

COMMITTEE REPORT

Date: 18 August 2016 **Ward:** Rawcliffe And Clifton Without
Team: Major and Commercial Team **Parish:** Clifton Without Parish Council
Reference: 16/00957/FUL
Application at: NFU Mutual Ins. Society Ltd. Zenith House, Clifton Park Avenue, York YO30 5PB
For: Formation of additional car parking spaces with associated lighting and security fence to north boundary
By: Mr Mark Hanson
Application Type: Full Application
Target Date: 23 June 2016
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application is for the creation of further vehicle parking in the soft landscaped areas to the south of the office building, together with lighting. The two separate areas would create a net gain of 19 additional spaces. The creation of the larger parking area would result in the felling of 3 no. trees. Landscaping would be removed from the car park to the north of the building to create 10 further vehicle parking spaces. A 1.8 metre high wire mesh fence is proposed to the northern boundary with the housing estate (to the north of the existing hedge and trees). A manual access barrier is proposed to the vehicle access from Clifton Park Avenue. The site currently has circa 175 (agent states between 157 and 167) vehicle parking spaces, the proposed development would result in a total of 204 vehicle parking spaces.

1.2 The site is within the general extent of the York Green Belt. The site is within Flood Zone 2. Part of the larger vehicle parking area to the south of the building will be in Flood Zone 3. The former hospital site is covered by a group Tree Preservation Order.

1.3 No surface water drainage details have been submitted for the proposed parking areas and tarmac access road. In addition no Flood Risk Assessment has been submitted. Despite requests the agent has not stated how many people work on site, neither did they respond to questions as to whether the applicant had a travel plan in place.

1.4 The agent has advised that in addition to the parking provision proposed as part of this application the applicant is in discussion with local sports clubs to provide off-site parking.

2.0 POLICY CONTEXT

2.1 Policies: Please see paragraphs 4.1 to 4.11 of Appraisal for national and local policy context.

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

PLANNING AND ENVIRONMENTAL MANAGEMENT (Landscape)

3.1 The site and the landscape of Clifton Park lies within greenbelt, and is contained within a green wedge identified in the emerging local plan that relates to the regionally important River Ouse green infrastructure corridor.

3.2 The value of the trees and their influence on the landscape quality is partly dictated by the space afforded to them. The setting of the protected trees and the business park is undermined by the placing of cars under or close to the tree canopies.

3.3 The development represents further incremental degradation of the attractive landscape character of Clifton Park. The variety of mature and exotic trees, both young and mature, forms the backbone to the parks' landscape character. The grassed open spaces are also fundamental to this character and there is a direct, critical synergy between the two. Sequentially, Clifton Park has a strong association with Clifton Ings.

3.4 Smaller proposed parking area to south of office building - The proposal is to remove the parallel parking and widen the available road width by placing six spaces in the grass. Whilst this would barely encroach into the theoretical root protection area of the large Cedar, it would place some cars underneath the canopy of the tree thus increasing the target area. It also visually results in a rather piecemeal appearance of the parking and reduces the spatial quality of the setting of this fine specimen.

3.5 The application is merited with a fully detailed tree survey in accordance with BS5837, and the proposed use of cellular grid to provide a porous surface, which would assist root growth beneath the parking areas and retain similar levels of available soil water. The area for the proposed southern most car park is contained by existing hedging, and the physical impact on existing trees is relatively limited. However, although the proposed loss of trees to make way for the new southern car park is not dramatic, the result is a loss of capacity for tree planting that would perpetuate the scale, age and species diversity. T17 'Plane' has been scored low due to its young age, but it is trees like this that are providing the next generation of large species specimen trees in order to perpetuate the impressive tree cover. The

vitality of Robinia T21 is also threatened by the development. Thus there is an accumulative impact, by way of a sequence of apparently small changes.

3.6 In terms of loss of openness in the Green Belt, the car parks do not represent a built volume, however they do represent a loss of open character and would result in the visible three-dimensional presence of parked cars, which offer up a very different view, form, colour, and character to the existing; the result of which would be detrimental, i.e. harmful, to the open character of the greenbelt.

3.7 The existing northern car park is currently a good example of how healthy shrubbery within a car park can break up the perceived mass of cars, especially in relation to the neighbouring residential context. See attached photos. The replacement of shrubbery with parked cars would result in reduced aesthetic amenity.

