

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1 - Design

CYGP4A - Sustainability

CYGB11 - Employment devt outside settlement limits

3.0 CONSULTATIONS

INTERNAL

3.1 None.

EXTERNAL

3.2 Wheldrake Parish Council - Objection. The number of vehicles is significantly above that permitted by the 1999 permission. The proposed building extension would not be needed if the number of vehicles had remained permitted, although the Parish Council is not opposed to the extension when considered as a single entity. The Parish Council is concerned about the significant expansion of this heavy haulage business within the green belt and which has a restricted access onto an unclassified road. If the proposal was approved conditions should be attached regarding improved access, highway signage, pollution control measures, additional screen planting and registers for complaints and road traffic incidents.

3.3 Public Consultation. - The consultation period expired on 29 August 2012. No representations have been received.

4.0 APPRAISAL

APPLICATION SITE

4.1 The site is used in connection with the applicant's agricultural and road haulage businesses. It mainly comprises two attached, industrial-types sheds within an extensive hardstanding. The site is surrounded by the applicant's land holding of approximately 67 ha. Access is from Wheldrake Lane.

The site lies within the green belt, in open countryside, approximately 900m from the nearest settlement (Wheldrake). The site is largely screened from both sides by

substantial hedge planting along the side boundaries. There is no screening along the north-eastern boundary with the open countryside. The site includes a detached dwellinghouse occupied by an employee of the applicant's businesses.

4.2 Whilst the site is in mixed use the dominant use is the road haulage business. HGV tractors and trailers are stored on the hardstanding when not in use, which is mainly at weekends, and are repaired/maintained in one of the sheds (i.e. the workshop to be extended). Typically, drivers collect their loaded trailers at the start of the working week and do not return to the yard until the end of the week.

4.3 The other shed is nominally in use for agricultural storage but it has not been used as such for at least two years. Before that it was only used for agricultural storage intermittently. The building is currently being used for commercial storage of hardboard, unrelated to the applicant's road haulage and agriculture businesses. The use is unauthorised and is the subject of an ongoing enforcement case. The applicant has stated that all hardboard will be removed by the beginning of February.

4.4 KEY ISSUES:-

- The Economic considerations
- Impact on Green Belt
- Traffic and Highway Safety

POLICY CONTEXT

4.5 The National Planning Policy Framework (NPPF) - There is a presumption in favour of sustainable development which, for decision-taking, means approving without delay development proposals that accord with the development plan. Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless: (1) any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or (2) specific policies in the Framework indicate development should be restricted (paragraph 14). Local Planning Authorities should seek to approve applications for sustainable development where possible and work with applicants to secure developments that improve the economic, social and environmental conditions of the area (paragraph 187).

4.6 National Planning Policy Framework (Employment) - Planning should encourage and not impede sustainable growth therefore significant weight should be placed on the need to support economic growth through the planning system (paragraph 19).

4.7 National Planning Policy Framework (Rural Economy) - Planning policies should support economic growth in rural areas in order to create jobs and prosperity

by taking a positive approach to sustainable new development. To promote a strong rural economy local and neighbourhood plans should: support the sustainable growth and expansion of all types of business and enterprise in rural areas; promote the diversification of agricultural and other land-based rural businesses; support sustainable rural tourism and leisure developments that benefit rural areas; promote the retention and development of local services and community facilities in villages (paragraph 28).

4.8 National Planning Policy Framework (Green Belts) - The fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of greenbelts are their openness and permanence (paragraph 79). The NPPF lists the types of development that are acceptable in the green belt. Other development is deemed inappropriate, which is by definition harmful to the green belt. Inappropriate development should not be approved except in very special circumstances that outweigh any harm to the green belt. 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, is clearly outweighed by other considerations. The extension or alteration of a building is not inappropriate provided it does not result in disproportionate additions over and above the size of the original building.

4.9 The City of York Development Control Local Plan was approved for development control purposes in April 2005. Its policies are material considerations although it is considered that their weight is limited except where in accordance with the NPPF. The following local plan policies are still applicable:

4.10 GP1 - Development proposals should be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and local character; respect or enhance the local environment; provide/protect amenity space; protect residential amenity; accord with sustainable design principles; include refuse facilities; and include, where appropriate, landscaping.

4.11 GP4A - Proposals for all development should have regard to the principles of sustainable development.

4.12 GB11 - Planning permission will only be granted for new industrial and business development outside defined settlement limits in the green belt where (a) it involves the re-use or adaptation of an existing building or is for a small-scale extension to an existing building; and (b) it provides a direct benefit to the rural economy and the local residential workforce.

