



## Notice of a public meeting of

### Planning Committee

- To:** Councillors Reid (Chair), Derbyshire (Vice-Chair), Boyce, Ayre, Cullwick, Cuthbertson, D'Agorne, Dew, Doughty, Funnell, Galvin, Looker, Richardson, Shepherd and Warters
- Date:** Wednesday, 14 December 2016
- Time:** 4.30 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

### AGENDA

Would Members please note that the mini-bus for the site visits for this meeting will depart from Memorial Gardens at **10:00am on Tuesday 13 December 2016**

#### 1. **Declarations of Interest**

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

#### 2. **Minutes** (Pages 3 - 32)

To approve and sign the minutes of the meetings of the Planning Committee held on 27 October 2016 and 17 November 2016.

### **3. Public Participation**

It is at this point in the meeting that members of the public who have registered their wish to speak can do so. The deadline for registering is by 5pm on **Tuesday 13 December 2016**. Members of the public can speak on specific planning applications or on other agenda items or matters within the remit of the committee.

To register please contact the Democracy Officers for the meeting, on the details at the foot of this agenda.

#### **Filming or Recording Meetings**

Please note this meeting will be filmed and webcast and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officers (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at [http://www.york.gov.uk/download/downloads/id/11406/protocol\\_for\\_webcasting\\_filming\\_and\\_recording\\_of\\_council\\_meetings\\_20160809.pdf](http://www.york.gov.uk/download/downloads/id/11406/protocol_for_webcasting_filming_and_recording_of_council_meetings_20160809.pdf)

### **4. Plans List**

This item invites Members to determine the following planning applications:

- a) Monks Cross Shopping Park Trust, Monks Cross Shopping Park, Monks Cross Drive, Huntington, York (16/01968/FULM)**  
(Pages 33 - 64)

Erection of a standalone retail unit and associated restaurant/refreshment units, reorganisation of internal vehicular routes and car parking, replacement of retail facades and associated landscape improvements.  
[Huntington/New Earswick Ward] [Site Visit]

**b) Proposed Telecommunications Mast, Elvington Lane, Elvington, York (16/02212/FUL) (Pages 65 - 74)**

Erection of 22.5m monopole to support 3no. telecommunications antennae for shared use by Vodafone and Telefonica, which together with the installation of 2no. dishes and 3no. ground based equipment cabinets will provide 3G and 4G mobile electronic communication services from the installation. [Wheldrake Ward] [Site Visit]

**c) Rufforth Playing Fields, Wetherby Road, Rufforth, York (16/02303/FUL) (Pages 75 - 84)**

Change of use of land to a caravan and camping site. [Rural West York Ward] [Site Visit]

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

Democracy Officers:

Name: Louise Cook/Catherine Clarke (job-share)

Contact Details:

- Telephone – (01904) 551031
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(When emailing please send to both email addresses)

For more information about any of the following please contact the Democratic Services Officers 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 (Polish)  
własnym języku.**

**Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)**

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

** (01904) 551550**

**PLANNING COMMITTEE****SITE VISITS****TUESDAY 13 DECEMBER 2016**

<b>Time</b>	<b>Site</b>	<b>Item</b>
10.00	Minibus leaves Memorial Gardens	
10:15	Rufforth Playing Fields, Wetherby Road, Rufforth	4c
11:00	Monks Cross Shopping Park	4a
11:40	Elvington Lane, Elvington	4b

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City of York Council

Committee Minutes

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Meeting	Planning Committee
Date	27 October 2016
Present	Councillors Reid (Chair), Derbyshire (Vice-Chair), Boyce, Ayre, Cuthbertson, Dew, Doughty (apart from Minute Items 38a) 38b) 38d) 38e) 38f), Funnell, Galvin, Looker, Richardson, Shepherd, Warters, Hunter (Substitute for Councillor Cullwick) and Craghill (Substitute for Councillor D'Agorne)
Apologies	Councillors Cullwick and D'Agorne
In Attendance	Councillors Cullwick, Hayes, Mercer, Orrell and Runciman

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**35. Site Visits**

Application	Reason	In Attendance
Clifford's Tower, Tower Street	As the Officer recommendation was for approval and objections had been received.	Councillors Boyce, Cullwick, D'Agorne, Dew, Funnell, Galvin and Reid.
Naburn Marina, Naburn Lane	As the Officer recommendation was for approval and the application was situated in the Green Belt.	Councillors Boyce, Cullwick, D'Agorne, Dew, Galvin and Reid.
St Peter's Boat House, Westminster Road	As the Officer recommendation was for approval and the proposal constituted 'inappropriate development' for the purposes of paragraph 88 of the NPPF.	Councillors Boyce, Cullwick, D'Agorne, Dew, Galvin and Reid.

Former Unit A1, Parkside Commercial Centre, Terry Avenue	As the Officer recommendation was for approval and objections had been received.	Councillors Boyce, Cullwick, D'Agorne, Dew, Galvin and Reid.
Naburn Lock Caravan Park, Naburn Lock Track	As the Officer recommendation was for approval and the proposal was in the Green Belt.	Councillors Boyce, Cullwick, D'Agorne, Dew, Galvin and Reid.
York Designer Outlet, St Nicholas Avenue	As the Officer recommendation was for approval and the proposal was in the Green Belt.	Councillors Boyce, Cullwick, D'Agorne, Dew, Galvin and Reid.

### 36. **Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests that they might have had in the business on the agenda.

Councillor Derbyshire declared a personal non prejudicial interest in plans item 4a (Clifford's Tower, Tower Street) as her employer was a consultee for building work on Clifford's Tower.

Councillor Cuthbertson declared a personal non prejudicial interest in the same item as one of council's appointed representatives on York Museums Trust.

### 37. **Minutes**

Resolved: That the minutes of the last Planning Committee held on 15 September 2016 be approved and then signed by the Chair as a correct record.

### 38. **Public Participation**

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme on general



issues within the remit of the Planning Committee.

**39. Plans List**

Members considered a schedule of reports of the Assistant Director (Development Services, Planning and Regeneration) relating to the following planning applications outlining the proposals and relevant policy considerations and setting out the views of consultees and Officers.

**40. Clifford's Tower, Tower Street, York, YO1 9SA (16/01642/FUL)**

Members considered a full application by English Heritage for the erection of a visitor centre at the base of the motte, café unit on the roof deck, installation of a new staircase, tower floor, walkways, balustrading, roof-deck and restoration works.

Officers circulated an update to Members which covered the following points, a copy of which was attached to the online agenda following the meeting:

Five third party representations had been received following publication of the agenda which raised the following concerns:

- Clifford's Tower is associated with one of the worst periods of intolerance and religious hatred in English history, which ultimately saw around 150 Jewish people commit suicide rather than face the prospect of burning to death in 1190. It is considered that a cafe is completely at odds with what should be a site of reflection and commemoration. If there must be a visitor site, the suggestion would be to build it as an extension to the castle museum.
- The proposals may compromise future aspirations regarding public realm enhancement within the area
- The proposal makes little concession to less able visitors and the true public benefits of the scheme are questioned.

Conservation Areas Advisory Panel

The Panel was disappointed that the main scheme had not progressed from the pre-app proposal. They did not agree with the principle of the proposal, considering that the opportunity should be taken to provide a free-standing building which could relate to and explain the whole Eye of York site, its buildings and history: Clifford's Tower, the Castle Museum, the Prison, the Crown Court etc

Council for British Archaeology (CBA)

Whilst the current proposals represent the beginnings of a potentially acceptable scheme, further work should be undertaken to make these appropriate for the sensitivities and significance of this heritage asset;

- The CBA feels that a detailed archaeological mitigation strategy should be submitted as part of a full and robust proposal;
- The CBA feels that the proposals miss opportunities to enhance the visitor experience at this iconic York structure;
- The CBA has concerns regarding the character and extent of the proposed internal access arrangements; and
- The CBA has concerns regarding the character, extent and location of the proposed Visitor Centre.

Regarding a recent feasibility study that had been conducted for a new independent building within the area of Clifford's Tower, Members were informed that a report would be received later in the new year about the land ownership. The land was part of the Southern Gateway project and there were time constraints attached, it was leased to English Heritage by the Council.

It was reported that two speakers had registered to speak in objection:

Alderman Brian Watson stated that the Tower was one of the most visited tourist attractions in England but did not receive many return visits. He stated that the steps up the mound were an important feature. The design of the visitor centre and the addition of a café did not add value. He felt that the Officer recommendation should have been refusal in particular due to the Southern Gateway feasibility study.

Councillor Johnny Hayes MBE addressed the Committee as a local resident and expressed the view that that the application would cause harm to the archaeology and was financially driven. He added that the design of the building was off-putting, and the position at the base of the mound had been the focus of most objections.

It was reported that one speaker had registered to speak in support:

Jeremy Ashbee, Head Properties Curator for English Heritage, informed Members how English Heritage felt that the facilities provided on the site were currently inadequate and did not pay justice to the significance of the Tower or castle site. Members were informed that within the visitor centre, there would be a chance for visitors who were less mobile to experience climbing the tower at ground level. The visitor centre would also allow for murals from the castle wall to be displayed.

In response to questions from Members, the applicant advised that;

- The visitor centre was located at the base of the motte to allow for a staged ascent of the tower and also to view the 17<sup>th</sup> century wall.
- A location for a building had been considered in the car park, visitors would have to be clearly directed some way away from the visitor centre towards the Tower, and it was felt the interpretation would lose its impact if the centre was some distance away.
- The visitor centre would contain a toilet and a space small for selling tickets and drinks.
- There would be unrestricted access to the Tower with CCTV coverage of the roof deck.
- There would be an interpretation of the events of 1190 within the visitor centre to commemorate York's Jewish heritage.

Members entered debate during which the following views and points were expressed;

- The visitor centre could be located in the car park in association with the Southern Gateway project.

- More of the archaeology and prison wall would be visible from the roof deck of the Tower.
- The height of the visitor centre would be a third of the height of the mound, therefore it would intrude on the mound itself.
- The application would improve the fabric of the building and interpretation.

Councillor Warters asked that his vote against approval of the application be recorded in the minutes.

Resolved: That the application be approved subject to the conditions listed in the Officer's report.

Reason: (i) There would be some minor harm to designated heritage assets, i.e. on archaeological deposits and through changes to the familiar view of Clifford's Tower from the Eye of York. Having attached considerable importance and weight to the desirability of avoiding such harm, the local planning authority has concluded that it is outweighed by the application's public benefits and by the new building having been carefully designed to make an architectural contribution in its own right without challenging the dominance or character of the existing structures. The majority of identified views within the conservation area would be preserved.

(ii) The application accords with national planning policy set out in the National Planning Policy Framework and with the emerging policies in the Draft York Local Plan (2014 Publication Draft).

**41. Naburn Marina, Naburn Lane, Naburn, York YO19 4RW (16/01558/FUL)**

Members considered a full application by Mr P Bleakley for a replacement garage/workshop building (revised scheme).

Officers reported that there had been no objections from the Flood Risk Management Officer to the application.

Resolved: That the application be approved subject to the conditions listed in the Officer's report.

Reason: It is considered that the other considerations put forward by the applicant together with the mitigation of other harm through the imposition of appropriate planning conditions clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm (impact on openness), and thereby amount to very special circumstances to allow the inappropriate development in the York Green Belt even when substantial weight is given to such harm.

**42. St Peters Boat House, Westminster Road, York (16/01325/FUL)**

Members considered a full application by St Peter's School for the demolition of a boathouse and construction of a replacement boathouse, extension of boat repair block to accommodate sports facilities and amenities and extension of steps to river.