3.8 The proposal would result in further incremental degradation of the essentially parkland landscape character of the business park and former hospital grounds and cause significant harm to the attractive open character of the Green Belt, which also results in a reduced capacity to perpetuate the same level of attractive tree cover.

PLANNING AND ENVIRONMENTAL MANAGEMENT (Ecology)

3.9 Clifton Ings and Rawcliffe Meadows Site of Special Scientific Interest (SSSI) will not be impacted by the proposals.

3.10 The woodland north of Clifton Park Avenue is recorded as an area of Deciduous Woodland Priority Habitat identified by Natural England in the national habitat inventories. Priority Habitats are defined in Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The area to be impacted does not meet the definition of Priority Habitat Deciduous Woodland being managed as an amenity area with short mown grassland, small/young trees and picnic benches. However there are a number of significant mature trees (notably beech and lime) in the immediate area and it is part of a reasonable sized parcel of semi-natural habitat which the proposal will erode.

3.11 To facilitate the creation of new car parking there will be a loss of amenity grassland and five trees which have been recorded through a tree survey. The trees to be removed have no potential for roosting bats, having simple form with no significant cracks or crevices. The trees provide some habitat for nesting birds.

3.12 The introduction of additional lighting into this area of woodland would impact on nocturnal species such as hedgehogs which are a species "of principal importance for the purpose of conserving biodiversity" covered under section 41 (England) of the NERC Act (2006) and protected species such as bats.

3.13 There is no evidence that alternative solutions for parking/travel to work have been explored. If this application were approved replacement native tree planting should be undertaken and a sensitive lighting scheme developed, minimising light spill onto surrounding habitat and restricting the length of time per day it is lit for.

FLOOD RISK MANAGEMENT TEAM

3.14 No surface water details have been submitted

3.15 Flood Risk from River - There should be no raising of existing ground levels in flood zone 3.

HIGHWAY NETWORK MANAGEMENT

3.16 Parking restrictions exist along Clifton Park Avenue which will seek to ensure that access can be maintained and that car parking can be managed effectively. Should abuse of these waiting restrictions become an issue then the authority can take enforcement action against those vehicles parked in contravention of the traffic orders. Colleagues in the Traffic team have advised that we do not/have not had regular complaints relating to parking along Clifton Park Avenue.

3.17 Could not support a further increase in car parking on the site without the applicant having first exhausted all other approaches. As a first principle we would wish to establish and have documented evidence that the applicant has produced a meaningful Travel Plan and made a determined effort to implement the TP.

3.18 The introduction of more car parking will create further incentives for staff to travel by car which is contrary to local and national planning and transportation policies. On a practical level the further creation of car parking will generate more demand for staff to arrive by car which will then require further car parking.

3.19 In addition to demonstrating that a TP has been implemented, further information would also be needed to substantiate any increase in parking being proposed including: Building Ground floor area; Staff levels; Shift patterns; Maximum number of staff on site at any one time. There is insufficient information to determine the application and an objection to the principle of extension of car parking without further special circumstances or detailed justification.

EXTERNAL CONSULTATIONS/REPRESENTATIONS

CLIFTON WITHOUT PARISH COUNCIL

3.20 No comments received

ENVIRONMENT AGENCY

3.21 No comments received

PUBLICITY

3.22 1 Representation of Objection states :-

- The development is not sustainable. The proposal would result in an increase in car usage which would add to congestion and cause more CO2 to be released into the atmosphere. NFU should be encouraging use of public transport, cycling and car sharing. Thus removing the need for additional spaces.
- Alteration to the existing car park would result in additional spaces without further loss of green space
- There will be a loss of green space. When the original development was undertaken there was a requirement that no green space be lost, and there is a covenant to that effect.
- The lighting impacts on our sleep and on our enjoyment of our glass room and garden. We already suffer from the existing lighting which disturbs sleep and spoils the view. The proposed lighting will be brighter and white and thus be significantly worse than the current lighting. Request that lights are prevented from shining into gardens, that they be turned off between 20.00 and 07.00. A cool light colour be specified.

