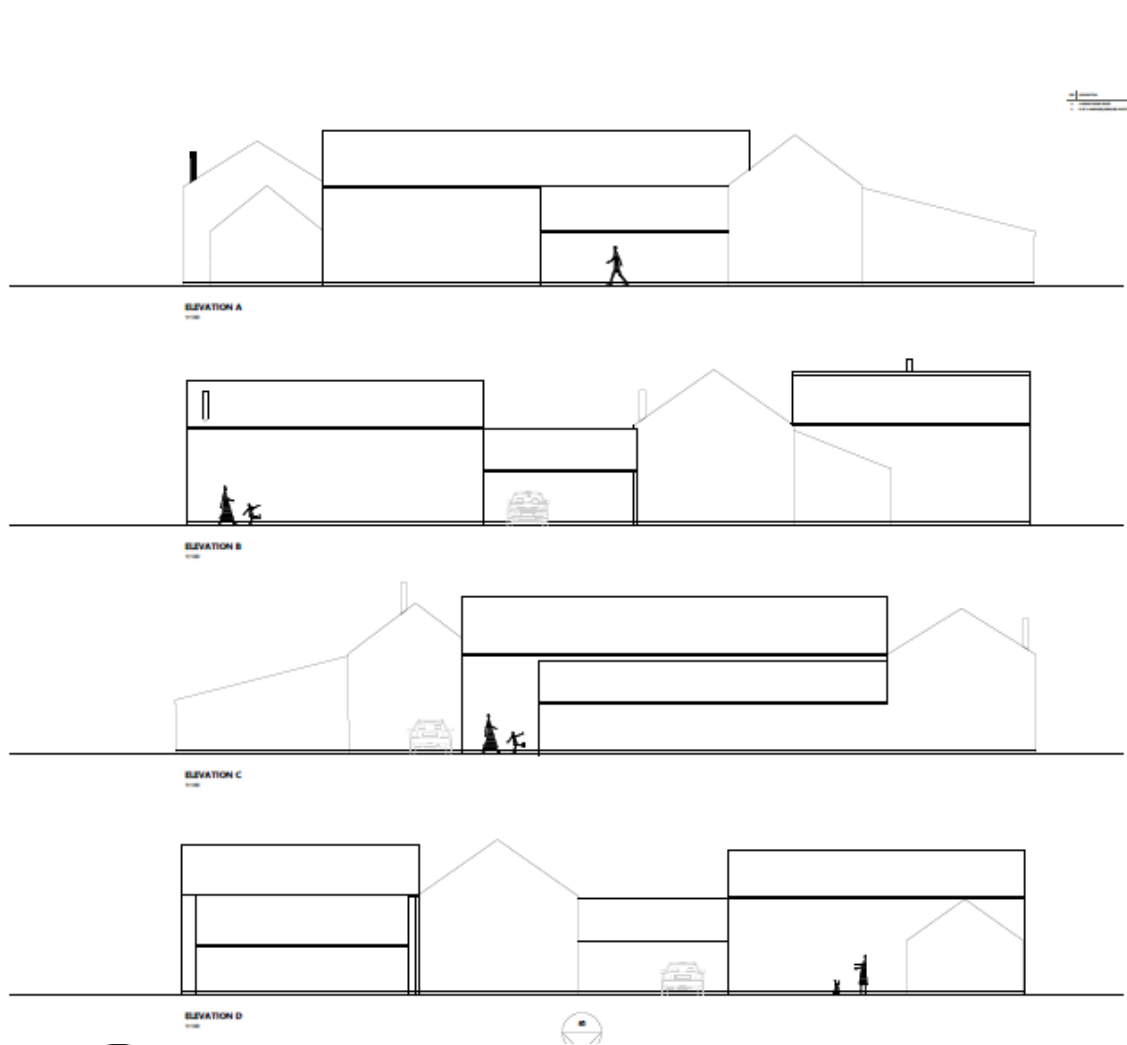
Total volume - 2756m³

Total Gross Internal Floor Areas of proposed dwellings:

PLOT 1 - 5 Bedroom 2 storey Dwelling (195m² GIA)
 PLOT 2 - 5 Bedroom 2 storey Dwelling (234m² GIA)
 PLOT 3 - 4 Bedroom 2 storey Dwelling (172m² GIA)
 PLOT 4 - 2 Bedroom Dwelling (74.4m² GIA)
 PLOT 5 - 2 Bedroom Dwelling (74.4m² GIA)
 PLOT 6 - 1 Bedroom Dwelling (38.6m² GIA)
 Total GIA - 788.4m²

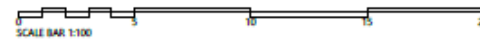
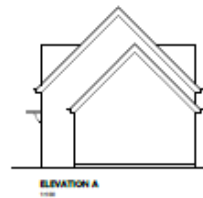
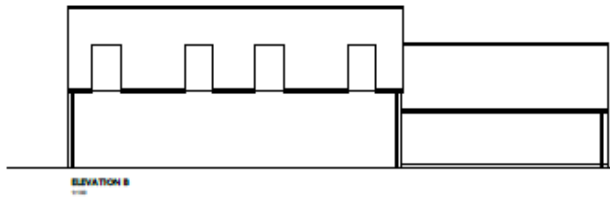
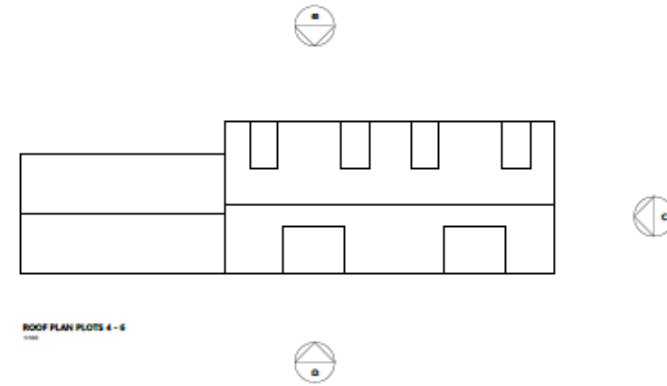
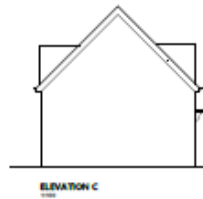
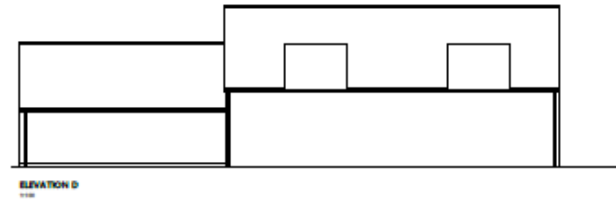


Elevation Scale Plans and Layout – Plots 1,2 and 3



Plotts Auto Plots	Proposed Elevations Plots 1 - 3	Butler Oct 2021 600	Butler 1:150 @ A1 06-21 FB
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Elevation Scale Plans and Layout – Plots 4, 5 and 6



Plotts Auto Parts	Proposed Elevation Plan 4, 5 & 6	Butler Oct 2021	Butler 1:100 @A1
		680	05-EL A



COMMITTEE REPORT**Date:** 16 August 2023**Ward:** Rural West York**Team:** West Area**Parish:** Parish Of Rufforth With
Knapton**Reference:** 22/02605/FUL**Application at:** Land And Buildings Lying To The North West Of Moor Lane And Forming Part Of Oakwood Farm Northfield Lane Upper Poppleton York**For:** Change of use of 3no. existing agricultural buildings to use classes B2, B8 and E(g) to include; lighting, amendments to external materials and fenestration and additional hard standing to create new service yards, parking and access. Extension of Cropton Road to provide access to development from Northminster Business Park.**By:** Mr Alastair Gill**Application Type:** Full Application**Target Date:** 21 August 2023**Recommendation:** Approve after referral to Sec. of State**1.0 PROPOSAL**

1.1. The application site is a parcel of land (0.9 hectares in size) located to the southeast of the DPD warehouse on Northminster Business Park (an employment site located to the northwest of York City Centre). The site currently hosts 3 agricultural buildings. Access to the site is currently taken from Moor Lane to the south of the site which is a narrow single track lane. Moor Lane is also a designated Public Right of Way. The site is a draft employment allocation (ST19) within the Draft City of York Local Plan, however, until the Plan is adopted the site should be regarded as being within the general extent of the Green Belt.

1.2. Planning permission is sought to change of use of 3 existing agricultural buildings to use classes B2 (general industrial), B8 (storage and distribution) and E(g) (uses which can be carried out in a residential area without detriment to its amenity including offices, research and development or industrial processes). The existing buildings are constructed in a mixture of materials including; metal profile sheeting, pre cast concrete boards, brickwork with large metal grey door openings on the front elevation. The existing buildings were granted permission in 2010, 2004 and 2001 respectively.

1.3. The proposal also includes lighting, amendments to the external materials of the building, including fenestration and additional hard standing to create new service yards, parking and access. The size of the units are to remain the same however each unit is to be partially clad with metal profiled sheeting in grey over the existing pre-cast concrete boards. A new pedestrian grey door is proposed on the front elevation of each unit. There are no changes to the roof. The proposal also seeks the extension of Cropton Road (to the north) to provide access to the development from Northminster Business Park.

1.4. New service areas and yards are proposed alongside 29 car parking spaces (including 3 disabled, 3 visitor and 3 EV charging points) and 24 associated cycle parking spaces. It is proposed that 3 trees are removed to facilitate the development as they are situated in the middle of the existing service yard which is required for the manoeuvring and access of vehicles. A landscape plan has been submitted which includes details of proposed native tree and hedge planting on the site.

1.5. The application was made valid on 17th January 2023. During the course of the application the following additional information has been received; Noise Impact Assessment (2nd June 2023), Revised Site Plan and Roof Plan (12th April 2023), letter from a Planning Agent employed by the Applicant (12th April 2023), updated Drainage Strategy (16th March 2023), Proposed Earthworks and Volumes (15th February 2023) and Lighting Plans (3rd February 2023). An extension of time has been agreed with the Agent until 21st August 2023.

1.6. The application is presented to Planning Committee as the proposal is for non-residential development (including changes of use) of between 1,000 and 3,000m². The application was also called in by Councillor Hook, however this request was received outside of the timeframe for call-in's.

1.7. The following planning history is of note:

10/02097/FUL - General Purpose Agricultural Building. Application permitted: 01.12.2010.

08/00501/FUL - Erection of 1 no. agricultural building. Application refused. Appeal dismissed: 30.40.2009 (green belt harm).

07/00313/FUL - 3 No. polytunnels (Retrospective). Application permitted: 03.08.2007.

04/00432/FUL - Erection of general purpose agricultural building. Application permitted: 26.04.2004.

01/02448/AGNOT - Erection of agricultural building. No objections from LPA: 29.10.2001.

2.0 POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK

2.1. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The NPPF is a material consideration in the determination of planning applications. Key chapters and sections of the NPPF relevant to this application are as following:

- Achieving sustainable development (chapter 2)
- Decision-making (chapter 4)
- Building a strong, competitive economy (chapter 6)
- Making effective use of land (chapter 11)
- Achieving well designed places (chapter 12)
- Protecting Green Belt land (chapter 13)
- Conserving the natural environment (chapter 15)

NEIGHBOURHOOD PLANS

2.2. The buildings lie within the Rufforth with Knapton Neighbourhood Plan area, however the wider business park (and its access) lie within the Poppleton Neighbourhood Plan area.