In their update to Members, Officers stated that there was an error in the report at paragraph 4.15; which stated that in the 2005 Draft Local Plan proposals, the site was identified as Green Belt land. This was incorrect, it was not included as Green Belt. In addition, revised drawings submitted by the applicant illustrated that an ash tree would be retained.

It was reported that one speaker had registered to speak in objection:

Mr Pugsley, a user of the riverside footpath, spoke in objection to the application. He felt that the large steps were unnecessary, unsightly and would damage the natural habitat. He added that the application site was also on a national cycle path and so would cause congestion for other users of the path. He questioned why the proposal prioritised an activity that did not take place all year round.

It was reported that one speaker had registered to speak in support:

Janet O'Neill, the agent for the applicant spoke in support of the proposal. She highlighted an audit that showed that rowing was

growing in popularity but lacked facilities. The current boathouse was too small and it was dangerous for users to retrieve boats from the river in front of the boathouse. She explained that the steps would allow for a number of boats to launch simultaneously. As there would be an impact on the green belt, the boathouse would be painted green and hand diggings had been carried out due to a veteran tree on site.

In response to questions from Members, the applicant outlined that;

- St Peter's School would need to balance their partnership with York City Rowing Club, who had access to the boathouse to work with other schools in the city.
- The steps would be lengthened to allow for a number of boats to be launched at the same time and also because the students were timetable restricted, and wished to lengthen their access on the water.

Members entered debate and the following views and points were expressed;

- There were opportunities for roosting bats within the design of the boathouse which could be conditioned, if planning permission was granted.
- There would be minimal impact to the habitat caused by the application.
- A more secure facility was needed for the storage of boats.

Resolved: That the application be approved subject to the conditions listed in the Officer's report and an amended and additional condition;

Amended condition:

2. Drawing no 2. 2014-273/1303 rev. K 'Site Layout Plan' dated 24/10/16

Additional condition:

12. The design of the lower boathouse shall include features which are suitable to accommodate roosting bats, the

details of which shall be submitted to and approved in writing by the Local Planning Authority before construction of the building commences. The scheme shall be implemented in accordance with the approved details.

Reason: To enhance the existing habitats of this protected species in the locality, in accordance with Paragraph 118 of National Policy Planning Framework.

Reason: Other considerations, together with mitigation of other harm through planning conditions, clearly outweigh the potential harm to the Green Belt, even when affording this harm considerable substantial weight, and any other harm. This, therefore, amounts to the 'very special circumstances' necessary to justify the development.

**43. Former Unit A1, Parkside Commercial Centre, Terry Avenue, York (15/02321/FULM)**

Members considered a full major application by Mr Paul Manku for the erection of a 97 bedroom hotel.

Officers provided a written update, a copy of which was attached to the online agenda. They advised that since the publication of the agenda comments had been received from the following:

Councillor Hayes objected to the application as he felt the development was too large and would not be in keeping with its location on the riverside. It would also overshadow the houses on Lower Ebor Street. He added that there were concerns about the amount of traffic that would be generated in a tranquil area and felt that the riverside would be diminished with a development of the size proposed.

There had been comments received from the caravan club:

- There was limited space for a landscape buffer and landscaping conditions were requested to maintain the setting of the caravan park, by giving privacy at the boundary & limiting light pollution.

- There is potential for noise during construction. A condition is asked for, to approve a CEMP & restrict times of working (note a CEMP is required under condition 7).
- Potential noise from the aparthotel, because the proposed use could operate as a venue for conferences, functions and events and therefore will be operational late in to evening and over the weekends, unlike the approved hotel. A condition is requested that these extra uses are not permitted.
- Conditions are also requested to control noise, cooking odour and times of deliveries

Comments received from local residents included:

- The Council will be held liable for any issues, loss or damages whatsoever created by the scheme. This includes road traffic noise, nuisance, damage, disruption, deterioration in any aspect generally, any nuisance, damage and disruption caused locally by the proposed build itself or afterwards by any nuisance, damage, disruption or similar which in any way results in loss of amenity, enjoyment or reduction in value of property or wellbeing.
- The Council are representatives of local residents and should not ignore the significant level of public objection to the scheme.
- The caravan club is well-managed and does not tolerate anti-social behaviour. It is noted that there is curfew and occupants need to be back on site in the evening.
- The Environment Agency (EA) had proposed improved flood defences for the area which are unlikely to occur if this development were to go ahead.

A written objection on behalf of Duke's Wharf residents had been received from AAH Planning. It stated that the scheme was not compliant with recent Environment Agency (EA) policy on recommended finished floor levels.

This objection suggested that the application be deferred to allow the applicants to remodel against the most up-to-date climate change figures.



Members were informed that the Council's Drainage Engineer had provided further technical information, details of which were included in the Officer update, which was published online.

It was reported that there were two registrations to speak in objection to the application:

Robert Walker, spoke on behalf of the residents at Duke's Wharf flats. He highlighted to Members that the proposed development would increase activity on the site, and the access would be parallel to Duke's Wharf flats. He advised that the site had been flooded forty five times since 2001 and commented on finished floor levels.

John Railton, another Duke's Wharf resident made comments on how he felt that the hotel could attract anti social behaviour and that the caravan club would be adversely affected by overlooking.

One speaker had registered to speak in support:

Mike Hitchmough, the architect for the applicant, spoke about how he felt that aparthotel model would support the revitalisation of the local area. He indicated that the building had twenty three fewer rooms, than originally proposed, and that the emergency exit had been located away from Lower Ebor Street.

It was confirmed that the evacuation arrangements in the event of a flood were via gates in to the caravan club and then into Vine Street.

In response to points raised by objectors, the architect responded that discussions were ongoing with the Environment Agency to increase the flood defence wall. The business model of the aparthotel also allowed for it to be closed for part of the year. In regards to anti social behaviour, the applicant had met with Clementhorpe Residents Association to discuss these concerns.

A Member of Council had registered to speak in objection:

Councillor Hayes spoke as the Ward Member. He underlined that the site sat at the tip of a green wedge of land and informed Members how the site was also located within a Conservation

Area. He felt that the proposal was out of scale and was also concerned about flooding and traffic.

The Council's Flood Risk Engineer informed the Committee that a flood barrier in the area would not be jeopardised by approving the application. He also added that the ground floor level of the proposed hotel was 600m above the modelled flood level and was protected up to a 1 in 1000 year storm. There was also a dry land evacuation route from the hotel. He added that the Environment Agency had objected to the application as they felt by approving the application, the Council might deviate from the Strategic Flood Risk Assessment.

Members entered into debate during which the following views and points were expressed;

- The trees on the site would be protected and there would be more flood storage offered than previously.
- The proposal was contrary to the Strategic Flood Risk Assessment, it was overbearing and unattractive.
- There had been no comments received from Economic Development Officers, when it could have a detrimental effect on economic growth in the area- particularly in relation to the caravan park
- There would be a greater traffic impact from an Aparthotel.

Resolved: That the application be approved subject to the conditions listed in the Officer's report and the following amended and additional condition which are stated below;

#### 19 Landscaping

A detailed landscaping scheme, following the principles shown on the approved landscaping plans, shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby approved. The development shall be carried out in accordance with the approved details. Details shall be provided showing how the landscaping/stepped entrance around the front/east entrance will be introduced without harm to tree roots. The hard landscaping measures shall be implemented in accordance with the approved scheme prior to first occupation. The soft landscaping measures shall be implemented in accordance with the approved scheme within 6

months of first occupation. Any trees or plants which within the lifetime of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless 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 visual amenity and the setting of heritage assets.

## 20 External Lighting

Prior to installation details of any external lighting to be installed shall be submitted to and approved by the Local Planning Authority. The details shall include design and location of light fittings, and the level of luminance measured in lux, in the vertical and horizontal planes. The lighting shall be installed in accordance with the approved details.

Reason: In the interest of visual amenity and the character and appearance of the conservation area.

Reason: (i) The principle of developing a city centre use at this edge of centre site has been accepted previously and is again justified for the proposed hotel use; there would be no material impact on the vitality and viability of the city centre.

(ii) The scheme adheres to the design principles approved previously. The design and proposed materials are appropriate to the locality and the landscaping scheme would improve the condition of the site. There would not be harm to the conservation area.

(iii) The building would be reasonably safe from flooding and would not increase flood risk elsewhere. Appropriate management arrangements would be put in place to protect future users. The proposal meets the requirements of the NPPF sequential and exception tests and is acceptable when considered against national planning policy on flood risk. There is justification

to outweigh the presumption against developing a hotel on this site established in the local SFRA which dates from 2013, when read in conjunction with the NPPF and Environment Agency advice.

(iv) The scheme discourages private car use and the car parking provision on site is minimal. There would be no material impact on highway safety along Terry Avenue and its use for recreation would not be compromised.

(v) Terry Avenue is a popular recreational route and the site is next door to a caravan site. There is no substantiated evidence that users of the hotel would cause additional noise disturbance compared to other users of the avenue at night. The scheme would improve the appearance of the site and the building has been designed so there would be no undue impact on neighbour's amenity. There are no amenity grounds to oppose the application. There is no unacceptable harm to amenity on which grounds the application could reasonably be refused.

**44. Naburn Lock Caravan Park, Naburn Lock Track, Naburn, York (16/01853/FUL)**

Members considered a full application by Mr and Mrs Wilkinson for the use of the land for the siting of 15 touring caravans/camping pitches.

An Officer update which included three suggested additional conditions if planning permission was granted, was circulated to Members. This was published with the agenda following the meeting.

One speaker had registered to speak in support of the application:

Kevin Robinson, the agent for the applicant explained to the Committee how the high occupancy rates at the caravan park meant that people had to be turned away. He underlined the economic benefits that the proposal would bring to Naburn village and also pointed out the sustainable transport links.

A Member of Council had registered to speak in support of the application:

Councillor Mercer highlighted that the land proposed for the additional pitches would be well screened from roads, would not produce noise after 11pm and would not be visible from other properties. She stated the additional pitches would also benefit the local public house and that the proximity of the bus stop would encourage visitors to travel into York.

Resolved: That the application be approved subject to the conditions listed in the Officer's report and the following three additional conditions;

- (i) Details of any scheme for illumination of all external areas of the site shall be submitted to and approved in writing by the Local Planning Authority within 8 weeks of the permission being granted and the agreed scheme shall thenceforth be implemented on site on first usage of the authorised pitches and thereafter.

Reason: To protect the living conditions of the nearby residential properties and to prevent light pollution.

- (ii) Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside of the site boundary when in use, shall be submitted to the local planning authority for approval prior to the pitches hereby authorised being first brought into use. These details shall include maximum (LA<sub>max</sub> (f)) and average sound levels (LA<sub>eq</sub>), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. 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 residential

- (iii) A noise management scheme shall be agreed with the local planning authority which shall specify the provisions to be made for the control of noise emanating from the site. The scheme should in particular, address noise from customers on site and the handling of noise complaints received by the camping site. The scheme shall be approved by the local planning authority within 8 weeks of the permission being granted and once approved implemented and adhered to on first implementation of the pitches and thereafter.

Reason: To protect the amenity of nearby residential dwellings.

Reason: It is considered that a case for "very special circumstances" has been submitted in respect of the proposed development which would clearly outweigh any harm caused to the Green Belt by reason of inappropriateness together with any other harm. The potential impacts of the previous proposal upon the setting of Naburn Banqueting House and the residential amenity of neighbouring properties have also been effectively addressed. The scheme is therefore recommended for approval subject to conditions.

**45. York Designer Outlet, St Nicholas Avenue, York, YO19 4TA (16/01483/FUL)**

Members considered a full application by Drew Kirby for a change of use of part of car park to a 12 hole artificial all weather putting course.