4.0 APPRAISAL

RELEVANT SITE HISTORY:-

- 00/02575/REM - Erection of 1x two storey and 1x three storey office blocks with associated access, parking and landscaping - amended scheme - Approved
- 99/02665/REM - Erection of 1 x two storey and 1 x three storey office blocks with associated access, parking and landscaping - Approved
- 98/00186/FUL - Variation of condition of planning permission 97/151/OUT to allow extended period for submission of reserved matters - Approved
- 97/01047/FUL - Erection of 4 three storey office blocks with associated access, parking and landscaping - Approved
- 97/00151/OUT - Variation of condition 1 outline consent 3/27/325/OA dated 29 March 1994 for use of hospital estate for business, residential, health care,

hotel and educational use, to allow extended period for submission of reserved matters. - Approved

KEY ISSUES:-

- Planning policy
- Green belt and consideration of very special circumstances
- Design and landscape considerations
- Ecology
- Drainage

PLANNING POLICY

Development Plan

4.1 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt. These are policies YH9(C) and Y1 (C1 and C2) which relate to York's Green Belt and the key diagram insofar as it illustrates general extent of the Green Belt. The policies state that the detailed inner and the rest of the outer boundaries of the Green Belt around York 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.

Local Plan

4.2 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF.

4.3 Policy GB1 'Development in the Green Belt' of the DCLP sets out a number of criteria of considering new sites, whilst some of the specific criteria do not comply with the NPPF the general aim of the policy is considered to be in line with the NPPF.

4.4 Policy SP2 'The York Green Belt' states that the primary purpose of the green belt is to safeguard the setting and historic character of the city. Policy SP3 'Safeguarding the Historic Character and setting of York' states high priority will be

given to the historic character and setting of York. The general aim of the policy - take account of the different roles and character of different areas, - is considered to be in line with the NPPF.

Emerging Local Plan

4.5 The consultation on the Preferred Sites 2016 document and supporting evidence for the emerging City of York Local Plan is currently subject of an eight week public consultation which started 18 July 2016. The emerging Local Plan policies can only be afforded very limited weight at this stage of its preparation, in accordance with paragraph 216 of the NPPF. However, the evidence base underpinning the emerging Plan is a material consideration in the determination of planning applications.

4.6 The National Planning Policy Framework (NPPF) was published in March 2012. It sets out government's planning policies and is material to the determination of planning applications. The NPPF is the most up-to date representation of key relevant policy issues (other than the Saved RSS Policies relating to the general extent of the York Green Belt) and it is against this policy Framework that the proposal should principally be addressed.

4.7 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development, unless specific policies in the NPPF indicate development should be restricted. This presumption does not apply in Green Belt locations.

GREEN BELT STATUS OF THE SITE

4.8 As noted in the above Planning Policy section of this report, the site is located within the general extent of the York Green Belt as described in the RSS. In the DCLP (2005) it is designated as green belt. In the emerging York Local Plan the application site is designated as green belt. The emerging Local Plan policies can only be afforded very limited weight at this stage of its preparation, in accordance with paragraph 216 of the NPPF. However, the evidence base underpinning the emerging Plan is a material consideration in the determination of planning applications.

4.9 Additionally, when the site is assessed on its merits (in paragraphs 4.17 to 4.18 below) it is concluded that whilst the York Green Belt has not yet been fully defined in a statutorily adopted local plan, the site serves a number of Green Belt purposes and should be treated on the basis that it lies within the Green Belt. As such, the proposal falls to be considered under the restrictive Green Belt policies set out in the NPPF.

OPENNESS AND PURPOSES OF THE GREEN BELT

4.10 The NPPF states that the fundamental aim of the Green Belt policy 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.

4.11 The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. NPPF paragraph 89 states that the construction of new buildings is inappropriate in the Green Belt, save in the case of a list of exceptions. Paragraph 90 also allows certain types of development providing they preserve the openness of the Green belt and do not conflict with the purposes of including land in the greenbelt. These include engineering operations.