RUFFORTH WITH KNAPTON NEIGHBOURHOOD PLAN

2.3. The Rufforth with Knapton Neighbourhood Plan was adopted on 20th December 2018. Full weight is given to policies within this plan. The relevant policies are:

- Rwk 01 Draft Green Belt
- Rwk 04 Biodiversity
- Rwk 05 Footpaths and Cycle Ways
- Rwk 06 Traffic Management
- Rwk 09 Drainage
- Rwk 10 Design

- Rwk 14 Re-use of Buildings
- Rwk 16 Small Scale Commercial Enterprises

UPPER AND NETHER POPPLETON NEIGHBOURHOOD PLAN

2.4. The Upper and Nether Poppleton Neighbourhood Plan was adopted on 19th October 2017. Full weight is given to policies within this plan, in so far as they relate to the Business Park (which is within the Plan area). The relevant policy is:

- PNP 7 Business and Employment

PUBLICATION DRAFT LOCAL PLAN (2018)

2.5. The Publication Draft Local Plan 2018 was submitted for examination on 25 May 2018. It has now been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan will be adopted in late 2023. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF. The weight afforded to the Draft Policies which are relevant to the determination of this application is detailed in the assessment section of this report.

2.6. The following policies are relevant;

- SS23 – Land at Northminster Business Park
- EC1 – Provision of Employment Land
- D1 – Placemaking
- D2 – Landscape and Setting
- D11 – Extensions and Alterations to Existing Buildings
- GI2 – Biodiversity and Access to Nature
- GI4 - Trees and Hedgerows
- GB1 – Development in the Green Belt
- CC2 – Sustainable Design and Construction of New Development
- ENV2 – Managing Environmental Quality
- ENV3 – Land Contamination
- ENV5 – Sustainable Drainage
- WM1 – Sustainable Waste Management
- T1 – Sustainable Access
- T7 – Minimising and Accommodating Generated Trips
- T8 – Demand Management

3.0 CONSULTATIONS

3.1. The application has been advertised via Site Notice and neighbour notification letters.

INTERNAL CONSULTATIONS

CYC Carbon Reduction

3.2. Recommend a condition to achieve BREEAM 'excellent'.

CYC Ecology

3.3. No objections but recommends a biodiversity net gain condition and Construction Environment Management Plan (CEMP) condition.

CYC Flood Risk Management Team

3.4. 20th March 2023 – in relation to the drainage strategy (revision 6), the previous conditions recommended (10th March) need to be updated.

CYC Highways

3.5. Comments as follows:

- a) Cycle parking must comply with LTN1/20 (Cycle Infrastructure Guidance published by the Department for Transport). For B2/B8 use, this guidance requires 1 short stay cycle parking space per 1000m² and 1 long stay cycle parking space per 500m². For office use, this requires 1 short stay cycle parking space per 1000m² and 1 long stay cycle parking space per 200m².
- b) The applicant should encourage the staff to use the Park and Ride.
- c) Recommends standard highway conditions in relation to the internal road layout, vehicle surfacing and cycle parking and conditions relating to a method of works statement and submission of a travel plan.

CYC Public Protection

3.6. 15th June 2023 – no objections in principle but concerns re noise and re-iterate original comments and would still advise previous conditions from response dated 28th March 2023.

CYC Strategic Planning Policy

Application Reference Number: 22/02605/FUL

Item No: 4c

3.7. Pre the local plan's adoption the application should be determined in the context of the NPPF paragraph 150 (Green Belt). The site lies within the area covered by employment allocation ST19 in the Publication Draft Local Plan. However, until the Local Plan is adopted, it should be regarded as being within the extent of the York Green Belt.

CYC Waste

3.8. CYC Waste Collections do not have a remit to collect commercial waste from developments of this nature, ie industrial units.

3.9. Waste should be stored within the boundaries of the property at all times and collected from within the boundaries of the site. Bin storage areas should have regard to the impact of noise and smell on the occupants of neighbouring properties, both existing and proposed. Bin storage areas should be contained within a suitable enclosure to prevent nuisance from the spread of waste, odour or noise and must be suitably designed to prevent entry by vermin.

CYC Archaeology

3.10. Does not wish to impose an archaeological condition on this application should it be approved. The results of archaeological investigation for larger schemes surrounding this site have largely proved negative despite the potential and important findings in the area generally. Given the scale of the scheme it is unlikely that the proposal will impact upon significant archaeological deposits or features.

EXTERNAL CONSULTATIONS

Ainsty Internal Drainage Board

3.11 20th March 2023 – Board is responding on the basis of the drainage strategy (P6 by Topping Engineers dated 16th March 2023). Board recommends that the drainage strategy is conditioned alongside the discharge rate for surface water. Recommend informatives.

Rufforth with Knapton Parish Council

3.12 Do not object in principle. In this case, on balance the Parish Council believes the criteria for policy Rwk 16 to be met but have some major concerns;

- a) The land surrounding the buildings in question is in the Green Belt in the emerging York Local plan and in the Neighbourhood Plan. If change of use is granted it must not create a precedent which allows the encroachment of Northminster Business Park on to this green belt land.
- b) Any further extension of the buildings under permitted development should not be allowed and a condition should be imposed if approval is granted.
- c) We are concerned about the intrusive nature of any proposed lighting. The extremely bright lighting of the adjacent DPD building is already causing problems to residents and any lighting agreed in this case must be commensurate with a rural environment and minimize harm to the Green Belt
- d) Any renovation of the buildings should ensure that the outlook when viewed across the green belt land is not changed.

Upper Poppleton Parish Council

3.13 Object on the following grounds;

- a) Change of use will generate additional traffic on Northfield Lane. Existing development detrimentally impacted neighbouring amenity. Must be a condition that all employees and visitors must use Park and Ride or walk and cycle to the buildings or an alternate access provided.
- b) Change of use is not in line with current or future government policy on Green Belt land.
- c) Change of use does not take into account either the Upper and Nether Poppleton or the Rufforth with Knapton Neighbourhood Plans policies on preserving the Green Belt.
- d) Local Plan is still draft and been modified many times. Irreversible changes to Green Belt shall not be made on the basis of an unconfirmed Local Plan.

Yorkshire Water

3.14 6th February 2023 – the drainage plan (revision P2) requires amendments but if permission is granted recommend two conditions. The first recommended condition is that no surface water is to be discharged until the surface water drainage scheme is completed. The second recommended condition is that no development shall take place until details of the proposed means of disposal of foul water drainage is submitted and approved by the Local Planning Authority.

4.0 REPRESENTATIONS

Application Reference Number: 22/02605/FUL

Item No: 4c

4.1. The application was advertised via neighbour notification and site notices. The deadline for comments was 17th February 2023. A letter of objection was received which was signed by 11 objectors on Northfield Lane. The following concerns were raised;

- Buildings are within the Nether Poppleton's Parish Council area, the access road and the main issues lie within Upper Poppleton Parish Council's area and they should be consulted.
- Accept that the change of use for existing buildings is a legitimate development within the Green Belt but object to the creeping expansion of Northminster Business Park on the grounds of noise disturbance from yet more traffic past our homes on Northfield Lane.
- New development should wait until a new access road is built.
- The Council wrongly allowed the development of DPD depot which has led to increase in traffic, noise concerns and deteriorating road surface.
- Loss of wildlife.
- Lighting impacts.
- Northfield Lane no longer safe.
- Poppleton Neighbourhood Plan states no further development should take place on Northfield Lane outside existing boundaries.
- No further expansion until access road is moved away from residential homes.

4.2. One letter of support was received on the following grounds;

- Impossible to farm from the bridleway on which there is a right of access (due to existing parked vehicles).
- Alternative use for the 3 buildings are required.
- Bring employment into the area
- Bridleway will revert back to being a bridleway.

4.3. Comments were received from Councillor Hook on the following grounds;

- The transport plan states the Number 10. Bus as a 20 minute service. This is now approximately 45 minute intervals.
- The Harrogate-York Northern Rail Service is now a 30 minute service each way during the day (2 hourly in the evenings).
- Northminster Business Park was originally intended to operate only during normal working hours.

- Several planning applications have been allowed to go ahead with 24/7 operation which is causing great distress to nearby residents (large vehicles).
- Would like an operating hours condition restricted to the original operating hours for Northminster Business Park
- A lit and very visible sign to be placed on Northfield Lane immediately after the turning to say that no vehicles above the tonnage needed to service the small business park on the other side of Northfield Lane to pass that point.

5.0 APPRAISAL

5.1. The key issues are as follows:

- Principle of New Uses (B2, B8 and E(g))
- Green Belt
- Design, Appearance and Landscaping
- Traffic, Access and Parking
- Public Right of Way
- Drainage
- Ecology
- Trees
- Sustainability
- Waste
- Contamination
- Very Special Circumstances
- Prematurity
- Public Sector Equality Duty

PRINCIPLE OF NEW USES (B2, B8 and E(g))

Policy

5.2. Paragraph 84(a) of the NPPF states planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

5.3. Policy Rwk 16 of the Rufforth with Knapton Neighbourhood Plan states proposals for agricultural development and the change of use of existing buildings for employment generating development (Classes B1/B2/B8) will be supported subject to meeting a number of criteria including that the proposed use should

provide opportunities that meet local employment needs and be of a scale and type commensurate with a rural environment.

5.4. Policy EC1 of the Draft Local Plan (2018) as modified states provision for a range of employment uses will be made on Land at Northminster Business Park (ST19). The suitable uses on this site are light industrial (use class E), industrial (use class B2) and storage and distribution (B8). The site is suitable for an element of office (use class E) in line with policy SS23.

5.5. Policy SS23 of the Draft Local Plan (2018) (as amended in the main modifications March 2023) states Land at Northminster Business Park (ST19) will provide 49,500m² of Use Class E office, research and development, light industrial uses, industrial (use class B2) and storage/distribution (use class B8) based on a split of approximately 40/60 office (use class E) to light industrial (use class E/B2/B8) which is the current ratio at the existing business park.

Assessment

5.6. The proposed uses (B2, B8 and E(g)) are compliant with the general aspirations for the proposed allocated site and as such can be supported. The proposal is in a sustainable location and would provide significant employment opportunities within the locality. The proposal is considered to meet the adopted policy RwK 16 of the Rufforth with Knapton Neighbourhood Plan and the requirements of draft policy SS23 of the Draft Local Plan (2018) which can be given moderate weight, in so far as it relates to the principle of the new uses.

5.7. GREEN BELT

Policy

5.8. Policy RwK 01 of the Rufforth with Knapton Neighbourhood Plan states: within the general extent of the Green Belt inappropriate development will not be supported except in very special circumstances. New buildings are regarded as inappropriate development and will not be supported other than in the circumstances identified in paragraph 89 of the National Planning Policy Framework (now paragraph 149 of the NPPF).

5.9. Development for the extension or alteration of a building is appropriate provided that it does not result in disproportionate additions over and above the size of the original building (paragraph 149c of the NPPF).

5.10. The re-use of buildings can be supported provided that the buildings are of permanent and substantial construction and that they preserve the openness of the general extent of the Green Belt and do not conflict with the purposes of including land in the Green Belt (paragraph 150 of the NPPF and policy RwK 01 of the Rufforth with Knapton Neighbourhood Plan)

5.11. Policy GB1 of the Draft Local Plan (2018 – as modified) which supports the above is given very limited weight at the present time due to the extent of the proposed change within the modifications.