Officers provided a written update to Members, this was published with the agenda online after the meeting. In the update they advised that;

There was an error in the report, in paragraph 1.2 the fencing height was 1.2m not 1.5m as stated.

Comments received from Landscape Architect

- Considers that the proposal would slightly enhance the visual and physical landscape. Would involve the removal

of 2 small trees and includes the planting of 25 small species trees

- The boundary fence follows the kerb line so there would be no impact on existing trees to be retained
- A condition is recommended to secure a method statement to ensure that adequate tree protection is observed during the construction phase

Officers advised that an additional condition be included regarding protection measures for existing trees.

#### Comments received from Flood Risk Engineer

- Notes that the proposal involves breaking up of the existing tarmac to ensure free drainage
- No objections are raised on flood risk or drainage grounds

One speaker had registered to speak in support of the application:

Simon Laws, the agent for the applicant informed the Committee about the landscaping aspects of the application. The features would be Historic York landmarks. The site itself would result in a loss of six car parking spaces.

Resolved: That the application be approved subject to the conditions listed in the Officer's report and the additional landscaping condition detailed below.

#### Additional condition

Before the commencement of development including demolition, excavations and building operations, an Arboricultural Method Statement 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 and method of installation, site rules and prohibitions, 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 where applicable. The document shall also include methodology for removing the existing surface and installing the proposed surfacing and planting. A copy of the document will be available for inspection on site at all times.

Reason: To protect existing trees 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.

Reason: (i) The proposal would have no significant impact on openness, nor would the proposal conflict with the purposes of including land in the Green Belt. It is considered that the proposal would complement the existing retail function of the site, potentially making it more attractive as a retail destination thus bringing economic benefits to the area.

(ii) It is considered that taken together, the site circumstances and other considerations referred to above, even when attaching substantial weight to the harm to the Green Belt, amount to very special circumstances in this case that are sufficient to clearly outweigh the potential harm to the Green Belt and any other harm.

**46. Land To The North Of Avon Drive, Huntington, York (16/01073/OUTM)**

Members considered an outline major application by Pilcher Homes Ltd for the erection of 67 dwellings.

It was reported that three people had registered to speak in objection to the application.

David Trayhorn, a local resident spoke about the detrimental effect that the development would have on the carbon footprint of the area from the increase in houses and traffic. He felt that the local infrastructure needed to be improved before any new development was approved.

Roy Brown, a local resident, felt that no very special circumstances had been demonstrated by the applicant for building in the green belt. He felt that the land was the final natural barrier that remained between Earswick and Huntington and stopped the two villages from coalescence.



Professor Hartley, a local resident, spoke regarding a consultation document which had been circulated by the applicant. She informed the Committee that it was incorrect that he had consulted widely with residents, as those on Strensall Road had not been informed of the planned development.

Two speakers had registered in support of the application:

Simon Chadwick, the agent for the applicant stated that the application site was not in the green belt and that until York had an adopted up to date Local Plan special circumstances could not be demonstrated. He added that the development would be bounded by the ring road on two sides and therefore could not be classified as sprawl. He advised that the Committee approve the application on the basis of sustainable housing.

Robert Pilcher the applicant, spoke about the history of development on Avon Drive and referred to the previous application submitted. He informed the Committee about the alterations.

In response to Members' questions, the applicant responded:

- The information leaflets were circulated by a company which were told to look at certain areas in York.
- There would be 27 starter homes on the site.
- No planning permission had been necessary on the original Avon Drive site sixty years ago.
- Changes had been made to the application as a result of consultation with Members, the leaflets were for information.

Diane Geogheghan- Breen, Chair of Huntington Parish Council, spoke in regards to the community effect that the development would have, such as on local schools and on GP surgeries.

Councillor Cullwick spoke as the Ward Member. He referred to the previous Draft Local Plan which did not include development on the site. He was unaware of the leaflets that had been circulated and wanted to know about the geographic location of the "likes" on the New Homes for York Facebook page, which had been established in association with the application.

During debate some Members felt that although it was an attractive development, the draft local plan had located the site

within the Green Belt. They added that they were concerned about the coalescence between the two villages.

Others expressed the view that the location was appropriate and the applicant had considered access and a number of the new properties would be affordable starter homes and the city needed more housing.

Resolved: That the application be refused.

Reason: Policy YH9 and Y1 of the Yorkshire and Humber Plan - Regional Spatial Strategy to 2026 defines the general extent of the Green Belt around York with an outer boundary about 6 miles from the city centre. The application site is located in the Green Belt as identified in the 2005 City of York Draft Local Plan. It is considered that the proposed development of up to 67 houses and associated infrastructure constitutes inappropriate development in the Green Belt as set out in section 9 of the National Planning Policy Framework. Inappropriate development is by definition harmful to the Green Belt. No 'very special circumstances' have been put forward by the applicant that would outweigh harm by reason of inappropriateness and any other harm, including the impact on the openness of the Green Belt and conflict with the purposes of including land within Green Belt. The proposal is therefore considered contrary to advice within the National Planning Policy Framework, in particular section 9 'Protecting Green Belt Land' and policy GB1 'Development in the Green Belt' of the 2005 City of York Draft Local Plan.

Cllr A Reid, Chair

[The meeting started at 4.35 pm and finished at 8.30 pm].

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Meeting	Planning Committee
Date	17 November 2016
Present	Councillors Reid (Chair, in the chair for items 1 to 4a), Derbyshire (Vice-Chair, in the chair for items 4b & c and 5), Boyce, Cullwick, Cuthbertson, D'Agorne, Doughty, Funnell, Galvin, Looker (apart from minute items 4c and 5), Richardson, Warters, Orrell (as a substitute for Cllr Ayre) and Mercer (as a substitute for Cllr Dew)
Apologies	Councillors Ayre, Dew and Shepherd

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#### 47. Site Visits

Application	Reason	In Attendance
Land at Grid Reference 458205 449925, West of Bradley Lane, Rufforth	To enable Members to assess the impacts of the proposal given the nature of the site and its surroundings and the scale of the proposed development	Councillors Boyce, Cullwick, Galvin, Orrell and Reid.

#### 48. Declarations of Interest

Councillor Reid declared a personal and prejudicial interest in plans item 4b (Yorwaste, Harewood Whin, Tinker Lane, Rufforth) as the Council's Director on the Yorwaste Board.

She also declared a personal and prejudicial interest in plans list item 4c (Coal Yard, Mansfield Street) as she had a business connection with the applicant's family.

Councillor Reid left the room for consideration of both these applications and took no part in the debate or vote on either application. Councillor Derbyshire (Vice Chair) took the chair for both these applications.

**49. Public Participation**

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Planning Committee.

**50. Plans List**

Members considered a schedule of reports of the Assistant Director , Planning and Public Protection, relating to the following planning applications outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

**51. Land At Grid Reference 458205 449925, West Of Bradley Lane, Rufforth, York (16/01813/FULM)**

Members considered a major full application by H Barker and Son Ltd for the erection of a poultry farm comprising six poultry sheds with ancillary buildings, access road and landscaped embankments.

Officers advised that, since the committee report had been published, the applicant had submitted an amended landscape plan and made associated amendments to the Environmental Statement. They advised that their recommendation had therefore changed to DEFER, as until expiry of the Environmental Impact Assessment Regulation publicity requirements, the application could not be determined. They advised that the intention was to bring the application back to the December Committee Meeting.

Resolved: That consideration of the application be deferred to a future meeting.

Reason: As the application cannot be determined until the expiry of the Environmental Impact Assessment Regulation publicity requirements.

**52. Yorwaste, Harewood Whin, Tinker Lane, Rufforth, York (16/00534/FULM)**

Members considered a major full application by Yorwaste Ltd for the variation of condition 4 of permitted application 00/02689/FUL (extension of Harewood Whin Waste Disposal Site) to extend the time period for tipping operations for a further 15 years.

Officers advised that they had revised their recommendation to seek delegated authority to approve the application subject to conditions and, if necessary, a legal agreement under s.106 of the Act. They explained that the approval of an application under section 73 of the Act would normally re-impose the conditions imposed on the previous planning permission unless those conditions were no longer considered necessary or where they should be replaced by a different condition (for example where details had previously been approved should be carried through to the later permission). They noted that a number of the conditions listed on pages 29-37 required further amendment in consultation with the applicant. Furthermore, the original planning permission was subject to a legal agreement under Section 106 of the Act and further investigation was required as to whether a deed of variation was required to tie the obligations secured under that agreement to this permission.

With regard to paragraph 3.9 of the report in relation to external consultations, officers advised that "Treemendous" York raised no objection to the proposal but had asked the authority to re-introduce reference to the previously agreed nature reserve. "Treemendous" had pointed out that extending the period of operations could delay site restoration and asked if it would be possible for the restoration to nature reserve to be carried out at an earlier stage. Officers confirmed that the application sought to vary a condition of the original permission and all the other conditions would be re-applied if they remained relevant. This included the requirements to progressively reclaim and manage the site in accordance with a scheme to be approved by the planning authority (condition 26).

Geoff Derham, Group Operations Director at Yorwaste, addressed the committee in support of the application. He advised that there were two main reasons to extend tipping operations at Harewood Whin Landfill for a further 15 years. Firstly, it provided a strategic backstop to Allerton Park by

providing York and North Yorkshire somewhere to deposit their waste should a long term serious incident happen at Allerton Park which took it offline. Secondly, the existing permission for tipping at Harewood Whin was due to expire in June 2017 however York's waste and another council's waste were not going to be used as part of the commissioning waste for Allerton Park and therefore, in order to keep the costs down for tax payers, tipping into Harewood Whin into one of the approved void spaces was one of the options until Allerton Park came fully on stream. In terms of landscaping and reinstatement, he informed Members that much of the site had already been restored, capped and landscaped. He advised that they had met with "Treemendous", the parish council, the local plan group and were due to have a site visit with City of York Council officers to discuss what is going to be the long term look of Harewood Whin in 15 years, not only in terms of landscaping but also what public use it could be put to. The intention would be to devise an incremental plan to achieve that with the locals in terms of landscaping, restoration and creating wildlife habitats. He clarified that the additional 15 years stated in the report would be from the commencement of the first phase of tipping under the new permission (if granted) and not 15 years from the date of start of any operations.

Some Members raised concerns that no real justification had been given for the requested extension and that it was unfair on local residents. They felt that condition 4 was not clear enough and needed to be worded differently to give local residents confidence that a further extension would not be applied for in future.

The majority of Members acknowledged and accepted the reasons given for the proposed extension to the agreed time period for tipping operations at Harewood Whin. They accepted that if anything happened to Allerton Park and it was not possible to process the anticipated volumes of waste through the approved Allerton Park Energy from Waste Plant, there needed to be somewhere to deposit waste until the problem was resolved.

Resolved: That DELEGATED authority be given to the Assistant Director of Planning and Public Protection to APPROVE the application subject to any appropriate conditions, including any amendments required to those set out in the report and, if

necessary, a legal agreement under Section 106 of the Act so that those obligations that relate to the original planning permission that remain relevant are secured in relation to the S73 planning permission.

Reason: Harewood Whin comprises a substantial waste processing site by landfill with ancillary facilities dating to the mid 1980s lying within a Green Belt site to the west of the City Centre. Planning permission is presently sought under Section 73 of the 1990 Town and Country Planning Act to vary condition 4 to planning permission 00/02689/FULM to allow for an extension of a further 15 years to the previously approved land-filling operation at the site in the eventuality that it is not possible process the anticipated volumes of waste through the approved Allerton Park Energy from Waste Plant. The proposal falls within Schedule 2 to the 2011 Town and Country Planning (Environmental Impact Assessment Regulations) and is subject to an addendum to the previous Environmental Statement, This analyses the impact of the proposal in terms of air quality and odour, noise, flood risk, ecology, and traffic and transport, It is felt that there has not been a material change in circumstances since the previous grant of permission.