4.12 The wider site is used as mixture of office, car parking, and dwellings and prior to this was used as Clifton Hospital. The site is on the edge of this developed site. The proposed fence adjacent to the public footpath between the housing estate and the office and car park is considered to fall within engineering operations and does not impact on the openness and permanence of the greenbelt. The additional parking spaces within the existing northern car park fall within engineering operations, and are considered not to impact on the openness of the Green Belt and the purposes of including land within the greenbelt. The proposed vehicle parking areas to the south of the building are also considered to be engineering operations. The smaller car parking area would be within the confines of the existing car park and it is not considered that it would further impact on the openness of the greenbelt.

4.13 The proposed larger southern most car park would be outside the extent of the original car park and developed site using a grassed area and resulting in the loss of three small trees, the surrounding mature screening would be retained. The proposed car park would project further south of the visually built development/envelope in to the established landscaping buffer which forms a visually natural and physical barrier with the open countryside to the south. Openness is the freedom from development and relates to the quantum and extent of development and its physical effect on the site. This proposed car park together with the illumination would create in an increase in the solid form and visual harm

within the greenbelt, and would be contrary to at least 2 of the 5 purposes of the greenbelt: coalescence of development, and encroachment of development into the Green Belt, and therefore resulting in harm to the openness and permanence of the greenbelt and is therefore this part of the application is considered to be inappropriate development in the Green Belt.

4.14 The site is identified in the City of York Local Plan - The Approach to the Green Belt Appraisal (2003) which the Council produced to aid in the identification of those areas surrounding the City that should be kept permanently open. The site falls within the C6 extension to Rawcliffe Meadows and Clifton Ings and forms part of a green wedge. It is considered important for the following reasons: undeveloped open space with a rural feel reaching close to the centre of the city; allow an open aspect and views towards important city landmarks; physical separation between urban forms of a different character; and open areas which build upon the presence of the strays and form a more pronounced separation between areas of different urban form, character and history. Area C6 provides open agricultural and semi-improved grassland adjacent to the River Ouse between residential Rawcliffe and York Business Park providing an open setting to the city.

4.15 The mature soft landscaping acts as a visual buffer between the office buildings and dwellings to the north, and the fields to the south and thus contributes to the aim of preventing the encroachment, sprawl and coalescence of development and therefore maintaining the essential Green Belt characteristics of openness and permanence. As such it is considered that the application site should be treated as falling within the general extent of the Green Belt.

4.16 From paragraph 4.15 above the proposal gives rise to harm to the Green Belt by reason of inappropriateness which should not be approved except in very special circumstances. The proposal would result in harm to the openness and permanence of the Green Belt. It also conflicts with the Green Belt purposes of preventing encroachment into the countryside and coalescence of development. The NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the green belt. 'Very special circumstances' will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether there are such other considerations which amount to very special circumstances is assessed below at paragraphs 4.33 to 4.37 below.

DESIGN AND LANDSCAPE CONSIDERATIONS

4.17 The proposed wire mesh fence to the north boundary with an enclosed path (wall and fences to the north, hedge and trees within application site to the south) is not considered to result in undue visual harm, the deciduous trees and hedging would still be visible through the fence and it is not considered to result in an increase in the sense of enclosure to the footpath or heighten a feeling of crime. A

gate would be added to the pedestrian access to the car park to create additional security.

4.18 The loss of vegetation in the northern car park to create additional parking spaces is unfortunate, and would result in some harm to the visual amenity of the car park, however the majority of the soft landscaping would be retained and it is not considered that the loss would result in such harm as to warrant refusal.

4.19 No details of the barrier to the vehicle entrance have been proposed, however depending on details it is not considered that a barrier across the road would result in visual harm to the streetscene, and when viewed in the context of the soft landscaping and the offices behind would have limited visual impact.

4.20 Six no. 6 metre high lampposts are proposed to the southern most proposed car park. The proposed lampposts appear to be taller than the existing lighting columns elsewhere within the car park. The lighting would make the site more prominent and the scale of the lighting is out of keeping with the area. The lighting would result in harm; further adding to the encroachment of development and loss of openness. From the supporting information this car park would appear to be one of the brighter lit areas.

4.21 The proposed loss of mature soft landscaping in the southern car park together with associated lighting would result in a reduction in the quality of the landscape. The current landscape serves to provide a setting, screening, and buffer of the office/residential development from the adjacent countryside. Development of the site would further erode these divisions, and as such would be contrary to the NPPF which expects proposals take account of the different roles and character of different areas, and improve the character and the quality of an area. As such it is considered to result in visual harm to the character of the area in addition to the harm to the openness and permanence of the greenbelt.