5.12. Policy RwK 14 of the Rufforth with Knapton Neighbourhood Plan relates to the re-use of buildings. Outside defined settlement limits planning permission for the re-use of buildings within the Green Belt will be supported provided:

- The re-use does not have a materially greater impact than the present use on the openness of the Green Belt.
- The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction.
- The proposed re-use will generally take place within the fabric of the existing building and will not require extensive alteration, rebuilding or extension.
- The form, bulk and general design of the buildings are in keeping with their surroundings and sympathetic to the character of the building.
- Any residential buildings are not in close proximity to intensive livestock units or other uses that may result in a poor level of amenity for the occupier of the building.
- There is already a clearly defined curtilage.

Assessment

5.13. In line with the decision of the *Court in Wedgewood v City of York Council [2020] EWHC 780 (Admin)*, and in advance of the adoption of a City of York Local Plan, decisions on whether to treat land as falling within the Green Belt for development management purposes should take into account the Yorkshire and Humber Regional Spatial Strategy ("RSS") and may have regard to the emerging Local Plan (2018), insofar as can be considered against paragraph 48 of the NPPF (2021). Site specific features must also be considered.

5.14. The Wedgewood judgement explains that regard may be given to the draft Local Plan (April 2005) (DCLP). Only very little weight should be attached to the Green Belt proposals contained within it and its related evidence, which are superseded by the 2018 Local Plan that is now at an advanced stage in the examination process, with the examination hearing sessions having taken place in

December 2019 (Phase 1) and May –September 2022 (Phases 2, 3 & 4). The consultation period has recently concluded on the Main Modifications.

5.15. Retained parts of the RSS (saved under the Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013) are the only formally adopted policies or plans that relate to York's Green Belt. These policies are YH9(C) and Y1(C1 and C2). They state that the detailed inner and rest of the outer boundaries of the Green Belt around York (described as being 'about 6 miles' from the city centre) should be defined to protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas. It is the role of the new Local Plan to define the detailed boundaries of land within the Green Belt following assessment and interpretation of Green Belt purposes in the context of York.

5.16. The existing agricultural units currently lie within the boundary of the proposed employment allocation (ST19) in the emerging Local Plan, which is proposed to be excluded from Green Belt. However, there are unresolved objections to this aspect of the Plan, including one from Historic England to Policy SS23 (Land at Northminster Business Park) and therefore only limited weight can be attached to the Green Belt boundaries in accordance with paragraph 48 of NPPF 2021.

5.17. Policy SS23 (Land at Northminster Business Park) sets the criteria for developing the ST19 allocation, which is proposed to provide 49,000sqm of B1, B2/B8 uses (now Class E office, research and development light industrial uses, B2 & B8 uses in the current Use Classes Order – as amended by Main Modification MM3.79, in the Proposed Main Modifications consultation document), helping to meet the City's employment needs, and develop a comprehensive scheme which is linked to the existing business park. Consideration has been given to the impact the proposed development would have on the redevelopment of the whole of the ST19 allocation site in the future, and it is concluded that it would not compromise the site coming forward as there are a number of access points / spur roads to allow development to take place around the existing 3 buildings in the future.

5.18. In the Council's Topic Paper 1 – Approach to Defining York's Green Belt Addendum (EX/CYC/59f), Northminster Business Park is excluded from Green Belt as a densely developed area exhibiting a low degree of openness which does not contribute to the openness of Green Belt. The Addendum states that in terms of safeguarding the countryside from encroachment, the land to the south of the existing business park, which includes the site of the 3 agricultural buildings, functions as part of the countryside and the openness, views and accessibility contributes positively to the character of the countryside. However,

there is potential for some development to the south of the business park which would have limited impact on purpose 4 and would be contained by Moor Lane. Any development would need to ensure retention or creation of appropriate landscaping, wherein views towards the business park would not be detrimental as experienced from the A1237.

5.19. In light of the above assessment, it is considered that the site performs a green belt function and should be regarded as being within the general extent of the York Green Belt for the purposes of determining a planning application ahead of the Local Plan's adoption.

5.20. In this case, the proposal seeks a change of use of 3 existing buildings, which involves small external alterations in association with their new use, within an existing defined curtilage. The external alterations to the buildings are minor and does not result in any extensions to the building. This element is considered appropriate in the Green Belt and would fall under paragraph 149c of the NPPF. In terms of the re-use of the buildings, in line with policy RwK 01 and RwK 14 of the Rufforth with Knapton Neighbourhood Plan, paragraph 150 of the NPPF and policy GB1 of the Draft Local Plan, it must first be demonstrated that the buildings are of permanent and substantial construction to allow their re-use.

5.21. A letter has been provided by Topping Engineers dated 21st March 2023. The report states a visual structural inspection has been carried out on the buildings and confirms the buildings are permanent, modern portal framed structures on permanent foundations with substantial concrete floor slabs, very limited structural defects or issues and can be justified to be compliant with current regulations. The buildings have services and there is no evidence to suggest the buildings are temporary structures. The buildings can be converted into commercial spaces. It is therefore concluded that they can be classed as permanent and substantial buildings with no major extensions or alterations proposed.

5.22. Paragraph 150 of the NPPF, RwK 01 of the Rufforth with Knapton Neighbourhood Plan and policy GB1 of the Draft Local Plan (2018) states the development must preserve the openness of the general extent of the Green Belt and should not conflict with the purposes of including land in the Green Belt. In this case, the proposal is a change of use with no new physical structures, therefore the impact of the buildings on the wider Green Belt will be no greater than the existing arrangement. The change of use and re-use of the buildings therefore meets paragraph 150 of the NPPF, policy RwK 01 of the Rufforth with Knapton Neighbourhood Plan and policy GB1 of the Draft Local Plan.

5.23. In order to facilitate the change of use, the proposal also seeks to install lighting, hardstanding (for car parks and service yards) and a new access road from Cropton Road. These elements are not considered to fall within the exceptions listed in paragraph 149 or 150 of the NPPF, policy RwK 01 of the Rufforth with Knapton Neighbourhood Plan or policy GB1 of the Draft Local Plan (2018). As such these elements are classed as inappropriate development, which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Additionally the provisions of these features will allow for increased activity and presence on the site which will ultimately change the character of the site from a small scale agricultural operation to a commercial site with potentially different businesses operating each unit, this is in conflict with part a of Policy RwK 14 of the Rufforth with Knapton Neighbourhood Plan (which seeks to ensure the new use does not have a materially greater impact on the Green Belt than the existing use). The increased vehicle movements, lighting and provision for car parking is considered to lead to harm to the openness of the Green Belt, both spatially and visually. It would fail to assist the countryside from encroachment (purpose C – paragraph 138 of the NPPF).

5.24. To conclude on Green Belt matters, the change of use, external alterations and re-use of the buildings is considered appropriate development in the Green Belt and meets paragraph 149c and 150 of the NPPF, policy RwK 01 of the Rufforth with Knapton Neighbourhood Plan and policy GB1 of the Draft Local Plan. However, the associated additions to the site (lighting, hardstanding (for car parks and service yards) and a new access road from Cropton Road) are considered inappropriate development in the Green Belt which is by definition harmful. In line with paragraph 148 of the NPPF very special circumstances would need to be demonstrated which would outweigh the harm identified to the Green Belt and any other harm resulting from the proposal. Whether Very Special Circumstances exist to justify this inappropriate development in the Green Belt are explored at the end of the report when all the key issues have been assessed and determined whether any other harm as a result of the proposed development has been identified.

DESIGN, APPEARANCE AND LANDSCAPING

Policy

5.25. Planning decisions should ensure developments will function well and add to the overall quality of the area (paragraph 130 of the NPPF). This is supported by Policy D1 of the Draft Local Plan (2018) which seeks to ensure the density, massing and design of development respects the local character and its setting. Landscaping is covered within policy D2 of the Draft Local Plan (2018) and this seeks to ensure

high quality hard and soft landscaping including suitable lighting. Alterations to existing buildings is covered within policy D11 of the Draft Local Plan (2018) and this ensures design responds positively to its context, whilst ensuring neighbouring amenity is protected.

5.26. Policy RwK 10 of the Rufforth with Knapton Neighbourhood Plan states development proposals must demonstrate high quality design, form and layout that respects the distinctive character of the Parish having regard to scale, density, massing height landscape, materials and access as appropriate. Proposals should have regard to the design principles set out in the Rufforth Village Design Statement and Knapton Village Design Statement. Policy RwK 14 and policy Rwk 16 of the Rufforth with Knapton Neighbourhood Plan states the re-use of buildings must ensure the form, bulk and general design of the buildings are in keeping with their surroundings and sympathetic to the character of the building.

5.27. Policy SS23 of the Draft Local Plan (2018) states development of the strategic site must provide a high quality landscape scheme in order, as appropriate, either to mitigate impacts and screen the development and/or to provide an appropriate relationship with the surrounding landscape. Attention should be given to the site's relationship with the countryside to the west of the site, to the southern boundary of the site, with Moor Lane (bridleway) and the village of Knapton.

Assessment

5.28. External alterations are required to the buildings which include access doors, fenestration and additional cladding on some parts of the buildings. The cladding will be metal profiled sheeting in a grey colour, with some brickwork panels and plinth. There are no alterations to the size of the buildings. The overall appearance will assimilate with existing units on Northminster Business Park and as such their appearance will respect the existing commercial setting to the North and intended proposed wider use of the employment site in the future.

5.29. Hardstanding (for car parking) and the new road would be suitable for its use as an employment site. Soft landscaping includes a new native hedge mix on the western and southern boundaries with a beech hedge to the north. The existing boundary hedge to the east is to be maintained. Small parcels of soft landscaping are proposed within the service yards by way of shrub beds and specimen trees. A meadow mix is proposed to the south eastern portion of the site. The landscaping will enhance and soften the appearance of the commercial site and can be supported. Hard boundary treatments such as fences, gates and walls have not been shown therefore a condition is recommended to approve these details before

installed, in the interests of the surrounding landscape character. Whilst the landscaping can be supported, the planting is in conflict with the drainage plan, which requires 3 metre easements from the culvert and watercourse (hatched yellow on the drainage plan). As such an updated landscaping plan is required pre-commencement of the development to ensure that the proposed development accords with adopted Neighbourhood Plan Policy RwK10 and Draft Local Plan Policy SS23, which can be afforded moderate weight. It is recommended that this matter is conditioned.

ACCESS, TRAFFIC AND PARKING

Policy

5.30. Policy RwK 06 of the Rufforth with Knapton Neighbourhood Plan states development will be supported where its generated traffic movements do not result in severe direct or cumulative impact on congestion, or road and pedestrian safety, specifically in the village of Rufforth. Policy Rwk 16 of the Rufforth with Knapton Neighbourhood Plan states the change of use of buildings can be supported subject to ensuring there is no significant adverse impact of traffic movement, with regard to HGVs, or on road or pedestrian safety.

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

5.32. Policy PNP 7 of the Poppleton Neighbourhood Plan states proposals for new business development on established business parks in the Plan Area will be supported where they provide car parking for staff and customers to the City of York Council standards at the time of the determination of the application.

5.33. Policy SS23 of the Draft Local Plan (2018) states the allocated site is in a sustainable location and all transport issues should be addressed including the optimisation of connectivity to sustainable modes of transport into, out of and through the site.