**53. Coal Yard, 11 Mansfield Street, York, YO31 7US  
(15/01571/FULM)**

Members considered a major full application by Horwell Bros Ltd for the erection of a four storey block for student accommodation (84 units) following the demolition of the existing building.

Members were reminded that consideration of this application had been deferred by Planning Committee on 18 August 2016 to enable further liaison to take place between the applicant and officers in order to seek satisfactory details of a flood evacuation plan. They advised that the site was within flood zone 3a, with a high risk of flooding, and the proposal was classed as a “more vulnerable” use. The building itself was flood resilient with floor levels set 600mm above the 1 in 100 year

flood level. The key issue was to ensure that occupants could safely evacuate the building in the event of a flood.

Officers confirmed that a flood evacuation plan had now been received, details of which were set out in paragraph 4.44 of the report. Although the preference was for a “dry” evacuation route to be established, this would have passed over adjacent land that was not within the ownership or control of the applicant. The applicant had investigated this option but had been unable to reach agreement with adjacent landowners in order to secure such a route. Officers advised that the revised evacuation plan would therefore consist of:

- Two site wardens who would be in attendance 24 hours a day, 7 days a week with flood warden duties including sweep clearance of the building once occupants had been evacuated
- A flood evacuation mode for the fire alarm system
- Environment Agency flood evacuation training for all residents and staff at the start of each academic year and for mid term occupants and new staff
- Shuttle transfer from the site to a designated muster point in flood zone 1

Officers advised that condition 26 required the flood evacuation plan to be fully operational upon occupation of the building, and also required floor levels to be no less than 10.96m AOD, 600mm above the 1 in 10 year flood level.

Although concerns were still raised by the Council’s Emergency Planning officers in that it may create a demand for assistance from the emergency services should anyone become stranded in the building, the Environment Agency raised no objections and were involved in drafting the revised flood evacuation plan. With the revised evacuation plan in place, officers confirmed that they considered that the development satisfied the requirements of the exception test therefore they recommended approval with a minor amendment to condition 25.

A registration to speak at the meeting in relation to student accommodation had been received from Mr Ward, a local resident, but he did not attend the meeting.

Mr Bob Beal, the applicant’s agent, addressed the committee in support of the application. He advised Members that he had



worked closely with officers to resolve design issues. He acknowledged the concerns with regard to use of the site as employment land and assured Members that alternative uses for the site had been evaluated but little potential for continuation of its existing use or other employment uses had been found. He advised that the site was sustainably located, the building had been designed with flood resilient construction and the detailed flood evacuation plan had been accepted. The development would support the further education sector and relieve pressure on traditional residential accommodation in York.

Members acknowledged that this site was classed as an employment site within the draft local plan but that limited options had been found for reuse of this site. They accepted that Foss Islands Road/Layerthorpe had mixed use, with good access to the city centre and York St John University and the proposed use would be considered an acceptable alternative use of a brownfield site. Members acknowledged that both universities were expanding and that without purpose built student accommodation, there would be further pressure on residential areas and houses in multiple occupation (HMOs).

Resolved: That the application be approved subject to the conditions listed in the report and the amended condition below:

Amended Condition 25

Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking or re-enacting that Order with or without modification), the development hereby the development hereby approved shall be used only as student accommodation and for no other purpose. It shall only be let to or hired by and occupied by either students engaged in full time further or higher education within the City of York administrative boundary or who are delegates attending part time courses or conferences within the city, and shall not be used for any other purpose.

Reason: For the avoidance of doubt and In order to control the future occupancy of the development in the event of it any part of it being sold or rented on the open market *without securing adequate levels of*

*open space, education provision and affordable housing* in accordance with Policy H2a of the City of York Draft Local Plan. In addition the site is located within flood zone 3a and the sites use for other uses within Class C2 would need to set out emergency procedures in the event of flood.

Reason: The site is previously developed land, sustainably located close to the city centre. The principle of encouraging the effective use of land by reusing land that has been previously developed is supported by the NPPF. Student housing can relieve the pressure on 'traditional' housing and provide a level of employment; The NPPF seeks to boost significantly the supply of housing and to encourage sustainable economic uses as such the general thrust of the NPPF is supportive of the development proposed.

Based on the evidence submitted and the comments of policy the loss of the employment site is supported.

DCLP policy ED10 (Student Housing) says planning applications for off campus residential accommodation on windfall sites should meet a series of criteria. The applicant must demonstrate an identified need for the development and give consideration to accessibility to educational establishments by means other than the car, the scale and location of the development should be acceptable and the impact on the amenity of nearby residents should not be detrimental. Car parking must also be satisfactorily managed. In accordance with policy ED10 it is considered that the applicant has shown that there is a need for the development. Furthermore it is considered that the site has an acceptable relationship to adjacent development and will not impact on residential amenity. Management of car parking would be conditioned. The application is considered to comply with the requirements of policy ED10.

Following receipt of the revised comprehensive evacuation plan the flood risk assessment and application is considered to pass the exceptions test in accordance with the requirements of the NPPF.

**54. Appeals Performance and Decision Summaries**

Members considered a report which informed them of the Council's performance in relation to appeals determined by the Planning Inspectorate between 1 July and 30 September 2016 and provided them with a summary of the salient points from appeals determined in that period.

Resolved: That the report be noted.

Reason: To inform Members of the current position in relation to planning appeals against the Council's decisions as determined by the Planning Inspectorate.

Cllr A Reid, Chair

[The meeting started at 4.30 pm and finished at 5.25 pm].

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**COMMITTEE REPORT**

**Date:** 14 December 2016      **Ward:** Huntington/New Earswick  
**Team:** Major and Commercial Team      **Parish:** Huntington Parish Council

**Reference:** 16/01968/FULM  
**Application at:** Monks Cross Shopping Park Trust Monks Cross Shopping Park Monks Cross Drive Huntington York  
**For:** Erection of a standalone retail unit and associated restaurant/refreshment units, reorganisation of internal vehicular routes and car parking, replacement of retail facades and associated landscape improvements  
**By:** Trustees of The Monks Cross Shopping Park  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 23 December 2016  
**Recommendation:** Approve

**1.0 PROPOSAL**

1.1 The current proposal has been developed followed pre-application advice from officers provided earlier in 2016. The scheme is for a standalone retail unit to the Southwest corner of the site with additional standalone refreshment units proposed along the front of the existing North terrace. These refreshments units will total no more than 1100 sqm (gross) and are in 4 separate blocks. The applicant has requested that no reference is made to the number of units provided to allow greater flexibility in their future use. To facilitate the siting of the standalone unit, the parking scheme for the entire site is to be redesigned. A cohesive landscape scheme for the wider site is also proposed and the existing units around the retail park will have updated facades.

1.2 The site currently consists of 25 retail units, car parking and ancillary facilities and forms part of a larger retail area known as Monks Cross. The site consists of the area bounded by Monks Cross Drive to the north and west and Asda supermarket to the south-east. Access to the site is via an access point from the roundabout on Jockey Lane and via an access point from the roundabout to the north from Monks Cross Link. The north, west and eastern boundaries of the site present relatively blank elevations of the shopping buildings on to a landscaped boundary adjacent to Monks Cross Drive and Monks Cross Link. The southern boundary of the site consists of the entrance and car parking facilities viewed through maturing landscaped boundaries. The majority of the trees to the periphery of the site are covered by a Tree Preservation Order (TPO no CYC 274).

1.3 The intention is for the standalone unit to be restricted to bulky goods only and the present intention is that this is occupied by a furniture retailer. The refreshment pods will likewise be restricted in their use to A1 (sandwich shop), A3, A4 and A5 and are intended to increase the catering offer on site in line with similar sites in the locality.

1.4 For clarity and information the existing retail space is currently controlled via a condition attached to the original outline consent to develop the park this says:-

'No retail unit shall be less than 10,000 square feet and units greater than 15,000 square feet net retail sales area shall not be used for the retailing of any of the following goods, save where ancillary to the main range of goods sold, without the prior consent in writing of the Local Planning Authority.

- (a) mens, womens and children's clothing and footwear
- (b) fashion accessories
- (c) watches and jewellery
- (d) music and video recordings and video or CD-ROM games
- (e) cameras (including cam-corders) and other photographic equipment
- (f) domestic TV, video and hifi equipment
- (g) toys'

#### Planning History

1.5 The application site area consists of an area which covers the main Monks Cross shopping park referred to hereafter as MCSP. The following site history can be attributed to and be considered relevant to the application site:

- In September 1994 outline planning permission was granted for 'shopping centre comprising 360,000square feet A1 retail floorspace(gross leasable area) plus management space, fast food provision, circulation space and ancillary facilities' planning reference 3/66/650AK/OA 3/61/207G/OA. The application was subject to 13 conditions; condition 3 of the permission is as set out in paragraph 1.4 above. The remaining conditions on this permission relate to the way in which the physical details of the scheme are to be implemented.

NOTE: the above permission and the subsequent reserved matters also related to the Asda supermarket. Asda Supermarket building and car park are not part of the current application site area.

- In August 1997 reserved matters approval was granted for the erection of retail units with associated parking/servicing/management facilities and restaurant (Planning reference 7/066/9080). The reserved matters was subject to a section 106 unilateral undertaking which included financial contributions towards art work and bus routes and highway requirements outside the application site.

- In February 1998 planning permission was granted for a first floor mezzanine to unit 12 to be used for A3 food and drink use. The planning permission restricted the use of the mezzanine to A3 use only and ancillary to the main retail use.
- In July 1998 reserved matters in relation to landscaping and boundary treatment of the retail development were approved (planning reference 98/00187/REM).
- Prior to the introduction of legislation relating to the insertion of mezzanine floors within retail units in 2006 a number of certificates of lawful development applications were submitted in 2005 for the insertion of mezzanine floors (units 7, 13 and 18).
- In September 2007 planning permission was granted for external alterations to and construction of first floor within units 18 and 19 (Planning reference 07/01498/FULM).
- Certificate of lawful proposed use was issued in relation to former BB's cafe to allow the unit to be used for class A1 retail. The certificate confirmed that the change would constitute permitted development and thus could take place without the need for planning permission.
- In November 2008 planning permission was granted for a variation of condition 3 (referred to above) of the original outline planning permission in relation to unit 18 (planning reference 08/01515/FUL) allowing the upper limit of 15000square foot to be increased to 15,210 square foot.
- Permission was submitted in March 2009 for external alterations and construction of first floor within unit 16, the Clarke's unit. No decision has been issued on this application (planning reference 09/00580/FUL).
- In July 2010 planning permission was refused for the erection of 3no retail buildings (total floor space 1440 sq m) for Class A1 (retail), and/or Class A3 (restaurants and cafes) and/or Class A5 (hot food takeaway) with modifications to existing car park, introduction of new servicing, landscaping and highway works (this was the resubmission of an earlier withdrawn application). The application was refused by planning committee because of loss of car parking and the loss of trees covered by a Tree Preservation Order (planning reference 10/1012/FULM).
- In September 2010 permission was granted for the erection of 2 storey infill unit to create sandwich shop (use class A1), cafe (A3) Drinking Establishment (A4) or Hot Food Take-Away (A5) (planning reference 10/2058/FUL). This permission was subject to a restriction to the specified uses and no other use within class A1.
- In May 2012 permission was refused for the erection of additional retail floorspace (Class A1) comprising either extensions to existing stores, new buildings and/or new or extended internal first floors to existing stores. Alterations to car park layout,

landscaping and associated highway works. Alterations to the planning controls for the existing and proposed retail units to allow a maximum number of 31 units, maximum food sales of 6,968sq.m., minimum unit size of 455sq.m., a maximum of 8 units less than 455sq.m., permit up to two large units (up to 4,645sq.m. net sales area) to sell a broader range of goods than simply bulky goods. The reasons for refusal related to the impact of the proposal on the vitality and viability of the city centre; the proposal was sequentially unjustified and not sustainable in an economic/ social or environmental context; and the scheme relied too heavily on increased public transport use without the infrastructure to support this.