ECONOMIC CONSIDERATIONS

4.13 Increasing the number of road haulage vehicles has enabled the applicant to expand his road haulage business. Authorising this increase (by varying condition 2) would support this expansion of the business in accordance with national planning policy set out in the National Planning Policy Framework.

IMPACT ON THE GREEN BELT

4.14 Varying condition 2 would have some impact on the openness of the green belt due to the increase in the visual impact of the parked vehicles when not in use. This impact would not be significant, particularly as most of the tractors are absent during the working week. The increase in the number of vehicles requires the business to increase its vehicle maintenance capacity, hence the proposed extension to the maintenance shed. The extension, which would be in keeping with the character of the existing building, would not be easily visible from the public highway. The extension would be seen from the open countryside north east of the site but it would be against the back drop of the existing buildings. The agricultural storage building and the haulage workshop are attached and have a combined footprint of approximately 856sqm. The proposed extension would increase this combined footprint by approximately 20%. The extension would not result in a disproportionate addition over and above the size of the existing building. Nor would it have, by its scale, location or design, a significant impact on the openness of the Green Belt.

TRAFFIC AND HIGHWAY ISSUES

4.15 The Council as Highway Authority had no objection to the 1999 application subject to the access and highway verge being reconstructed to council standards. That work was carried out. Whilst the current application would increase the number of vehicles entering and leaving the site the change would have no material impact on the capacity of the access or the highway network. Nor would it materially affect highway safety.

OTHER MATTERS

4.16 If the application were to be approved, the Parish Council would like conditions to be attached regarding improved access, highway signage, pollution control measures, additional screen planting and registers for complaints and road traffic incidents. In response, no further improvements are required to the access or to highway signage; the proposals would not significantly affect pollution, whether relating to air, water or light; there are no residents (unrelated to the applicant's businesses) in the immediate vicinity who would be materially affected by the proposal; Officers are not aware of any road traffic accidents that have been caused by the operation of the site; and the absence of objections would suggest that the operation of the site is not a source of significant nuisance. In terms of screening,

the applicant has agreed to a condition requiring a hedge and specimen trees to be planted along the north-eastern boundary.

5.0 CONCLUSION

5.1 The proposals would support the local businesses and economic growth. The extension to the workshop would not have a significant impact on the openness of the green belt. Highway safety and the operation of the road network would not be materially affected. There would be no impact on neighbour amenity. Both elements of the application (the extension and the variation of condition 2) are considered to be acceptable.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out only in accordance with drawing numbered PARK-01, PARK-04/A and PARK-05, all received 6 July 2012.

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

3 The materials to be used externally for the workshop extension shall match those of the existing workshop in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

4 Within three months of the date of this permission a native hedgerow shall be planted along the north-eastern boundary. The hedge shall be planted to the following specification: Staggered, double row, 60 to 90cm high plants, 30cm spacing between plants. Composed of 70% hawthorn, 10% blackthorn and the remaining percentage made up of the following: Dog Rose, Dogwood, Hazel, Field Maple, Holly, Guelder Rose. The hedge shall contain at least four specimen trees, 10-12cm in girth, from the following list: Field Maple, Oak, and Hornbeam.

Reason: In the interests of maintaining the visual amenity and rural character of the area by softening the aspect of the workshop and parking area as viewed from the north east.

5 The number of goods vehicles used by the agricultural haulage use at the premises shall be restricted to the 24 HGV tractors and 24 trailers.

Reason: To control the expansion of the use, which could otherwise have an unacceptable impact on the openness of the green belt and local amenity.

6 No goods shall be stored on the site in association with the transport use, except where they are stored on trailers.

Reason: To control the expansion of the use, which could otherwise have an unacceptable impact on the openness of the green belt and local amenity.

7 Any gates shall be erected a minimum distance of 20 metres back from the carriageway of the existing highway and shall open into the site.

Reason: To allow a vehicle entering or leaving the site to stand clear of, and thereby avoid obstructing, the public highway, in the interests of road safety.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the local economy, visual appearance, the openness of the green belt, neighbour amenity, sustainability and highway safety. As such the proposal complies with the National Planning Framework and policies GP1, GP4a and GB11 of the City of York Draft Local Plan.

2. 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 (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve an acceptable outcome: pre-application advice; recommendation that additional screening be provided along the boundary; and imposition of appropriate planning conditions.

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