Assessment

5.34. The development proposes a new road to link to Cropton Road (to the north of the site) allowing vehicular and pedestrian access to the site from the wider business park. The new road runs north-south at approximately 50 metres in length and allows for two way access. Service areas and yards are proposed alongside 29 car parking spaces (including 3 disabled, 3 visitor and 3 EV charging points) and 24 associated cycle parking spaces. The existing access to the 3 existing buildings is via Moor Lane which is a single track road and a PROW. As such Moor Lane is not fit for purpose for accessing the proposed use.

5.35. The Highways Officer states the cycle parking must meet LTN1/20 (Cycle Infrastructure Guidance published by the Department for Transport) For B2/B8 use, this requires 1 short stay cycle parking space per 1000m² and 1 long stay cycle parking space per 500m². For office use, this requires 1 short stay cycle parking space per 1000m² and 1 long stay cycle parking space per 200m². The total floorspace proposed is 1931m². As such the Council require at least 4 short stay spaces and 14 long stay spaces. The site plan and accompanying documents state 24 cycle parking spaces are to be provided which exceeds the guidance and can be supported. However, the site plan is not detailed enough to show how 24 bikes will comfortably park within the Sheffield stands and no scaled elevations have been provided of the structures. As such a condition is recommended to request these further details. The Highways Officer has no objections to the proposal however recommends five conditions relating to vehicle surfacing, internal road layout, cycle parking details, method of works statement and a travel plan). These have been added with a slight alteration to the Travel Plan condition which is explained below.

5.36. The business park is not served by public transport. The nearest bus services are at Poppleton Park & Ride (approximately 900 metres from the Site) and the A59 (approximately 1100 metres from the Site). The nearest train service is at Poppleton station (approximately 2000 metres from the Site). These distances all exceed recommended distances for accessing public transport (Planning for Walking (March 2015); Guidelines for Providing Journeys on Foot (2000) and Buses in Urban Developments Jan 2018 CIHT publication). However, the wider area has already been developed as a business park without the provision and benefit of public transport. It is not considered that the refusal of the application on the grounds of lack of access to public transport would be supported at appeal given the surrounding development and draft site allocation.

5.37. The application is accompanied by a Travel Statement and a Travel Plan. The Statement concludes the change in trip generation by the site in the morning and evening peak hours is equivalent to broadly a new trip every five minutes in both AM and PM peak hours. Given that the trip generation associated with the proposals is

significantly less than 30 two-way movements in both the morning and evening peak, the accompanying Transport Statement does not consider that the proposed change of use will have a material impact on the highway network and the Council would agree with this assessment for this application.

5.38. The application is accompanied by a Travel Plan (produced by Bryan G Hall) which sets out a number of measures to reduce car dependency and promote sustainable travel methods including transport advice at interview, travel boards, up to date public transport timetables, car sharing and the provision of cycle spaces. The plan is considered acceptable for the scale of development proposed. The condition requested by the Highways Officer for a travel plan is not required given that a Travel Plan has already been provided. The measures set out within the Travel Plan are conditioned alongside annual surveys and a review of the targets. Public Protection suggest a condition with regards to EV charging points, however this has not been added as charging points are covered within the updated building regulations (Part S).

5.39. It is considered that the proposed development is acceptable on highway grounds, subject to the provision of the new vehicular access and conditions relating to vehicle surfacing, internal road layout, cycle parking details and method of works statement. As such the proposed development complies with Neighbourhood Plan Policies RwK 6, RwK 16, PNP 7 (which can be afforded full weight) and Draft Local Plan Policies T1 and T7 which can be afforded moderate weight.

PUBLIC RIGHT OF WAY

Policy

5.40. Policy RwK 05 of the Rufforth with Knapton Neighbourhood Plan states development proposals that result in the loss of, or have a significant adverse effect on, the network of footpaths and bridleways will not be supported. Policy T1 of the Draft Local Plan (2018) states development must provide safe and appropriate links via the public right of way network.

Assessment

5.41. Currently the site is accessed off Moor Lane, which is a single track lane and also a Public Right of Way (PROW). The use of a single track lane and PROW for the traffic generated by this type of development would be unacceptable in terms of safety and amenity of the PROW. As such this access is to be closed off to

motorised vehicles and this can be secured by condition. It is envisaged pedestrians and cyclists however will still use the PROW network to access the site. The new access proposed from Cropton Road will provide vehicular access. The PROW is considered to be safeguarded as a result of the development in line with with requirements of Neighbourhood Plan Policy Rwk 05.

DRAINAGE

Policy

5.42. Policy Rwk 09 of the Rufforth with Knapton Neighbourhood Plan states all new development should be designed to maximise retention of surface water on the development site and to minimise 'run off'. Effective measures must be taken to ensure that such developments do not exert additional pressure on surface water and sewerage systems that are already at capacity. Rwk Policy 16 of the Rufforth with Knapton Neighbourhood Plan states change of use must ensure there are no significant adverse impacts on drainage. This is supported by policy ENV5 of the Draft Local Plan (2018) which emphasises the need for Sustainable Drainage Systems (SuDS) in new development.

5.43. Existing land drainage systems should not suffer any detriment as a result of development. Landscaping should be designed to reduce surface water flooding and to enhance local biodiversity. Areas of hardstanding such as driveways and parking areas should be minimised and porous materials used.

Assessment

5.44. The site is located in Flood Zone 1 with a low risk from flooding. In accordance with the SuDs guidance, the first point of discharge for surface water is soakaways, however these were not considered viable as witnessed by the CYC Flood Risk Engineer. Instead, the central watercourse is to be infilled (riparian maintained watercourse). A culverted compensatory storage area is proposed (900 diameter pipe around the site). The IDB agree to this in principle, however their formal consent for this is required outside of the planning process.

5.45. The applicant is proposing to discharge into the eastern watercourse which ultimately discharges into the Board maintained watercourse Knapton Moor Dyke. The applicant is responsible for ensuring the eastern watercourse is free flowing prior to any discharge. The discharge rate has been agreed with the IDB at 13.4 litres per second via a flow control device, and the CYC Flood Risk Engineer concurs with this agreement. The IDB and the CYC Flood Risk Engineer wish to

condition the updated drainage plan (revision P6) and this condition has been added. The IDB also request two additional conditions with regards to 3 metre strips from the culverts and watercourse to allow for maintenance, these conditions have also been added.

5.46. Foul water from the site will be pumped into the private onsite foul water system, which in turn connects to the public sewers. Yorkshire Water recommend a condition in this respect which has been added.

5.47. It is considered that the proposed surface water drainage or foul water drainage is acceptable subject to conditions recommended by the CYC Flood Risk Engineer, the IDB and Yorkshire Water, and complies with the requirements of Neighbourhood Plan Policy RwK 09 and RwK 16.

IMPACT ON NEIGHBOURING AMENITY

Policy

5.48. Policy ENV2 of the Draft Local Plan (2018) states development will not be permitted where future occupiers and existing communities would be subject to significant adverse environmental impacts such as noise, vibration, odour, fumes/emissions, dust and light pollution without effective mitigation measures.

5.49. Policy RwK 14 of the Rufforth with Knapton Neighbourhood Plan states that the re-use of buildings must ensure that any residential buildings are not in close proximity to uses that may result in a poor level of amenity for the occupier of the building. Policy RwK 16 of the Rufforth with Knapton Neighbourhood Plan states there must be no significant increase in air or noise pollution.

Assessment

5.50. The nearest residential dwellings are over 500 metres to the east on Northfield Lane. The site does not lie within an air quality management area. Noise is likely to arise from the proposed plant, machinery and vehicle movements.

5.51. To reduce the number of vehicles accessing the site from Moor Lane (which involves driving past residential dwellings 1-6 Northfield Lane), the vehicular access from Moor Lane is to be closed and a new access created north of the Site from Cropton Road. This element is conditioned.

5.52. A Noise Impact Assessment (NIA) by Dragonfly Consulting was submitted on 2nd June 2023. As no current occupiers are proposed, the NIA assumes the building services plant can operate 24 hours per day on a demand basis. The NIA clarifies that given the size of the units, it is not expected that more than one HGV will be onsite at each unit at any one time, resulting in around 3 HGV movements an hour at a maximum capacity. For the purposes of the NIA a base line of 8 HGV's travelling in and out of the site in any 1 hour period during the day and a maximum of 2 HGV's travelling in and out of the site in one 15 minute period during the night has been used. The NIA states this is a generous allowance given the size of the buildings and time associated with loading/unloading. The NIA concludes that the cumulative noise contributions from HGV noise accessing the application site, both daytime and night-time, is not significant and will not cause an adverse impact on the amenity of the neighbouring residents.

5.53. The Public Protection Officer recommends that a further NIA be completed once the uses for each unit have been decided. However this condition has not been added as it is considered that the NIA submitted has carried out a worst-case scenario for the buildings and has demonstrated that the impact will not have an adverse impact on the amenity of the neighbouring residents.

5.54. The application is accompanied by a lighting plan and assessment which has been reviewed by the Council's Public Protection Team. They consider that the proposed lighting is acceptable. A compliance condition is recommended to ensure the lighting conforms to the E2 environmental zone as specified in the Light Professionals Guidance Notes for the Reduction in Obtrusive Lighting. This condition has been added.

5.55. In view of the above, it is considered that the proposed development would not have an adverse impact on the amenity of the neighbouring residents in accordance with the guidance at paragraph 130 of the NPPF and Neighbourhood Plan Policies Rwk 14 and Rwk 16.

ECOLOGY

Policy

5.56. Policy Rwk 04 of the Rufforth with Knapton Neighbourhood Plan states development proposals that conserve or enhance wildlife, wild flowers, hedgerows and trees will be supported. This is supported by chapter 15 of the NPPF which seeks to protect and enhance biodiversity. Policy GI2 of the Draft Local Plan (2018) states development should result in biodiversity net gain.

Assessment

5.57. A Preliminary Ecological Appraisal has been submitted with the application by Wold Ecology, dated December 2022. The Appraisal states the habitats within the application site are centred around 3 steel portal barns and include scrub, semi-improved grassland, bare ground and a defunct ditch interspersed with several scattered trees located in a rural location. No invasive species were recorded on site and no further surveys were recommended. The site is suitable for nesting birds therefore vegetation removal should be cleared outside of the bird nesting season.

5.58. Ecological enhancements have been recommended in the Preliminary Ecological Appraisal with the aim of providing biodiversity net gain post construction. These features include:

- Bat boxes
- Bird boxes
- Hedgehog enhancements
- Native planting

5.59. The Council's Ecologist recommends the applicant continues to work with a suitably qualified ecologist to ensure the enhancements are included within the final design. To secure this biodiversity gain a condition is recommended. Subject to the inclusion of this condition it is considered that the proposed development would provide ecological enhancements to the site and comply with the requirements of Neighbourhood Plan Policy RwK 04.

TREES

Policy

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

- i. recognises the value of the existing tree cover and hedgerows, their biodiversity
- ii. value, the contribution they can make to the quality of a development, and its
- iii. assimilation into the landscape context;
- iv. provides protection for overall tree cover as well as for existing trees worthy of

- v. retention in the immediate and longer term and with conditions that would sustain
- vi. the trees in good health in maturity;
- vii. retains trees and hedgerows that make a positive contribution to the character or
- viii. setting of a conservation area or listed building, the setting of proposed
- ix. development, are a significant element of a designed landscape, or value to the
- x. general public amenity, in terms of visual benefits, shading and screening.
- xi. does not create conflict between existing trees to be retained and new buildings,
- xii. their uses and occupants, whether the trees or buildings be within or adjacent to
- xiii. the site
- xiv. supplements the city's tree stock with new tree planting where an integrated
- xv. landscape scheme is required and
- xvi. Provides suitable replacement planting where the loss of trees or hedgerows worthy of retention is justified.