- In January 2014 permission (13/01559/FULM) was granted for external alterations to amalgamate five existing units (numbers 3, 4, 5-6, 11 and 12) and create additional mezzanine floorspace to create two non-food retail units; external alterations and variation of Condition 3 of permission ref. 3/66/650AK/OA - 3/61/207G/OA to subdivide Unit 16.

## **2.0 POLICY CONTEXT**

See Section 4

## **3.0 CONSULTATIONS**

### **INTERNAL**

#### Public Protection

3.1 Public protection do not have any objections. As the site is already operating as a retail park there is unlikely to be any significantly adverse effect from noise, odours, lighting etc as a result of the scheme. Conditions are recommended to ensure that any impact is kept to an acceptable level.

#### Highway Network Management

3.2 Initial concerns relating to the design of the cycle route on the West of the site. These have been addressed via revised plans and highways have now recommended conditions.

#### Forward Planning

3.3 Officers consider that the Sequential Assessment submitted by the applicant has demonstrated that there are no sequentially preferable development sites within or on the edge of York City Centre which are both suitable and available at the present time. They also agree with the submitted Impact Statement and consider that the proposal would divert modest levels of comparison goods expenditure from the defined centres. There will not be a 'significantly adverse' impact upon the vitality of trade or turnover of centres within the City of York or the wider study area. It is also



considered that the effects of the proposed development at the Monks Cross Shopping Park will not have a 'significantly adverse' impact on committed or planned investment.

3.4 Conditions are recommended to secure restrictions in order to control the future expansion of out-of-centre comparison goods retailing and the type of goods sold. The emerging local plan approach requires either floorspace or goods to be restricted and this is underpinned by the evidence base (2014 York Retail Study, WYG). Conditions restricting the future expansion of the proposed retail unit, its restriction to the sale only of bulky goods and limiting the refreshment pods to A1 (sandwich shop only), A3, A4 and A5 use only are recommended.

#### Environmental Management (Landscape)

3.5 The landscape officer made comment on the pre-application submission earlier in the year. In response to the current application she comments that while the birch trees around the perimeter pedestrian route are to be removed these are replaced by a new line of trees on the West and East terraces of the site. All the trees within the parking area are to be removed but this is not unreasonable as they are of variable quality and the proposed tree pits would provide a better start to the new trees. However 65 trees are to be lost within the parking area and it is not considered that the proposed 8 trees within the parking bays are sufficient to replace the amenity lost by the existing tree removal. Some pear trees and beech hedging are also to be lost to the north of the entrance roundabout; these should be retained or reinstated. The retail unit does not appear to impact on the perimeter TPO trees.

3.6 These comments have been forwarded to the applicant for consideration and it is anticipated that an update will be provided at the Committee meeting. Conditions have been attached with the report as recommended by the landscape officer.

#### EXTERNAL

##### Police Architectural Liaison Officer

3.7 As a result of the consultation done by the applicant with the ALO prior to submission, the ALO has no comments to make on this application.

##### Foss Internal Drainage Board

3.8 The Board has no objection to the proposal and recommends a condition requiring submission of surface water drainage details.

##### Huntington Parish Council

3.9 No comments received.

## Neighbour notification and publicity

3.10 One letter of objection has been received from the representatives of Pizza Hut. This raises concern about the lack of information submitted to assess the potential impact of the refreshment units. Concern is also raised about the proposed amendments to the facades of the existing units, and in particular the impact on the canopy to the front of the unit.

### **4.0 APPRAISAL**

#### 4.1 Key Issues:-

- Policy background
- Principle of the development considering the sequential test and retail impact assessment
- Design and Landscaping
- Highways, parking and access arrangements
- Sustainability - Building Design
- Flood risk and drainage

#### POLICY BACKGROUND

4.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied and confirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Where a development plan is not up to date Local Planning Authorities should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The NPPF is the most up-to date representation of key relevant policy issues and it is against this policy Framework that the proposal should principally be addressed.

4.3 The Ministerial Forward to the NPPF highlights that sustainable development is about positive growth, making economic, environmental and social progress for this and future generations. The policy framework sets a clear presumption in favour of sustainable development within every decision.

4.4 The NPPF retains and defines the 'presumption in favour of sustainable development' as the "golden thread with runs through both plan-making and decision. It is defined in the NPPF by five principles as set out in the UK Sustainable Development Strategy:

- living within the planet's environmental limits;
- ensuring a strong, healthy and just society;
- achieving a sustainable economy;
- promoting good governance; and
- using sound science responsible.

4.5 The NPPF says the Government believes that sustainable development can play three critical roles in England:

- an economic role, contributing to a strong, responsive, competitive economy;
- a social role, supporting vibrant and healthy communities; and
- an environmental role, protecting and enhancing our natural, built and historic environment

4.6 The NPPF states Local Planning Authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground. It also states that Local Planning Authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local Planning Authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

4.7 The document states that Planning should promote the vitality of main urban areas and encourage the effective use of previously developed land providing that it is not of high environmental value. It should promote mixed use developments, support the transition to a low carbon future, actively manage patterns of growth and focus significant development in locations which are or can be made sustainable (Para. 17).

4.8 Specifically, Para 23 states that it is important that the needs for retail uses are met in full and not compromised by limited site availability. Well connected appropriate edge of centre sites for main town centre uses (which include retailing) should be allocated where suitable and viable town centre sites are not available. If these cannot be identified, policies for meeting the identified needs in other accessible locations that are well connected to the town centre should be set as well as policies for the consideration of proposals which cannot be accommodated in or adjacent to town centres. The quantitative and qualitative need for land/floorspace for retail development should be assessed through the evidence base for making Local Plans, as should the role and function of town centres, the relationship between them and the capacity of existing centres to accommodate new town centre development (Para. 161).

4.9 In promoting healthy communities, para. 70 seeks to ensure that planning policies and decisions should ensure that established shops are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.

4.10 Specific aspects of the NPPF relevant to this application are; para. 19 says that significant weight should be placed on the need to support economic growth. Para. 24 requires a Sequential test for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Main town centre uses should be located in town centres, then in edge of centre locations, and only if suitable sites are not available should out of centre sites be considered (note: there is no specific test of viability). When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Flexibility should be demonstrated on issues such as format and scale.

4.11 Para. 26 requires an impact assessment for retail (and leisure and office) development outside of town centres which are not in accordance with an up-to-date Local Plan. An impact assessment is required if the development is over a proportionate, locally set floorspace threshold (if no such threshold, then 2,500 sqm is the default). The assessment should cover the impact of the proposal on:

- Existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.
- Town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

4.12 Para. 27 says where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

4.13 Section 4 of the NPPF promoting sustainable transport says 'All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (para.32).

4.14 Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas (para.34).

4.15 Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport (Para 35).

4.16 A key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement should be required to provide a Travel Plan (Para.36).

4.17 Para. 56 says the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

4.18 The NPPF in section 10 sets out guidance on meeting the challenge of climate change, flooding and coastal change. It says Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations (para.94).

4.19 Section 10, para. 96 says in determining planning applications, Local Planning Authorities should expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

4.20 Para. 203 relates to the use of planning conditions and says Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

4.21 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005. Whilst the 2005 York Draft Local Plan 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. The following policies are considered relevant to this application:-

- Through policy SP7A, the Plan seeks to ensure that development outside York City Centre is highly accessible by non-car modes of transport, taking a sequential approach for new retail development; the hierarchy for retailing starting with the defined Central Shopping Area, then edge-of-city centre sites or Acomb or Haxby District Centres, than in other out-of-centre locations that are genuinely accessible. The policy does not permit individual retail units in out-of-centre locations of less than 1,000 sqm net sales area. For major shopping developments outside the Central Shopping Area, evidence of retail impact will be required to show that the proposal would not, together with other recent and proposed developments, undermine the vitality and viability of York City Centre's predominant use as a sub regional shopping centre, the defined Central Shopping Area, or the Acomb or Haxby District Centres. Policy SP7B states that York City Centre will remain the main focus for retail development and that the Central Shopping Area, as shown on the proposals map, will be the City Centre for retail purposes in terms of the sequential test and will be the focus for retailing activity.

- A number of sites are identified for mixed use developments that include retail use, including at Hungate, Heworth Green and Castle Piccadilly (Policy SP9).

- Strategic windfall sites, where consistent with other policies, will be appropriate for retailing where located in the most sustainable areas, defined as within 400m of a transport mode or park-and-ride, under Policy SP10.

- Policy S1 allocates Castle Piccadilly for comparison goods retailing to meet the need for new retail development to 2011 and sites are allocated at George Hudson Street for comparison / convenience goods retail and at Foss Island for convenience / bulky goods retail.

- Under Policy S2, planning permission will be granted for out-of-centre retail warehouses or retail warehouse parks provided that no development has a net sales floorspace of less than 1,000 sqm and shall be not subsequently subdivided, with restrictions on the primary retail use.

- Policy YC1 designates York Central as an Action Area to provide a modern central business district and new residential community. The accompanying text relates to local retail uses being of appropriate scale to meet the new resident and workforce population and any locally deficient surrounding communities.

- Policy GP1 'Design' includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure

residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

- GP4a 'sustainability' supports the aims and objectives of the NPPF as well as providing policy on the location and design elements of sustainability.

4.22 The Interim Planning Statement (IPS) on sustainable design and construction supports and supplements policy GP4a. This IPS requires all commercial development over 1000 sqm to achieve BREEAM 'very good'.

4.23 The Core Strategy has been withdrawn and the policies within it are not relevant to the consideration of the proposals.

4.24 The consultation on the Preferred Sites 2016 document and supporting evidence for the emerging City of York Local Plan was 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 that underpins the proposed emerging policies is capable of being a material consideration in the determination of the planning application. Relevant plan policies include; The emerging new local plan through policy R4 seeks to restrict further out of centre retail unless small in nature (less than 200 sqm) and evidence is submitted to show that proposals will not impact on the city centre vitality and viability.

#### PRINCIPLE OF THE DEVELOPMENT CONSIDERING THE SEQUENTIAL TEST AND RETAIL IMPACT ASSESSMENT

4.25 The proposal relates to a development of a standalone bulky goods comparison store of 2114 sqm (22755 sq feet) and new refreshment pods with a total floor area of 929 sqm (10,000 sq feet). Restrictions are proposed to limit the new retail unit to bulky goods and the refreshments pods to A1 (sandwich shop), A3, A4 and A5 use.

4.26 The application is supported by a planning and retail report addressing the sequential test and impact assessment and also sets out the business case for the additional units and their occupancy and the retail and planning benefits of the development.

4.27 Business Case; The submitted planning and retail report says:-

- An opportunity to update the image and offer of MCSP
- The enhancements proposed have the opportunity to provide an additional approximately 100 full- and part-time posts.
- There is currently no furnishings/ furniture offer at MCSP.
- The catering offer on site is very limited and comprises of only Starbucks, Costa and Pizza Hut. In comparison Clifton Moor and Vanguard Shopping Park benefit from 6 catering outlets each. This application will provide a similar choice at MCSP.
- The bus route along the West and North of the site has not been used for some time and is not fit for purpose as a result of tight turning radii at the corner. This proposal makes use of this redundant space for the refreshment pods and enhanced landscaping.
- The facades are in need of modernisation. This requires significant financial investment and is to some extent therefore linked to permission being granted for the income generating A1 unit and refreshment pods.