IMPACT TO RESIDENTIAL AMENITY

4.22 By virtue of the distance from the nearby dwellings it is not considered that the proposed development would result in disturbance or harm to residential amenity.

ECOLOGY

4.23 The nearest statutory nature conservation site, Clifton Ings and Rawcliffe Meadows Site of Special Scientific Interest (SSSI) will be unlikely to be affected by the proposals.

4.24 The woodland north of Clifton Park Avenue is recorded as an area of Deciduous Woodland Priority Habitat identified by Natural England in the national habitat inventories. Priority Habitats are defined in Section 41 of the Natural

Environment and Rural Communities (NERC) Act 2006. The area to be impacted does not meet the definition of Priority Habitat Deciduous Woodland being managed as an amenity area with short mown grassland, small/young trees and picnic benches. However there are a number of significant mature trees (beech and lime) in the immediate area and it is part of a reasonable sized parcel of semi-natural habitat which the proposal will erode.

4.25 The trees to be removed have no potential for roosting bats, having simple form with no significant cracks or crevices. The trees provide some habitat for nesting birds.

4.26 The introduction of additional lighting into this area of woodland would impact on nocturnal species such as hedgehogs which are a species "of principal importance for the purpose of conserving biodiversity" covered under section 41 (England) of the NERC Act (2006) and protected species such as bats. However it is not considered to result in sufficient harm as to warrant refusal

4.27 The Ecology Officer has requested that if the application is approved that replacement native tree planting should be undertaken, and a sensitive lighting scheme developed, minimising light spill onto surrounding habitat and restricting the length of time per day it is lit for.

DRAINAGE

4.28 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 advises discharge from new developments should not exceed the capacity of receptors and water run-off should, in relation to existing run-off rates, be reduced. Whilst the parking spaces would be constructed of permeable materials the material underneath is clay and as such a more formal method of surface water disposal would be required, this information could be sought via condition.

4.29 The development site lies partially within Flood Zone 2 and 3 and is therefore defined as being at a high risk of flooding. The southern most car park would be partially within Flood Zone 3. Car parks are not listed within Flood Risk Vulnerability Classification of the CYC Strategic Flood Risk Assessment, however offices are listed as 'Less Vulnerable'. The applicant has not submitted a Flood Risk Assessment and has failed to demonstrate that the proposed development would not materially increase the level of flood risk to neighbouring properties contrary to paragraph 103 of the National Planning Policy Framework and Policy GP15a) of the York Development Control Local Plan. However it is considered that it could be conditioned that the level of the car park is no higher than the surrounding land.

ASSESSMENT OF THE CONSIDERATIONS FORWARDED BY THE APPLICANT

4.30 The agent has set out the following factors that he considers weigh in favour of the development and outweigh the harm to the green belt and any other harm to justify the proposed inappropriate development in the greenbelt. These are:

- (i) Use of the access roads for parking restricts access to the property for fire appliances; and
- (ii) Increased employment

These are assessed below:

- (i) Use of the access roads for parking restricts access to the property for fire appliances

4.31 The agent states that a Fire Risk Assessment raised concerns regarding access to the site by Fire Appliances (The Fire Risk Assessment was not submitted with the application). In the supporting information it states that the use of the access road for parking restricts access to the property and therefore the additional car parking spaces are required. On Clifton Park Avenue parts of the road have parking restrictions (double yellow lines), the unrestricted parts of the road allow parking on one side of the road and from site visits the access along the road is not restricted. The road is approx 5.5 to 6 metres in width, the road narrows from a two lane to a single lane as a traffic calming measure. There is a pavement to the northern side of the road and mature planting to the south of the road. The maximum width of a fire appliance is 2.75 metres and as such is considered that it would be able to successfully access the site when vehicles are parked on Clifton Park Avenue. As such this is considered to carry very little weight in favour of the proposal.

- (ii) Employment

4.32 The agent states there would be additional employment created by NFU Mutual (100 - 150). The employment would be located on a floor that was previously used by another business and therefore it is unlikely that there is a net gain of employment on the site, (no figures have been submitted by the agent to indicate that there is an net increase in employment on the site). The existing parking spaces are already in excess of the LPA maximum parking standards which require 1 parking space per 30sqm. For the size of office accommodation there should be maximum level of circa 159 spaces, the proposed development would create 186 - 204 parking spaces.