Assessment

5.61. The application is accompanied by an Arboricultural Impact Assessment which surveyed 7 trees and 3 hedgerows on and around the site. Of the trees, 3 are Oak Trees, protected by a Tree Preservation Order (TPO) and lie within close proximity to the site on the eastern boundary and close to the new site entrance. The TPO trees are proposed to be retained.

5.62. 3 trees will require removal which are a Common Beech, Blue Atlas Cedar and a Common Ash Tree. These are all category C trees (trees of low or average quality and value and are in an adequate condition to remain until new planting established). 1 hedge will require partial removal. The Ash Tree is of low amenity value and is showing minor symptoms of Ash Die Back. The Beech Tree and Cedar Tree are of moderate amenity value however are located in close proximity to the drainage ditches, with the Cedar showing some root damage.

5.63. Replacement tree planting is proposed comprising 3 Silver Birch Trees, 5 European Hornbeam Trees, 2 Cherry Trees and 2 Cypress Oaks. In terms of hedging, 1000 metre European Beech Hedging and 4300 metre of Native Hedge Mix is proposed. There is also a variety of shrubs and grasses. Whilst the loss of the 3 existing trees is regrettable, the replacement landscaping outweighs the harm

caused though the loss of the existing trees and meets the requirements of Draft Local Plan Policy GI4 which can be afforded moderate weight.

5.64. An updated landscaping plan is recommended as a condition, alongside a request for an Arboricultural Method Statement (in the interests of protecting the existing trees). At the time of writing this report, comments were awaited from the Landscape Architect and members will be updated at committee.

SUSTAINABILITY

Policy

5.65. Policy CC2 of the Draft Local Plan (2018) (as amended in the recent main modifications) states proposals for non-residential conversions or change of use will need to achieve BREEAM Non-Domestic refurbishment and Fit out 'Excellent' as minimum.

Assessment

5.66. A sustainability statement has been submitted with the application. The Applicant proposes the following with regards to sustainable measures;

- Minimise internal heat generation through energy efficient design;
- Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls;
- Manage the heat within the building through exposed internal thermal mass and high ceilings;
- Passive and mechanical ventilation;
- The "notional" efficient heating system (gas heating and electrical point of use water heaters).
- Wall constructions are of existing insulated cladding;
- New roller shutter doors are to be installed with a U-Value at 1.3W/m²K or better;
- The internal lighting will be subject to tenant fit-out, however the use of LED lamps is assumed;
- The above specification is expected to achieve a minimum reduction in carbon emissions over the minimum standards required under the Building Regulations Part AD L2 for a change of use at 10%+;
- The applicant proposes the use of PV as the preferred renewable technology

- to reduce overall emission for the development. An air source heat pump could be an option for the fully fitted units and incoming tenants will be encouraged to utilise heat pumps as the first option.

5.67. The Applicant argues that the BREEAM condition is not appropriate for a change of use application and argues that the 'excellent' rating cannot be achieved (letter dated 31st July 2023). The Applicant wishes the measures within the sustainability statement to be conditioned instead.

5.68. However, the Local Planning Authority state that policy CC2 is the recognised policy with regards to sustainable design and BREEAM is the recognised and chosen method of assessment by the Council. BREEAM conditions have been applied to other applications on Northminster Business Park. Examples of BREEAM 'very good' ratings on the business park include the following applications; 21/00796/FULM, 18/02158/FULM, 18/02919/FULM and 15/02721/FULM.

5.69. The Council acknowledges that an 'excellent' rating for refurbishment and fit out of existing agricultural sheds in a rural location can be difficult therefore recommend changing the requirement to 'Very Good' in this particular case based on the site location, existing constraints of the buildings and the justification put forward. In the interests of achieving a sustainable development and in accordance with the requirements of Policy CC2 of the Draft Local Plan, a BREEAM 'very good' condition is attached. Part C of policy CC2 of the Draft Local Plan (2018) can be afforded moderate weight.

WASTE

Policy

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

Assessment

5.71. Waste will need to be arranged via a commercial waste collection. An informative is to be attached to remind/inform the applicant of this.

CONTAMINATION

Policy

5.72. Policy ENV3 of the Draft Local Plan (2018) states where there is evidence that a site may be affected by contamination or the proposed use would be particularly vulnerable to the presence of contamination, planning applications must be accompanied by an appropriate contamination assessment.

Assessment

5.73. The application is accompanied by a Phase 1 Preliminary Contamination Risk Assessment by GEOL Consultants LTD. This assessment considers the existing use and condition of the land and concludes that it is suitable for its proposed use. The Public Protection Team accepts this however recommends a condition in the event unexpected contamination is found and this has to be reported to the Council immediately and an investigation and risk assessment must be undertaken.

VERY SPECIAL CIRCUMSTANCES CASE

5.74. NPPF paragraph 148 states that “when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”.

5.75. The identified harm to the Green Belt is as follows;

- The construction of the roads, car parks, service yards and associated lighting is inappropriate development in the Green Belt which is harmful by definition.
- Harm to openness – the new uses will ultimately lead to a change in the character of the site, by way of increased traffic/parking, increased volume of people visiting/working at the units and general landscaping associated with the uses.

5.76. The following considerations and benefits are put forward by the Agent to justify the proposal;

- The provision of employment land. The site and the surrounding land is allocated (ST19) in the Draft Local Plan for B1, B2 and B8 uses.
- The popularity of the Business Park is identified in the Council’s Employment Land Review (2016). The Park scores well in terms of market attractiveness and investment opportunities.
- The site forms a natural extension to Northminster Business Park.

- The removal of the land from the Green Belt would not be harmful to the purposes of the designation, in particular protecting the setting and historic character of the City and ensuring the villages do not merge.
- It will not undermine the aim of Green Belt policy which is primarily intended to prevent urban sprawl.
- Planning decisions should enable growth and expansion of all types of businesses in rural areas through the conversion of existing buildings (which is sustainable).
- General lack of available sites for employment purposes within York which is explained within the Employment Land Review (2016) and Local Plan Viability Study (2014)
- The units will be available for sale as well as being available to let.

5.77. The Local Planning Authority (LPA) attach significant weight to the re-use of the vacant buildings to provide over 1000m² of employment floorspace. The development would provide both temporary (construction) and permanent employment opportunities and allow a range of businesses to occupy the units. The option of buying or renting the units is an advantage of the development and would attract a wider market. The LPA acknowledge that in order to facilitate the change of use there is a need to create car parking, roads and associated landscaping (e.g lighting) and this is proportionate for the intended use and well-contained within the existing curtilage.

5.78. With regards to the weight that can be afforded to Draft Local Plan Policy SS23, there are outstanding objections to the Green Belt boundaries and as such objections reduce the weight that can be attributed to the relevant draft plan policy SS23 and therefore only moderate weight is attached to this policy. However, even taking this into account and recognising that it is a matter of planning judgement and attaching substantial weight to the harm to the Green Belt, cumulatively there are very special circumstances which, as is required by the NPPF, clearly outweigh the harm to the Green Belt. It is considered to be a ground for very special circumstances which justifies the development.

PREMATURITY OF THE APPLICATION

Whether prematurity is grounds to refuse the application

5.79. Paragraph 49 of the NPPF states that “in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

- The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location, or phasing of new development that are central to the emerging plan; and
- The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area”.

5.80. Paragraph 50 of the NPPF states “Where planning permission is refused on the grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan making process”.

5.81. Taking into account the scale of the development proposed, that the site is part of a wider allocation required to meet development needs, that the site will be excluded from the Green Belt; and as the Draft Local Plan has been submitted for examination and promotes this as an employment site, there are no clear grounds (as is required by the NPPF) to refuse this particular application on the basis that it would prejudice the plan-making process.

PUBLIC SECTOR EQUALITY DUTY

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

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

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

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.84. The PSED does not specify a particular substantive outcome, but ensures that the decision made has been taken with “due regard” to its equality implications. Officers have given due regard to the equality implications of the proposals in making its recommendation. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

6.0 CONCLUSION

6.1. To conclude, at present the site is considered to remain within the general extent of the Green Belt, until the Local Plan is adopted. However, the site is identified as part of the portfolio of sites to meet identified employment needs in the city and is therefore excluded from the Green Belt in the defined Green Belt boundaries. The re-use of the buildings and associated alterations to the buildings are considered to be appropriate development within the Green Belt, however the associated external works on the site is inappropriate development in the Green Belt, which are harmful by definition. It is considered however that there are very special circumstances that would clearly outweigh any harm to the Green Belt. Further, there is no case for refusing the scheme on prematurity grounds. Matters such as design, landscaping, amenity, biodiversity, trees, drainage, sustainability, contamination, waste, access and parking are adequately addressed either within the plans or via a specific condition.

6.2. The application accords with policies within the National Planning Policy Framework, Rufforth with Knapton Neighbourhood Plan, Poppleton Neighbourhood Plan (in so far as it relates to the Business Park) and policies set out within the Draft Local Plan (2018) (as modified March 2023). Based on the merits of this case, approval is recommended subject to the referral of the application to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2021 and the application not being called in by the Secretary of State for determination. The application is required to be referred to the Secretary of State as part of the development is considered to be inappropriate development in the Green Belt and the proposed 3 buildings would consist of 1931m² of floor space which is in excess of the 1000m² floor space threshold set out in the Direction.

7.0 RECOMMENDATION: Approve after referral to Sec. of State

1 TIME2 Development start within three years

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

Location plan; drawing number 3050 PL10, revision B, dated 24/03/2023.

Proposed roof plan; drawing number 3050 PL03, revision B, dated 29/03/2023.

Proposed site layout; drawing number 3050 PL02, revision C, dated 24/03/2023.

Existing and proposed long elevation; drawing number 3050 PL04, revision A, dated 11/01/2023.

Unit A existing and proposed floorplans; drawing number 3050 PL05, revision A, dated 11/01/2023.

Unit A existing and proposed elevations; drawing number 3050 PL08, revision A, dated 11/01/2023.

Unit B existing and proposed floorplans; drawing number 3050 PL06, revision A, dated 11/01/2023.

Unit B existing and proposed elevations; drawing number 3050 PL09, revision A, dated 11/01/2023.

Unit C existing and proposed floorplans; drawing number 3050 PL07, revision A, dated 11/01/2023.

Unit C existing and proposed elevations; drawing number 3050 PL11, revision A, dated 11/01/2023.

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

3 The buildings shall be used for light industry (Class E (g)), general industry (Class B2), or storage/distribution (Class B8) and for no other purpose, including any other purpose in the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) 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 (as amended).

4 No development shall take place (including ground works and vegetation removal) until a Construction Environmental Management Plan for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development has been submitted to and approved in

writing by the Local Planning Authority.

The CEMP must include a site specific risk assessment of dust impacts in line with the guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and include a package of mitigation measures commensurate with the risk identified in the assessment. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the locality.