4.28 As set out in the NPPF there are two key policy tests relevant to the consideration of the retail impacts of the development. These are the sequential test and the impact assessment.

#### Sequential Test

4.29 A sequential test is a planning principle that seeks to identify, allocate or develop certain types or locations of land before others.

4.30 Under the NPPF, the sequential test is applied to main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. The NPPF says that main town centre uses should be located in town centres, then in edge of centre locations, and only if suitable sites are not available, should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. No specific floorspace threshold is cited for the use of the sequential test. The twin facets of the test in the NPPF are suitability and availability. The previous consideration of viability referred to in former Government advice (Planning Policy Statement 4) is no longer referenced in dealing with planning applications.

4.31 The NPPF (para 24) requires both applicants and Local Planning Authorities to demonstrate 'flexibility' on issues such as format and scale when considering sites in, or on the edge, of existing centres as part of applying the sequential test but does not provide specific guidance as to what degree of flexibility is required. Recent case law from *Tesco v Dundee City Council* (2012 UKSC13) clarifies the position. In summary the Dundee case establishes firstly that if a site is not suitable for the



commercial requirements of the developer in question then it is not a suitable site for the purposes of the sequential approach and secondly in terms of the size of the sequentially preferable site, provided that flexibility has been demonstrated the question is " whether the alternative site is suitable for the proposed development" NOT whether the proposed development can be altered or reduced so it can be made to fit.

4.32 It is considered that the applicants have demonstrated flexibility on matters of format and scale by considering sites which could accommodate the proposed gross floorspace of 2,411 sqm over two storeys rather than just the single storey unit proposed. Including the required landscaping and car parking provision this means that sites of 3,116 sqm (0.31ha) have been considered as part of the sequential test.

4.33 In accordance with national guidance the Council has supported the applicant in undertaking the sequential test, including sharing any relevant information. As such, it was considered that the applicant should assess the following sites in terms of their suitability and availability as part of the sequential test as part of the sequential test:

- Hungate (Allocation E1 in emerging Local Plan);
- Castle Piccadilly (Site ST20 in emerging Local Plan);
- York Central (Site ST5 in emerging Local Plan);
- Any suitable vacant sites in the city centre; and
- Any suitable vacant sites in Acomb or Haxby District Centres

4.34 The applicant has considered these sites and made the following conclusions:

- The commercial element of the Hungate site is not suitable in terms of its size and location. In addition, permission has only been given in outline and is unlikely to be available in a reasonable time frame.
- York Central is identified as a medium to long term development opportunity given the number of ownerships and scale of development proposed. The site is therefore not available at present and unlikely to be available in the short to medium term.
- Castle Piccadilly has been identified in the York Retail Study as unlikely to gain investment in the short to long term and is therefore not currently available.
- No other sites capable of accommodating a single retail unit of 3116 sqm were identified in the city centre or Acomb or Haxby district centres.

4.35 In conclusion it is considered that the sequential assessment has demonstrated that there are no sequentially preferable development sites within or on the edge of York City Centre which are both suitable and available at the present time.

## Impact Assessment

4.36 The purpose of the impact assessment is to consider the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made. The NPPF says proposals that are likely to have significant adverse impact on one or more of the above factors should be refused.

## Methodology

4.37 It is considered that the methodology employed by HOW Planning is consistent with the approach advocated by the NPPG. The study area for the proposed retail development is based on the York Retail Study update so that direct comparisons may be made in terms of trading patterns and market shares. The period over which population and expenditure has been forecast is between 2016 and 2021. This is inline with the timescales for the assessment of impacts as set out under paragraph 26 of NPPF.

## Impact Assessment of Retail Unit

4.38 The quantum of retail floorspace is 2,411 sqm gross internal area (1,672 sqm net) for the standalone retail unit to be occupied by a furniture retailer, although an end user is not yet identified. HOW Planning in their assessment to accompany the proposal estimate that the unit will have a turnover of circa £8.3m in 2016 and £9.2m in the test year of 2021. This turnover is based on an 'average bulky goods' retailer turnover of £4,925 psm using the 2016 Mintel Retail Rankings. This is estimated to have a solus impact on York City Centre of 0.4% and a cumulative impact (when taking account of other retail commitments) of 4%.

4.39 York city centre's comparison goods turnover (2016) from the study area is estimated at £419.46m and its total turnover including expenditure from outside the study area is £466.07m. It is predicted that the proposal itself will divert £1.84m from the City Centres turnover (0.38%). Cumulatively with the other existing retail commitments, circa £20.12m of comparison goods expenditure would be diverted from York City Centre. This equates to a trading impact of just below 4%. It is considered that this equates to a relatively modest level of trade loss and would not lead to a 'significantly adverse impact' upon the vitality and viability of York City Centre.

4.40 In summary it is considered that the proposal would divert modest levels of comparison goods expenditure from the defined centres and there will not be a

'significantly adverse impact upon the vitality and viability of trade or turnover of centres within the City of York or the wider study area.

## Impact on Investment

4.41 NPPG states that when assessing impact upon investment the key considerations are: the policy status of the investment (i.e. whether it is identified in the Development Plan); the progress made towards securing the investment (i.e. if contracts are established); and the extent to which an application is likely to undermine the planned development (i.e. its effect on operator demand and investor confidence).

4.42 The emerging Local Plan identifies three sites within York City Centre (Policy SS5) for retail and mixed use development including Hungate (Site E1), Castle Piccadilly (Site ST20) and elements of York Central (Site ST5). In regards to progress made to securing investment both Castle Piccadilly and York Central are identified in the emerging Local Plan as 'Areas of Opportunity' under policies SS5, SS9 and SS10.

4.43 York Central and Castle Piccadilly are more medium to long term development opportunities in regards to securing investment and are not available in the short term for investment given existing operational uses. Given this, investment on the sites is 'planned' but is at an early stage in the development process. At the Hungate site planning consent has already been granted for various phases of primarily residential development and the scheme is under construction. This therefore represents committed and existing investment. Given the early stage of both the York Central and Castle Piccadilly site with no firm concept of a detailed scheme it cannot be evidenced that the planned development at Monks Cross Shopping Park would undermine the investment.

4.44 The Hungate scheme second phase, which is residential led, is currently under construction and as such this investment has already taken place. The third and fourth phase of the scheme does include ancillary commercial floorspace including some retail floorspace but the purpose of this space is to serve the residents of the scheme and may include small scale convenience and comparison floorspace. It is very unlikely therefore that the retail development proposed as part of the Monks Cross Shopping Park scheme will impact on investment at the Hungate site.

4.45 In summary it is not considered that the effects of the proposed development at the Monks Cross Shopping Park will have a 'significantly adverse' impact on committed or planned investment.

## Restaurant pods

4.46 The proposal includes small ancillary restaurant/refreshment pods which would total no more than 1,100 sqm (gross). This is below the impact assessment threshold for out of centre destinations of 1500 sqm so an RIA is not required. However the applicants have produced an assessment to support the application. The units proposed would be ancillary refreshment pods and would be unlikely to be a destination in themselves but would provide a complementary role to the wider Monks Cross Shopping Park. It is considered that the units would be more likely to compete with the existing out of centre format offer rather than on in-centre provision. It is considered unlikely that the A3 floorspace proposed would have a significant adverse effect on existing centres including York City Centre.

## Conclusions on the Principle of the Development

4.47 It is Government's current policy position that new retail development should be provided within and adjacent to town centres and to pursue sustainable development. The NPPF requires new retail floor space to be considered against the sequential test and the impact assessment. Advice is clear that retail development should be located in towns/cities first. At the local level policies in the DCLP and the emerging new local plan both direct new development to the city centre first, although no weight can be attached to the new local plan at this time.

4.48 The proposed new floor space, and the refreshment units, are considered to be acceptable in relation to the sequential test as there are no other sequentially preferable sites that are suitable and available. Furthermore the development is not considered to have significantly adverse impacts on the city centre. These conclusions are subject to the imposition of appropriate conditions restricting the use of both the retail units and refreshment pods.

4.49 In terms of the current emphasis on the need to support sustainable economic growth set out within the NPPF the provision of additional jobs overall is a positive benefit to the scheme.

4.50 For the reasons set out above and in the context of NPPF advice, the principle of the development can be supported subject to conditions that ensure the development is undertaken in line with the submitted business case.

## DESIGN AND LANDSCAPING

4.51 The scheme effectively includes 4 main elements - the new A1 unit; the refreshment pods; the replacement facades and landscaping; and the alterations to the parking layout. As these can be, in the main, be implemented separately it seems appropriate to consider them individually.

4.52 The new A1 unit sits within an area at the front of the site currently used as parking and bounded to the East by Monks Cross Access Road and to the West by Monks Cross Drive. The site is clearly visible from the roundabout on Jockey Lane and is most notable for the row of lime trees around its boundary. These lime trees are protected by TPO and have a high amenity value giving screening to the MCRP and greening an otherwise relatively sterile car park environment.

4.53 The proposed unit sits comfortably away from the lime trees and it is accepted that there should be no impact on these as a result of the proposal. It is proposed as part of the landscape scheme that a gap resulting from failed trees is filled by replacements. The unit will sit within its own landscaped area consisting of wildflower sowing and birch trees. This will go some way to ensuring the unit sits comfortably within the streetscene.

4.54 It is acknowledged that the proposal introduces a built form in to an area which is currently relatively open however it does sit comfortably with other development around the roundabout. To the South of the roundabout the retail units are set a similar distance from the roundabout as the proposal as is the Sainsburys petrol station. Therefore it can be considered that the proposal is in keeping with the character of the surrounding area in terms of its siting.

4.55 Given the relatively prominent location of the building, it was considered necessary to ensure that the building did not turn its back on Monks Cross Drive and the roundabout to the South. Revisions have therefore been sought to achieve a building which fronts not just its parking area to the north but also produces a positive aspect to the highways to the South. The building is approximately two storey in scale with a feature element on the corner to the Southeast facing the roundabout. Elements of glazing are used on all elevations to ensure the building is not overly heavy in appearance. Signage will predominantly be attached to the feature facing the roundabout.

4.56 It is concluded that the proposed A1 unit will be a positive addition to the streetscene. Its siting results in it having the impact of a gateway building to the MCSP and as such it has been designed to address the roundabout and external roads as well as the internal areas of the retail park. Landscaping around the unit is positive with some replacement tree planting for those trees which will be lost as a result of the parking reconfiguration.

4.57 The refreshment pods are to be sited within an area to the front of the North terrace which currently consists of the redundant bus lane, the cycle lane and areas of landscaping. The pods are in 4 blocks with 2 smaller blocks to the outside and larger ones with the potential to be sub-divided to the centre. They are to be single storey which will make them slightly taller than the canopy of the existing units. Whilst necessarily fronting the pedestrian walkway in front of the existing retail units, the pods also have glazed areas to the side with small external terraces which help

to ensure that the elevation facing the parking is not entirely blank. Materials will be cedar and grey cladding to blend in with the proposed alterations to the facades.