4.33 There appears to be 2 cycle stores on site providing a total of 27 cycle spaces which is significantly below the CYC minimum requirements (1:60sqm). For the office space provided the minimum cycle parking provision should be approximately 80 spaces.

4.34 Information was sought from the agent as to the level of employment on site, in addition to the details of the applicant's current travel plan, and what sustainable travel measures the applicant has in place, no response was forthcoming. The site is in close proximity to the Rawcliffe Park and Ride facility as well as very close to good cycle and bus routes. The introduction of additional car parking will create further incentives for staff to travel by car which is contrary to local and national planning and transportation policies. As such there appears to be little justification for the additional parking provision in such a sustainable and visually and environmentally sensitive location.

5.0 CONCLUSION

5.1 The application site is located within the general extent of the York Green Belt and serves a number of Green Belt purposes. As such it falls to be considered under paragraph 87 of the NPPF which states inappropriate development, is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm are clearly outweighed by other considerations. National planning policy dictates that substantial weight should be given to any harm to the Green Belt.

5.2 In addition to the harm to the Green Belt by definition by reason of inappropriateness, it is considered that the proposal would have a harmful effect on the openness of the Green Belt when one of the most important attributes of Green Belts are their openness and that the proposal would undermine three of the five Green Belt purposes. Substantial weight is attached to the harm that the proposal would cause to the Green Belt. The harm to the Green Belt is compounded by the harm to the visual character and amenity identified in this report.

5.3 The applicant has advanced the following factors which they consider to amount to very special circumstances in respect of the proposal:-

- Use of the access roads for parking restricts access to the property for fire appliances
- Increased employment

5.3 The Local Planning Authority has carefully considered the other considerations put forward by the applicant in support of the proposals and, having weighed these considerations against the harm to the Green Belt and the other harms that have been identified, has concluded that these considerations are not sufficient individually or cumulatively to clearly outweigh the totality of these harms.

Consequently, it is concluded that very special circumstances necessary to justify the proposal do not exist.

6.0 RECOMMENDATION: Refuse

1 The application site is within the general extent of the York Green Belt as set out by Policy Y1 of The Yorkshire and Humber Plan - Regional Spatial Strategy. In accordance with paragraph 89 of the National Planning Policy Framework it is considered that the creation of the southern most car park together with the illumination constitutes inappropriate development which, according to Section 9 of the Framework is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal conflicts with the essential characteristics of Green Belts (their openness and their permanence) and the purposes of including land within the Green Belt by resulting in encroachment of development into the countryside, the sprawl, merging and coalescence of development; and is harmful to the openness of the Green Belt. The Local Planning Authority has carefully considered the other considerations put forward by the applicant in support of the proposals but has concluded that these considerations do not clearly outweigh the harm to the Green Belt and other harm (harm to visual amenity and character of the area, unsustainable development) when substantial weight is given to the harm to the Green Belt. As such very special circumstances do not exist to justify the proposal. The proposal is therefore contrary to Section 9 of the National Planning Policy Framework and policy YH9 of the Yorkshire and Humber Plan and also conflict with Draft Development Control Local Plan (2005) policy GB1: Development in the Green Belt.

2 The proposed loss of mature soft landscaping in the southern car park together with associated lighting would result in a reduction in the quality of the landscape. The current landscape serves to provide a setting, screening, and buffer of the office/residential development from the adjacent countryside. Development of the site would further erode the essential parkland landscape character of the business park and former hospital grounds and would result in visual harm and as such would be contrary to the NPPF which expects proposals take account of the different roles and character of different areas, and improve the character and the quality of an area. As such the proposed development would fail to respect the character of the area and cause harm to the visual amenity and open character and therefore would conflict with Policy SP3 and GP1 of the City of York Council Development Control Local Plan (2005) and contrary to the core principles and part 7 of the National Planning Policy Framework.

7.0 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 (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 an attempt to achieve a positive outcome:

- Considered the applicant's submissions in support of the application.
- Request further information and clarification from the agent

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

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