5 Prior to development commencing, a details method of works statement shall be submitted to the Local Planning Authority for its written approval. The statement must identify the programme and management of site including clearance, preparatory and construction works. The statement shall include at the following information:

- Measures to prevent the egress of mud and other detritus onto the adjacent public highway;
- Where contractors will park;
- Where materials will be stored within the site;
- The routing for construction traffic that will be promoted;
- A scheme for signing the promoted construction traffic routing
- Details of the organisation in control of the development;
- Details of the individual responsible for the works;
- How the work and the access off the highway will be managed;
- The location of the works, its boundaries, means of access and how it is segregated from the area;
- Plant and equipment required;
- The handling and storage of materials and pollution prevention procedures;
- The method for safeguarding highway structures.

Reason: To ensure highway safety and management of the construction works is adequate in the interests of neighbouring businesses and occupants.

6 No development shall take place (including ground works and vegetation removal) until a Biodiversity Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The Biodiversity CEMP shall include (but not be limited to) the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) Use of directional lighting during construction and operation.
- e) The location and timing of sensitive works to avoid harm to biodiversity features.
- f) Measures should also include protection for badgers and hedgehogs who may

access the site for foraging and commuting purposes including and not limited to, precautionary working methods to prevent accidental harm or injury to badgers, removal of tree or shrub cuttings from the site and the covering of trenches and capping of any open pipes.

g) Responsible persons and lines of communication.

h) The roles and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

i) Use of protective fences, exclusion barriers and warning signs.

Reason: To facilitate the protection of notable/sensitive ecological features and habitats on the application site and within the local area.

7 No vegetation removal shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and structures for active birds' nests immediately before the works and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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

8 The development shall not commence until details of the internal road layout have been submitted to, and approved in writing, by the Local Planning Authority. No building shall be occupied until the internal roads and new access road from Cropton Road has been provided, up to base-course level, in accordance with such approved plans. The wearing course shall be laid within two years of the base-course being laid or prior to the occupation of the penultimate building to be converted, whichever is the sooner.

Reason: In the interests of road safety.

9 The buildings shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

10 The buildings shall not be occupied until the turning areas have been provided in accordance with the approved plans. Thereafter the turning areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To enable vehicles to enter and leave the site in a forward gear thereby

ensuring the safe and free passage of traffic.

11 Prior to the development commencing details of the cycle parking areas to store 24 cycles, including means of enclosure (to scale), shall be submitted to and approved in writing by the Local Planning Authority. The buildings shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such 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.

12 The buildings shall not be occupied until the pedestrian footpath is fully constructed and operational to the west of the access road shown in Drawing Number 3050 PL02, revision C, dated 24/03/2023 in accordance with details submitted. The pedestrian footpath shall be maintained and retained for the lifetime of the development.

Reason: To ensure there is safe pedestrian access to the site.

13 No part of the development hereby permitted shall be brought into use until the existing vehicular access along the southern boundary of the site to Moor Lane (public right of way - route code 54/1/10) has been permanently closed to vehicular traffic in accordance with details indicated on the approved site plan. The closure to vehicles shall thereafter be retained in accordance with the approved details for the lifetime of the development.

Note: The term vehicle refers to all types of vehicle, except cycles.

Reason: To ensure the public right of way is not used by vehicular traffic generated from the development in the interests of safety and amenity for users of the public right of way.

14 The development shall operate in strict accordance with the targets, proposed monitoring and measures of the Travel Plan (by Bryan G Hall, dated December 2022). The annual travel surveys shall be made available to the Local Planning Authority within 5 working days of any such request. Should the targets within the plan not be achieved, following annual review, details of further actions (to achieve such targets) shall be submitted to, and approved by the Local Planning Authority and implemented accordingly.

Reason: To ensure all reasonable steps have been put in place to promote sustainable travel to and from the site minimize the need to travel, particularly by encouraging reduced dependence on the private car, having regard to policy T1 and

T7 of the Draft Local Plan (2018).

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

Reason: In the interest of satisfactory and sustainable drainage.

16 The development shall be carried out in accordance with the details shown on the submitted Drainage Strategy - Re: 21760-DR-C-0100 revision P6 dated 16th March 2023 and supporting calculations by Topping Engineers, unless otherwise agreed in writing with the Local Planning Authority.

The discharge rate for surface water shall not exceed 13.4 litres per second.

Reason: In the interest of satisfactory and sustainable drainage and to reduce the risk of flooding.

17 Unless otherwise approved in writing by the Local Planning Authority, no buildings shall be occupied or brought into use prior to the completion of the approved surface water drainage works and approved foul drainage works.

Reason: So that the Local Planning Authority may be satisfied that the approved drainage strategy is in place prior to the new uses coming into operation.

18 No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the local planning authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 4 (four) litres per second. Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul water discharges take place until proper provision has been made for their disposal.

19 A strip of land 3 metres wide adjacent to the top of the embankment of the watercourse to the east of the site shall be kept clear of all new buildings, structures, walls, fencing and planting unless agreed otherwise in writing with the Local Planning Authority, in consultation with the Ainsty (2008) Internal Drainage Board.

Reason: To maintain access to the watercourse for maintenance or improvements.

20 No development, including buildings, walls, tree planting, or any other

permanent obstruction, shall be located over or within 3 metres measured from either outside edge of the proposed culvert (which is to replace the watercourse within the centre of the development).

Reason: To ensure that access to the culvert is available for maintenance and prevent damage to the culvert.

21 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.

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

22 All external lighting shall conform to the E2 environmental zone as specified in the Light Professionals Guidance Notes for the Reduction of obtrusive lighting.

Reason: To protect the amenity of the surrounding environment.

23 Prior to development commencing, a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following;

- No planting or permanent features within the 3m easement as specified within condition 19 and 20.
- Planting plans (to a recognized scale) and schedules indicating the location, number, species, density, form and size of proposed tree, hedge and shrub planting;
- Existing landscape features such as trees, hedges, shrubs and ponds which are to be retained and/or removed, accurately plotted
- The position, design, materials, means of construction of all site enclosures and boundary treatments (e.g. fences, walls, railings, hedge(banks))
- A timetable for the implementation of the soft and hard landscaping scheme.

This scheme shall be implemented within a period of six months of the practical completion of the development. Any trees or plants that 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 and other landscape details across the site,

since the landscape scheme, is integral to the amenity of the development and to ensure the drainage easement is protected.

24 Before the commencement of development including demolition, excavations, and building operations, an Arboricultural Method Statement (AMS) regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. Amongst others, this statement shall include details and locations of protective fencing, site rules and prohibitions, phasing of works, site access during demolition/construction, types of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles, locations for stored materials, locations and means of installing utilities, location of site compound and marketing suite and any other temporary buildings. The document shall also include methodology and construction details and existing and proposed levels where a change in surface material and boundary treatments is proposed within the root protection area of existing trees. A copy of the document will be available for inspection on site at all times.

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

25 The development hereby permitted shall achieve a BREEAM Non-Domestic refurbishment and fit out rating of 'very good' or higher. A Post Construction Assessment by a licensed BREEAM assessor shall be carried out and a copy of the certificate submitted to the Local Planning Authority within 12 months of the first use (unless otherwise agreed). Should the development fail to achieve a 'Very Good' BREEAM rating a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a 'Very Good' rating. The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

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

26 Prior to first occupation details of the refuse bin enclosures shall be submitted to and approved in writing by the Local Planning Authority. The bins shall be of sufficient size for their use. Prior to first occupation the refuse bins enclosures shall be constructed and ready for use. The refuse bin enclosures shall be retained for such use at all times.

Reason: In the interests of good design in accordance with section 12 of the NPPF. To ensure there is suitable refuse storage areas for the life of the development in

accordance with policy WM1. To achieve a visually cohesive appearance.

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

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

8.0 INFORMATIVES:

Notes to Applicant

1. WASTE

As the proposal involves the running of a business, any waste arising from this business is subject to a duty of care under Section 34 of the Environmental Protection Act 1990, including waste created by guests. As someone who will be producing and disposing of controlled waste, arrangements will be required for the storage of any waste arising from the business. Further information is therefore required on how this waste will be stored pending lawful disposal. Business waste must be disposed of via an authorised waste carrier or taken to a site authorised to accept it. It is unlawful to dispose of commercial waste via the City of York Council's domestic waste collection service. Further information can be found at www.gov.uk/managing-your-waste-an-overview

2. YORKSHIRE WATER

The applicant should be advised that the Yorkshire Waters prior consent is required (as well as planning permission) to make a connection of foul and surface water to the public sewer network.

3. YORK CONSORTIUM OF DRAINAGE BOARDS

ii) The applicant should be advised that the York Consortium of Drainage Board's prior consent is required (outside and as well as planning permission) for any development including fences or planting within 9.00m of the bank top of any watercourse within or forming the boundary of the site. Any proposals to culvert, bridge, fill in or make a discharge (either directly or indirectly) to the watercourse will also require the Board's prior consent.

4. RIPARIAN MAINTENANCE RESPONSIBILITY

Any watercourse adjacent to and/or affected by this development is not maintained by Ainsty (2008) Internal Drainage Board. The responsibility for the continued maintenance of any such watercourse and its banks rests ultimately with the riparian owners.

5. CONSENT FOR CULVERTING OF WATERCOURSE

Any culverting of a watercourse requires the prior written consent of Ainsty (2008) Internal Drainage Board under the terms of the Land Drainage Act 1991.

6. CONSENT - DISCHARGE

Under the Board's Byelaws, the written consent of Ainsty (2008) Internal Drainage Board is required prior to any discharge, or increase in the rate of discharge, into any watercourse (directly or indirectly) within the Board's District.

7. WILDLIFE AND LIGHTING

When designing external lighting its potential impacts on light sensitive species should be considered. Direct lighting and light spill should be avoided where new bat roosting and bird nesting features are installed, on trees and 'green' linear features, such as hedgerows. Advice on lighting design for light sensitive species is available from the Bat Conservation Trust (2018) Bats and artificial lighting in the UK guidance: <https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?mtime=20181113114229&focal=none>

8. HEDGEHOGS

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

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

<https://www.britishhedgehogs.org.uk/wp-content/uploads/2019/05/developers-1.pdf>

9. NESTING BIRDS

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Suitable habitat is

likely to contain nesting birds between 1st March and 31st August inclusive. As such habitat is present on the application site and is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present.

10. NOISE

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed the representative LA90 1 hour during the hours of 07:00 to 23:00 or representative LA90 15 minutes during the hours of 23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142:2014+ A1 2019, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics.

11. DEMOLITION AND CONSTRUCTION WORKS

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

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 manufacturers instructions.

There shall be no bonfires on the site.

12. CEMP - FURTHER INFORMATION

NOTE: For noise details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities

are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situation, including the location of positions, recording of results and identification of mitigation measures required.

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

With respect to dust mitigation, measures may include, but would not be restricted to, on site wheel washing, restrictions on use of unmade roads, agreement on the routes to be used by construction traffic, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust. Further information on suitable measures can be found in the dust guidance note produced by the Institute of Air Quality Management, see <http://iaqm.co.uk/guidance/>. The CEMP must include a site specific risk assessment of dust impacts in line with the IAQM guidance note and include mitigation commensurate with the scale of the risks identified.