4.58 It is proposed to update the existing facades and canopy across the site to update and refresh the site. The existing drum features above the entrances to each unit will be overclad with a backlit architectural metal mesh which will echo the improved lighter weight canopy. The canopy is to be retained throughout the site although moved to a higher level in front of the 4 smaller units on the end of the West terrace. Signage will be incorporated in to the illuminated metal screens at high level. Existing shopfronts are to be retained but the varying sizes of the existing entrance features will be replaced by identically sized detailing. The existing low level granite cladding will be replaced by grey rain cladding. The aesthetic is proposed to follow that of the new Primark store. The existing lighting strategy will be retained across the retail terraces. Materials in the proposed unit and pods will follow those of the new facades.

4.59 As a result of the changes to parking in the South of the site (where the new unit will be sited) and the removal of the bus lane to the West and North, the parking layout for the entire site is being reconfigured. These changes result in a very small increase in parking provision but a significant improvement in the layout and siting of spaces. While there is a net gain in number of trees across the wider site, the main concern is the loss of all the trees throughout the parking area. Our landscape officer has accepted the removal of these trees as they are of variable condition and not covered by the TPO however they are recognized as providing significant amenity within the parking area. The proposal currently has little landscaping to break up the car parking. While new birch trees are to be planted to the front of the West and East terraces and along the central pedestrian routes these contribute little to providing a pleasant environment within the wider parking area. There is a loss of some of the hedging and tree planting to the North of the internal roundabout which should be reinstated or mitigated. The comments of the landscape officer have been forwarded to the applicant and an update will be provided at the committee meeting.

4.60 A landscaping scheme is proposed to replace the landscaping lost around the new pods. This new landscaping scheme is replicated across the site to provide cohesion and is a welcome addition to the site.

4.61 In conclusion, while issues around tree loss within the car parking area remain to be resolved, the design of the proposed buildings and enhancements to the existing site provide a positive contribution to the site and streetscene. The external appearance of the site will be maintained by the retention of the existing trees and the new unit will provide a positive addition to the site. The modernising and extension of the site is considered to be in compliance with policy GP1 of the DCLP and provides a sustainable form of development by enhancing and extending the existing site.

## HIGHWAYS, PARKING AND ACCESS ARRANGEMENTS

4.62 The application has been supported by a Transport Statement, the scoping of which was agreed with officers.

### Traffic Generation

4.63 As the development proposals seek to reconfigure an existing retail park the increase in traffic generated by the additional floorspace will not be proportionate to the increase in floorspace. A significant number of vehicular trips associated with the development will either be;

Linked Trips – customers already visiting the retail park who will visit multiple units

Pass-By – customers already on the adjacent highway network who call in to the site as part of a journey to somewhere else

Diverted – customers already on the highway network who deviate from their planned route to call in to the retail park

4.64 The actual numbers of vehicular trips considered to be new to this part of the highway network arising from the proposed development is anticipated to be in the region of 75 vehicles during the Saturday peak hour period. Given the existing background traffic flows on the adjacent highway it is not considered that the potential increase will be detrimental to the free flow of traffic nor warrant junction/highway mitigation works.

4.65 This level of traffic generation can be considered to represent a worst case scenario as the application has been supported by a Travel Plan which outlines a number of measures which are to be implemented which seek to promote sustainable travel and reduce dependence on the private car.

### Car Parking

4.66 The car park currently offers 960 spaces. The reconfigured car park will provide 966 spaces. The ratio of car parking spaces to GFA of retail floor area remains broadly the same between the existing and proposed development scenarios. Car parking accumulation surveys have been undertaken during the typical periods of operation. The surveys are considered to be very robust as they include the additional draw which would have occurred from the opening of the new Primark store.

4.67 These surveys indicate that during a typical Saturday the car park occupancy, peaks at approximately 95% of its available capacity (920 occupied out of 960 spaces). It should be pointed out however that this peak represents the single worst 15 minute period throughout the survey period and that outside of this single peak much greater capacity is widely available.

The typical average parking accumulation throughout a Saturday is 74% (717 occupied out of 960 spaces).

4.68 Officers are satisfied that when taking into account;

- a) The extensive Travel Plan work being undertaken by the park
- b) Non car accessibility to the site and works proposed as part of the scheme
- c) The robustness of the survey data
- d) The available hunting/circulatory/stacking space within the site clear of the public highway

that the level of car parking being provided is reasonable and appropriate in that it provides an appropriate level of car parking for day to day operation without unnecessarily incentivising car borne travel to the site.

#### Design/Sustainability

4.69 Whilst it is acknowledged that the Western bus link is being lost through the proposals buses have not used this route for some time. The existing Eastern bus only corridor is retained and has recently been improved with smart ticketing facilities, BLISS display and Kassel kerbs through the previously approved consent 13/01559/FULM, which will provide a better experience for bus passengers.

4.70 A replacement dedicated cycle route at least 3m wide will be provided along the Western and Northern arms of the retail park providing traffic free routes to cycle parking facilities. 130 cycle spaces (including some catering for trailers/panniers) are being provided in locations which have good natural surveillance, are well lit and are covered by CCTV are being proposed as part of the scheme.

4.71 The retail park management are currently working closely with the authorities Travel Plan officers and are actively promoting and implementing Travel Plan initiatives.

#### SUSTAINABILITY

4.72 There are clear objectives within the NPPF and within Local plan policies that seek to secure sustainable development.

4.73 In accordance with the Interim Planning Statement on Sustainable Design and Construction a BREEAM very good assessment for all areas of development above 1000sq.m is required. The applicant has committed to this within their energy and sustainability statement.

4.74 In addition to accord with the Council's adopted Low Emission Strategy (October 2012) a condition is sought to secure 6 Electric Vehicle Recharging Point. Such a requirement is considered to accord with the requirements of paragraph 35



of the NPPF the aim of which is to seek to protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

## FLOOD RISK AND DRAINAGE

4.75 The site is in Flood Zone 1 and the development is appropriate in flood risk terms in accordance with the NPPF. No objections are raised by the Council's Flood Risk Engineer provided appropriate conditions are attached to any approval to ensure that any drainage systems are acceptable.

## 5.0 CONCLUSION

5.1 The applicant has demonstrated that the proposals are sequentially acceptable and that the proposals will not have a significantly adverse impact on the city centre or on planned investment.

5.2 The proposals are considered acceptable in terms of their design and siting and will enhance the appearance of the MCRP. The important tree cover around the boundary of the site is maintained and reinforced while landscaping to the front of the retail terraces is replaced and improved. Concern still remains regarding tree loss within the parking area although it should be noted that there is a net gain in tree planting across the entire site. An update will be provided at committee regarding the applicant's response to comments regarding tree loss.

5.3 Conditions are suggested to restrict the expansion of future out of centre bulky goods retailing and the type of goods sold. Other conditions will control details relating to appearance, landscaping, drainage and sustainability issues.

## COMMITTEE TO VISIT

### 6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 PLANS1 Approved plans

3 The following range of goods shall not be sold from the standalone retail unit, save where ancillary ( "ancillary" being defined for the purposes of this condition as no more than 15% of the total floorspace of the standalone retail unit) to the main range of goods sold:

- Men's, women's and children's clothing and footwear

- Fashion accessories

- Watches and jewellery
- Music and video
- Cameras and photographic equipment
- Toys
- Pharmaceutical goods
- Books, magazines and stationery
- Food, drink and other convenience goods

Reason: In the interests of the protection of the vitality and viability of the city and district centres the range of goods to be sold shall not compete with typical products found in these centres.

4 The A1 retail floorspace hereby approved shall not exceed 1672 square metres net.

Reason: The amount of retail floorspace approved is considered to be acceptable any increase may have an adverse impact on the vitality and viability of the city and district centres.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended, there shall be no sub-division of the A1 retail unit to create units of less than 1,000 sqm, or insertion of mezzanine floors within the A1 retail unit, in the absence of any planning permission relating directly to such subdivision or mezzanine floor.

Reason: In order to protect the vitality and viability of the city and district centres.

6 The refreshment units hereby approved shall only be used for A1 (sandwich shop), A3 (restaurant and cafe), A4 (drinking establishment) and/or A5 (hot food take-away) and for no other purpose, including any other purpose in Class A1 (apart from sandwich shop) in the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.

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

7 VISQ8 Samples of exterior materials to be approved

8 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.

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

Design considerations.

The developer's attention is drawn to Requirement H3 of the Building Regulations 2000 with regards to hierarchy for surface water dispersal and the use of Sustainable Drainage Systems (SuD's). Consideration should be given to discharge to soakaway, infiltration system and watercourse in that priority order. Surface water discharge to the existing public sewer network must only be as a last resort therefore sufficient evidence should be provided i.e. witnessed by CYC infiltration tests to BRE Digest 365 to discount the use of SuD's.

If the proposed method of surface water disposal is via soakaways, these should be shown to work through an appropriate assessment carried out under BRE Digest 365, (preferably carried out in winter), to prove that the ground has sufficient capacity to accept surface water discharge, and to prevent flooding of the surrounding land and the site itself.

City of York Council's Flood Risk Management Team should witness the BRE Digest 365 test.

If SuDs methods can be proven to be unsuitable then in accordance with City of York Council's Strategic Flood Risk Assessment and in agreement with the Environment Agency and the York Consortium of Internal Drainage Boards, peak run-off from Brownfield developments must be attenuated to 70% of the existing rate (based on 140 l/s/ha of proven by way of CCTV drainage survey connected impermeable areas). Storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

If existing connected impermeable areas not proven then a Greenfield run-off rate based on 1.4 l/sec/ha shall be used for the above.

Surface water shall not be connected to any foul / combined sewer, if a suitable surface water sewer is available.

The applicant should provide a topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.

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

10 Prior to the commencement of building works a detailed landscape scheme which shall include the species, density (spacing), and position of trees, shrubs and other plants; seeding mix, sowing rate and mowing regimes where applicable shall be submitted and approved in writing by the Local Planning Authority. It will also include details of ground preparation. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of ten years from the substantial completion of the planting and development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing. This also applies to any existing trees that are shown to be retained within the approved landscape scheme. Any works to existing trees that are protected by a tree preservation order (TPO) or are in a conservation area are subject to local authority approval and notification respectively within and beyond this five year period.

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

11 Prior to commencement of the A1 retail unit, an Arboricultural Method Statement 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 clearance/construction, locations for stored materials, locations and means of installing utilities, location of site compound. A copy of the document will be available for inspection on site at all times.

Reason: To protect existing trees 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.

12 Details of all machinery, plant and equipment to be installed in or located on the premises, which is audible outside of the premises, shall be submitted to the

local planning authority for approval. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed the background noise level at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014, inclusive of any acoustic feature corrections associated with tonal, impulsive, distinctive or intermittent characteristics.

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

13 There shall be adequate facilities for the treatment and extraction of cooking odours. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained and serviced thereafter in accordance with manufacturer guidelines.

Note: It is recommended that the applicant refers to the Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (January 2005) for further advice on how to comply with this condition. The applicant shall provide information on the location and level of the proposed extraction discharge, the proximity of receptors, size of kitchen or number of covers, and the types of food proposed. A risk assessment in accordance with Annex C of the DEFRA guidance shall then be undertaken to determine the level of odour control required. Details should then be provided on the location and size/capacity of any proposed methods of odour control, such as filters, electrostatic precipitation, carbon filters, ultraviolet light/ozon treatment, or odour neutraliser, and include details on the predicted air flow rates in m<sup>3</sup>/s throughout the extraction system.

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

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

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).