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

In addition to the above the CEMP should provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved. Written records of any complaints received and actions taken should be kept and details forwarded to the Local Authority every month during construction works by email to the following addresses public.protection@york.gov.uk and planning.enforcement@york.gov.uk

Contact details:

Case Officer: Natalie Ramadhin

Tel No: 01904 555848

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Land to NW of Moor Lane, Upper Poppleton

22/02605/FUL



GIS by ESRI (UK)



Scale : 1:2866

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	01 August 2023
SLA Number	Not Set

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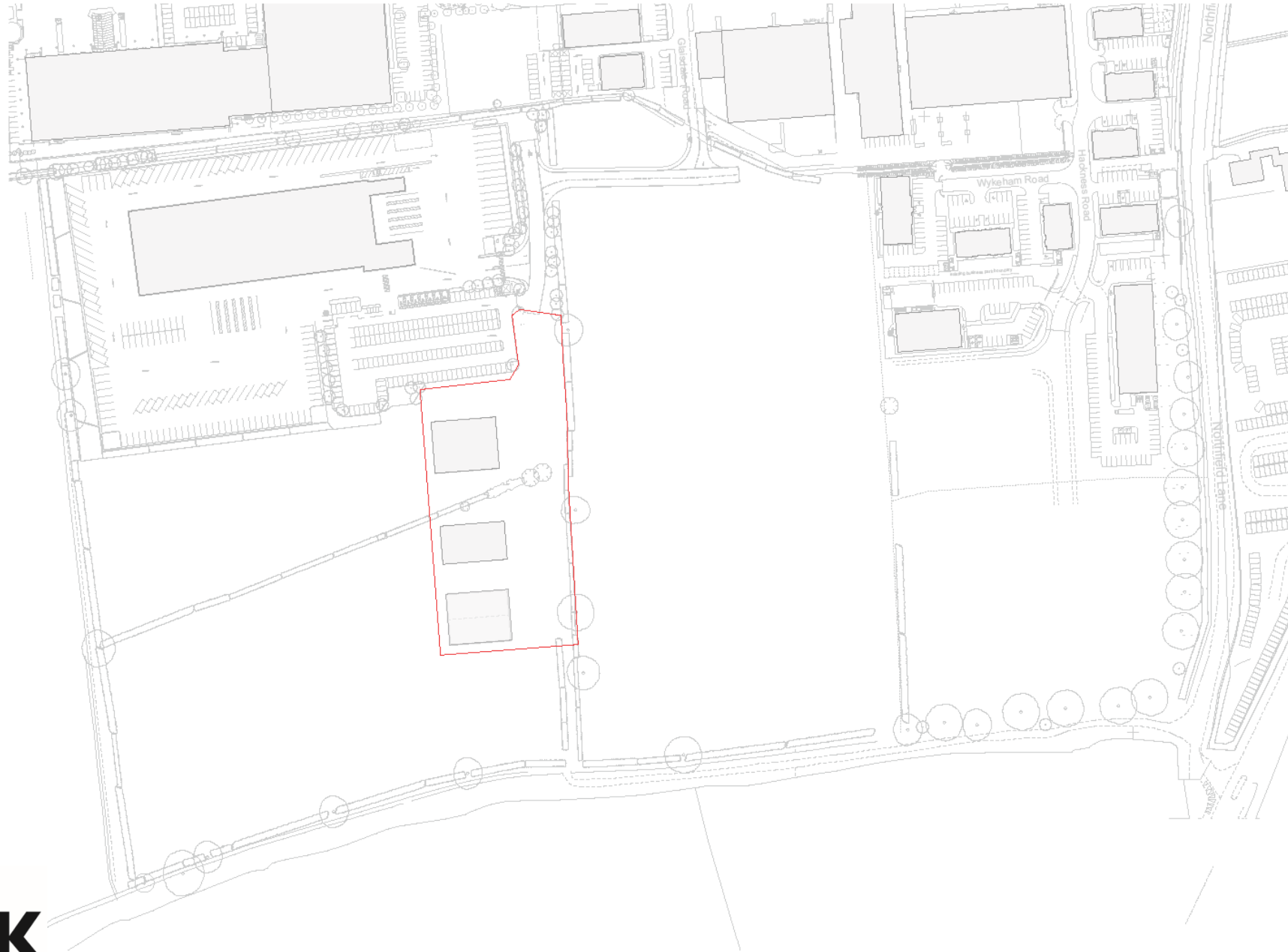
Planning Committee B

To be held on 16th August 2023

22/02605/FUL - Land And Buildings Lying To The North West Of Moor Lane And Forming Part Of Oakwood Farm, Northfield Lane, Upper Poppleton, York

Change of use of 3no. existing agricultural buildings to use classes B2, B8 and E(g) to include; lighting, amendments to external materials and fenestration and additional hard standing to create new service yards, parking and access. Extension of Cropton Road to provide access to development from Northminster Business Park.

Site Location Plan



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Revisions
 B 24/3/2023 More landscape context shown
 A 11/1/2023 Amended in accordance with comments from 10/01/2023

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Client
Northminster Properties Ltd.

Project
Agricultural Buildings

Drawing title
Location Plan

Drawn By **BW** Checked By **TC**
 Scale **1:1250 @ A1** Date **19.12.2022**
 Drawing no. **3050 PL10** Revision **B**







Front of Existing Buildings



Rear elevation of Buildings



View from neighbouring DPD Car Park

View of Buildings from
Public Right of Way





Public Right of Way Entrance from North Field Lane



Current gated site access from Public Right of Way

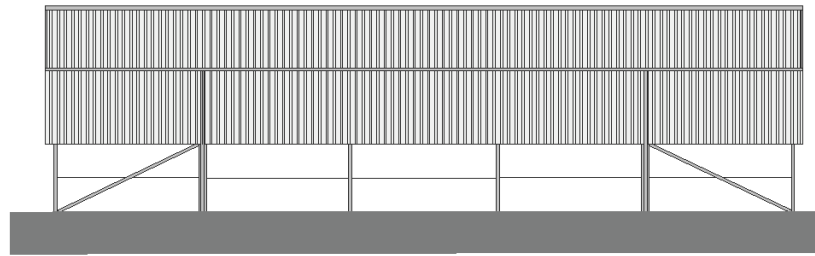
Proposed new access



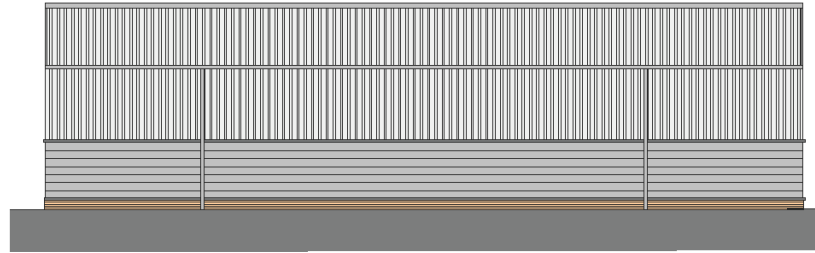
Proposed Site Layout (Extract)



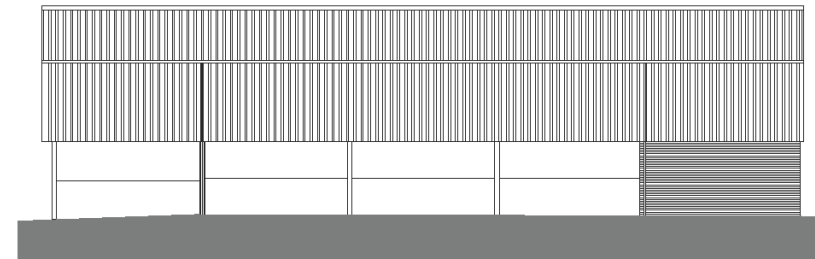
Existing and Proposed Elevations – Unit A



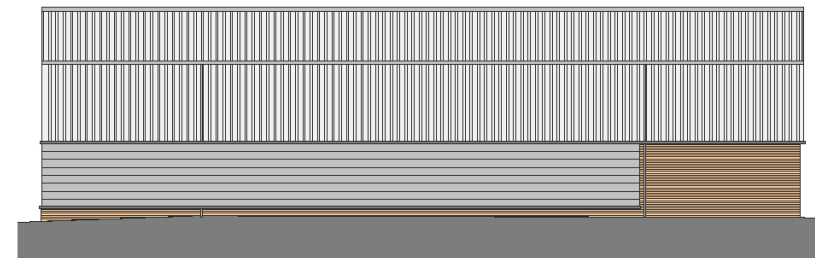
Unit A Existing North Elevation



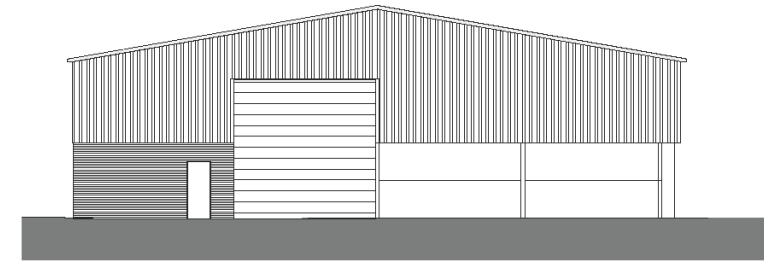
Unit A Proposed North Elevation



Unit A Existing South Elevation



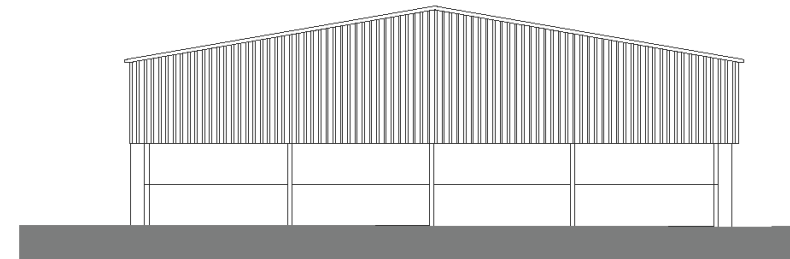
Unit A Proposed South Elevation



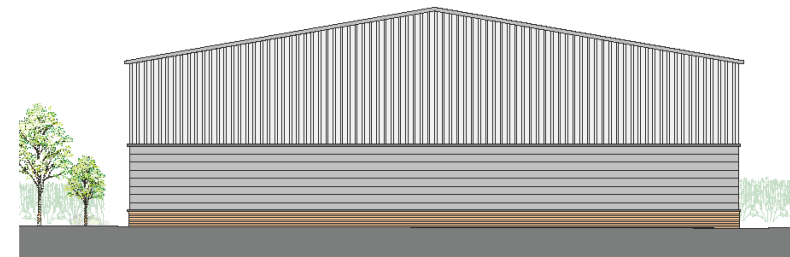
Unit A Existing East Elevation



Unit A Proposed East Elevation



Unit A Existing West Elevation



Unit A Proposed West Elevation

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Revisions
A 11/02/23 Amended in accordance with comments from 1/05/2023

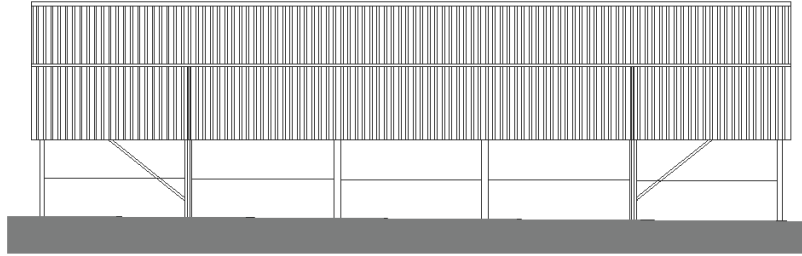
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Client
Northminster Properties Ltd.

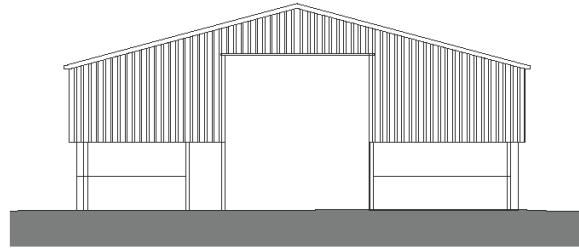
Project
Agricultural Buildings

Drawing title
Unit A Extg and Proposed Elevations
11
Scale
1:100 @ A1
Drawing no.
3050 PL08
Checked by
TC
Date
7.11.2022
Revision
A

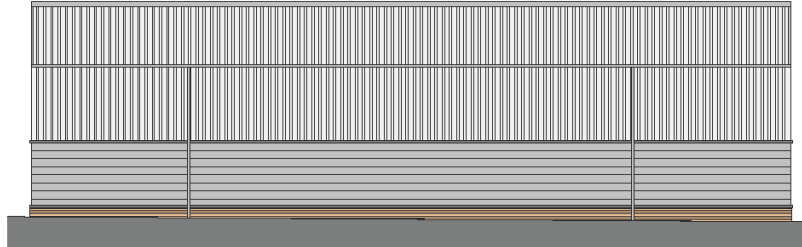
Existing and Proposed Elevations – Unit B



Unit B Existing North Elevation



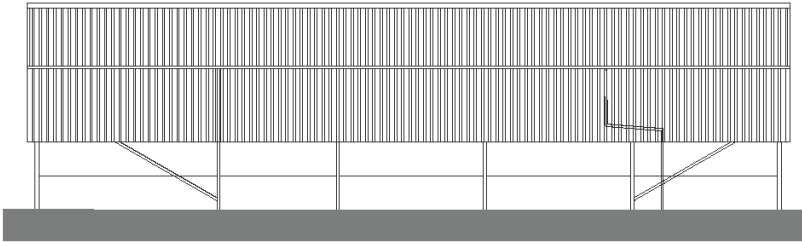
Unit B Existing East Elevation



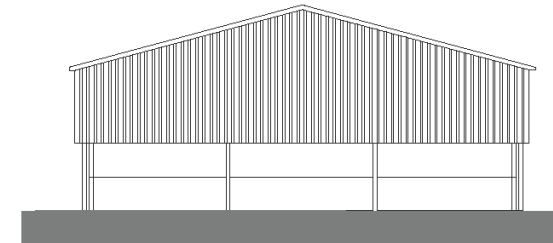
Unit B Proposed North Elevation



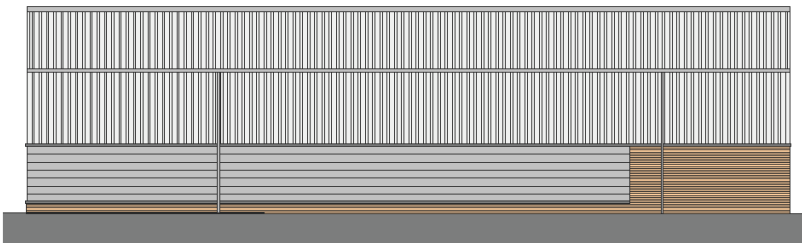
Unit B Proposed East Elevation



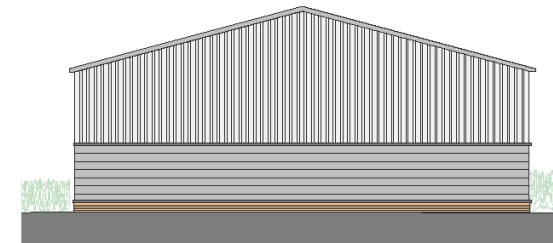
Unit B Existing South Elevation



Unit B Existing West Elevation



Unit B Proposed South Elevation



Unit B Proposed West Elevation

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Revisions
A 11/10/23 Amended in accordance with comments from 19/10/23

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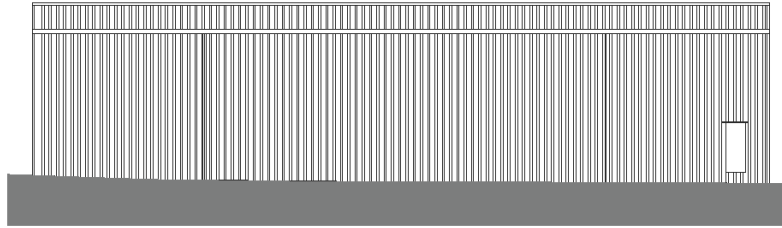
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Client:
Northminster Properties Ltd.

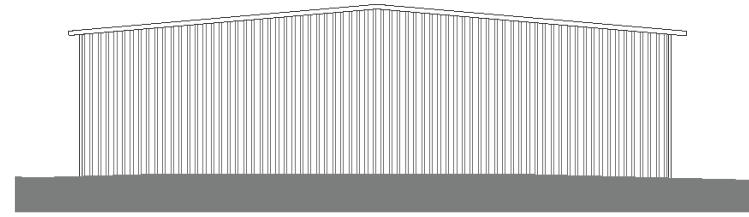
Project:
Agricultural Buildings

Drawing title:
Unit B Extg and Proposed Elevations
12
Scale: 1:100 @ A1
Date: 7.11.2022
Drawing no: 3050 PL09
Revision: A

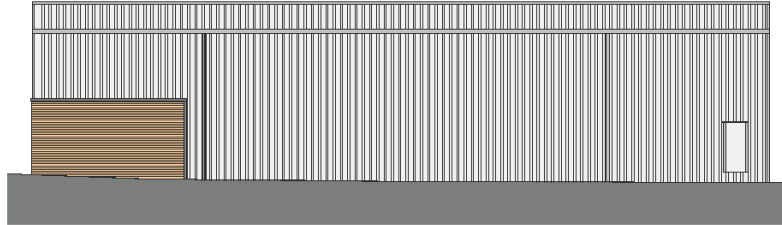
Existing and Proposed Elevations – Unit C



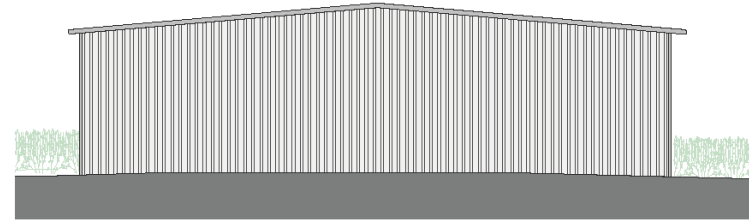
Unit C Existing North Elevation



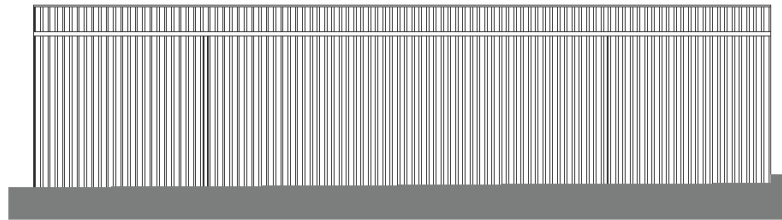
Unit C Existing East Elevation



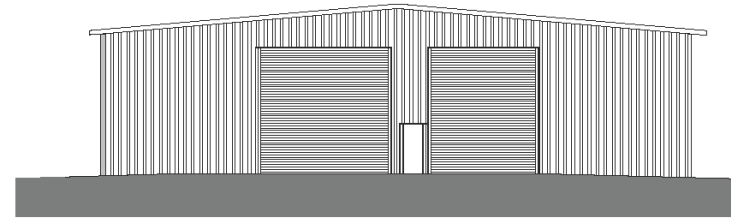
Unit C Proposed North Elevation



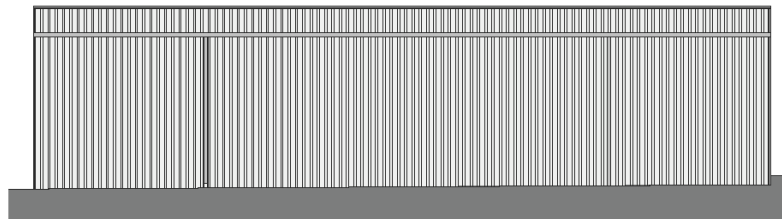
Unit C Proposed East Elevation



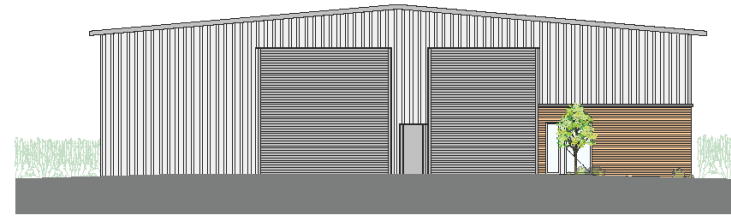
Unit C Existing South Elevation



Unit C Existing West Elevation



Unit C Proposed South Elevation



Unit C Proposed West Elevation

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Revision
A 11/10/23 Amended in accordance with comments from 10012023

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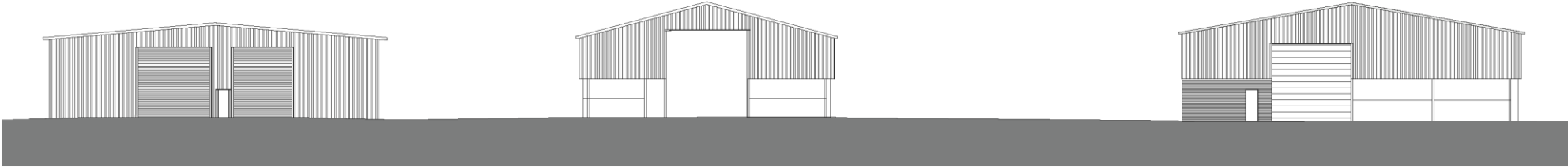
Drawings
Unit C Extg and Proposed Elevations

Drawn by: BW Checked by: TC

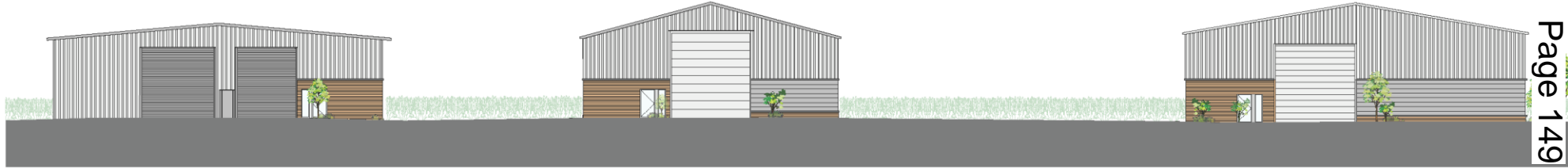
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Drawing no: 3050 PL11 Revision: A

Existing and Proposed Long Elevation – Units A, B and C

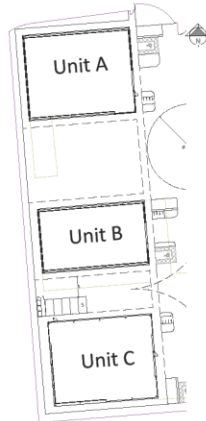


Existing East Elevation



Proposed East Elevation

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City of York Council Planning Committee Meeting - 16th August 2023

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