For dust details should be provided on measures the developer will use to minimise dust blow off from site. Measures may include, but would not be restricted to, on site wheel washing, restrictions on use of unmade roads, agreement on the routes to be used by construction traffic, restriction of stockpile size (also covering or spraying them to reduce possible dust), targeting sweeping of roads, minimisation of evaporative emissions and prompt clean up of liquid spills, prohibition of intentional on-site fires and avoidance of accidental ones, control of construction equipment emissions and proactive monitoring of dust. In addition I would anticipate that details would be provided of proactive monitoring to be carried out by the developer to monitor levels of dust to ensure that the necessary mitigation measures are employed prior to there being any dust complaints. Ideally all monitoring results should be measured at least twice a day and result recorded of what was found, weather conditions and mitigation measures employed (if any). The plan should also provide detail on the management and control processes. Further information on suitable measures can be found in the dust guidance note produced by the Institute of Air Quality Management, see <http://iaqm.co.uk/guidance/>

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

In addition to the above the CEMP should provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the

complainant, and what will happen in the event that the complaint is not resolved. Written records of any complaints received and actions taken should be kept and details forwarded to the Local Authority every month during construction works by email to the following addresses [public.protection@york.gov.uk](mailto:public.protection@york.gov.uk) and [planning.enforcement@york.gov.uk](mailto:planning.enforcement@york.gov.uk)

Reason: To protect the amenity of the area

15 LC4 Land contamination - unexpected contam

16 Before the occupation of the A1 retail unit four (4) Electric Vehicle Recharging Points shall be provided in a position to be first agreed in writing by the Council. Within 3 months of the first occupation of the accommodation, the Owner will submit to the Council for approval in writing (such approval not be unreasonably withheld or delayed) an Electric Vehicle Recharging Point Maintenance Plan that will detail the maintenance, servicing and networking arrangements for each Electric Vehicle Recharging Point for a period of 25 years.

Note : Electric Vehicle Recharging Point means a free-standing, weatherproof, outdoor recharging unit for electric vehicles with the capacity to charge at both 3kw (13A) and 7kw (32A) that has sufficient enabling cabling to upgrade that unit and to provide for an additional Electrical Vehicle Recharging Point. Charging points should be located in a prominent position on the site and should be for the exclusive use of zero emission vehicles. Also, to prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development in agreement with the Local Planning Authority. This ties in with a key theme of the NPPF, in that developments should enable future occupiers to make green vehicle choices and it explicitly states that 'developments should be located and designed where practical to incorporate facilities for charging plug in and other ultra low emission vehicles'.

Reason: To promote and facilitate the uptake of electric vehicles / bikes / scooters on the site in line with the Council's Low Emission Strategy (LES) and the National Planning Policy Framework (NPPF).

17 The A1 retail unit hereby approved shall achieve at least a Building Research Establishment Environmental Assessment Method ('BREEAM') Very Good rating (or equivalent, as set out within the submitted BREEAM Pre-assessment report)) unless otherwise agreed in writing by the Local Planning Authority. A Post Construction stage assessment shall be carried out and a Post Construction stage certificate shall be submitted to the Local Planning Authority within 3 months of practical completion of the retail development. Should the development site fail to achieve a BREEAM standard of 'Very Good' a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a BREEAM standard of 'Very Good'. The approved remedial

measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development, in accordance with the requirements of policy GP4a of the Draft Local Plan and the Council's planning guidance Interim Planning Statement (IPS) on Sustainable Design and Construction.

18 HWAY18 Cycle parking details to be agreed

19 HWAY19 Car and cycle parking laid out

20 HWAY36 Servicing within site, details reqd

21 Prior to the commencement of any works on the site, 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 LPA. Such a statement shall include at least the following information;

- a) the routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours
- b) where contractors will park
- c) where materials will be stored within the site
- d) details of how the car parking area will be managed during the construction period to ensure adequate car parking remains
- e) measures employed to ensure no mud/detritus is dragged out over the adjacent highway.

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.

22 No new floorspace hereby approved shall be occupied until a Full Travel Plan for that floorspace has been submitted and approved in writing by the LPA. The travel plan should be developed and implemented in line with local and national guidelines. The new floorspace shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan.

Within 12 months of occupation of any of the new floorspace hereby approved a first year travel survey shall have been submitted to and approved in writing by the LPA. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.



Reason: To ensure the development complies with local and national highways and planning guidance, and to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site, together with parking on site for these users.

## **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 order to achieve a positive outcome:

Required amended details of the retail unit and changes to the landscaping layout.

2. The public sewer network does not have capacity to accept an unrestricted discharge of surface water. Surface water discharge to the existing public sewer network must only be as a last resort, the developer is required to eliminate other means of surface water disposal.

### **Contact details:**

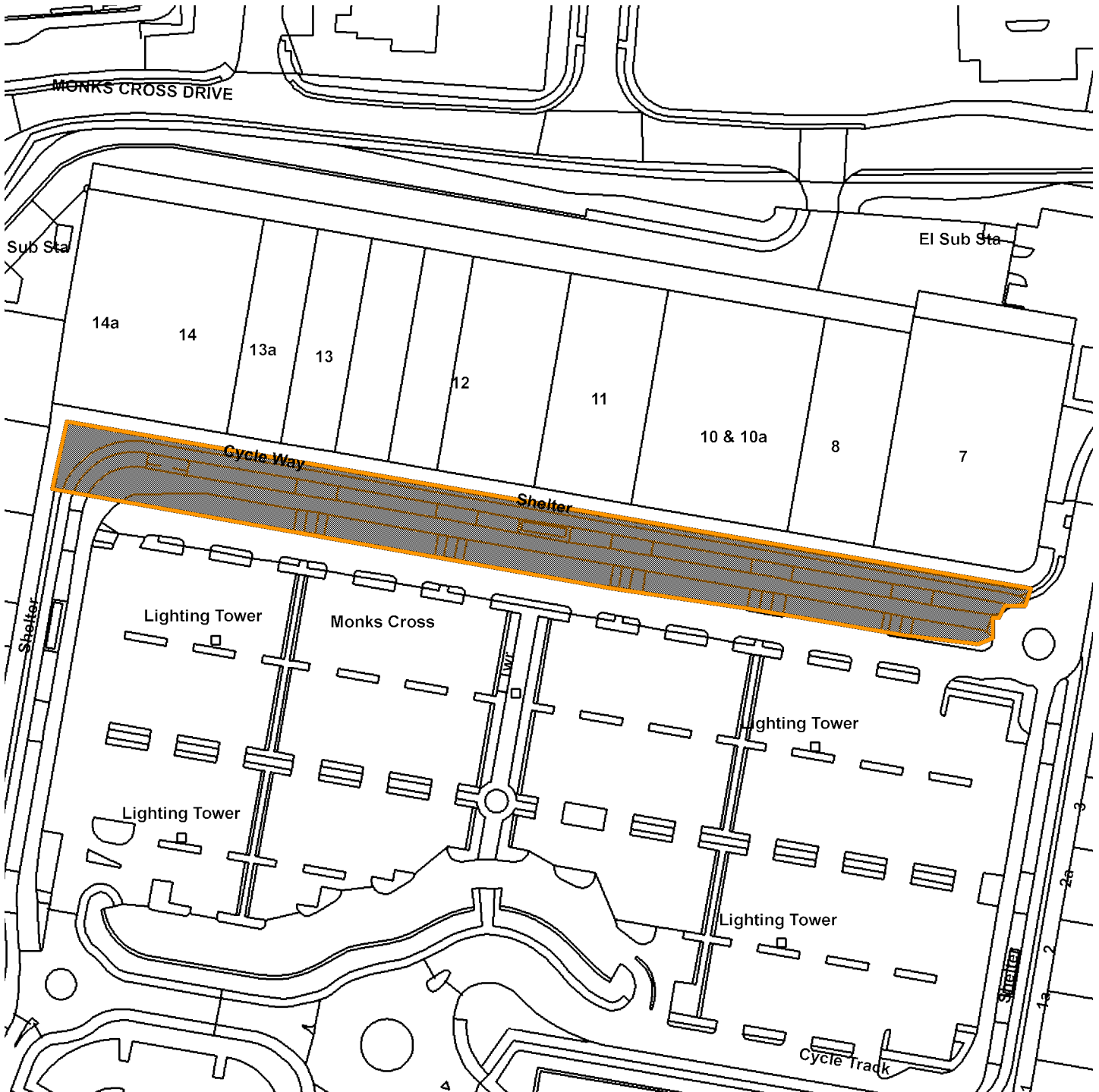
**Author:** Alison Stockdale, Development Management Officer (Wed - Fri)

**Tel No:** 01904 555730

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16/01968/FULM

Monks Cross Shopping Park Trust, Monks Cross Shopping Park, Monks Cross



Scale : 1:1297

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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Site Plan
<b>Date</b>	06 December 2016
<b>SLA Number</b>	Not Set

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**COMMITTEE REPORT**

**Date:** 14 December 2016      **Ward:** Wheldrake  
**Team:** Major and                      **Parish:** Elvington Parish Council  
Commercial Team

**Reference:** 16/02212/FUL  
**Application at:** Proposed Telecommunications Mast Elvington Lane  
Elvington York  
**For:** Erection of 22.5m monopole to support 3no.  
telecommunications antennae for shared use by Vodafone  
and Telefonica, which together with the installation of 2no.  
dishes and 3no. ground based equipment cabinets will  
provide 3G and 4G mobile electronic communication  
services from the installation.  
**By:** Shared Access & CTIL  
**Application Type:** Full Application  
**Target Date:** 16 December 2016  
**Recommendation:** Approve

**1.0 PROPOSAL**

1.1 The application is a full planning application for a new 22.5m telecommunications mast with 3 cabinets and sited within a small compound.

1.2 The site is adjacent to a wooded area and accessed via an existing track off Elvington Lane which provides access to the pitches at the sports club. It is within the Green Belt. The mast and compound will be situated just beyond the football pitches on a flat grassy site. Adjacent to the site is a doctors' surgery, play area and sports' pavilion.

1.3 The application is brought to Main Planning Committee as the proposal constitutes inappropriate development within the general extent of the Green Belt.

**2.0 POLICY CONTEXT**

See Section 4

**3.0 CONSULTATIONS**

INTERNAL

3.1 No comments received.

EXTERNAL

Elvington Parish Council

3.2 No objection.

Neighbour notification and publicity

3.3 No representations received.

Pre-Application Consultation

3.4 The applicant has indicated that pre-application consultation was undertaken with Elvington Primary School, doctor's surgery, airfield and the parish council. A request for more information was received from the parish council and this was supplied. A self-certification certificate for compliance with the International Commission Guidelines has been submitted.

3.5 The site is outside the playing fields, therefore Sports England has not been consulted, and no impact is anticipated on sports pitch provision on the site.

## **4.0 APPRAISAL**

### **4.1 KEY ISSUES**

- Policy context
- Principle of the development – Assessment of harm to Green Belt
- Other considerations – Telecommunication improvement and specific location; Impact on trees; Access

## **POLICY CONTEXT**

### **Development Plan**

4.2 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

- 4.3 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.

## Emerging Local Plan

- 4.4 The planned consultation on the Publication Draft of the City of York Local Plan, which was approved by the Cabinet of the Council on the 25 September 2014, was halted pending further analysis of housing projections. An eight week consultation on a further Preferred Sites document has concluded. Recently, however, announced closures of Ministry of Defence Sites in the York administrative area have given rise to further potential housing sites that require assessment and consideration as alternatives. The emerging Local Plan policies can only be afforded weight at this stage of its preparation, in accordance with paragraph 216 of the NPPF. However, the evidence base that underpins the proposed emerging policies is capable of being a material consideration in the determination of the planning application.

## The National Planning Policy Framework NPPF

- 4.5 The 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.
- 4.6 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. Your officer's view is that this presumption does not apply to this proposal as the site lies within the general extent of the Green Belt as identified in the RSS and therefore justifies the application of the more restrictive policies in Section 9 to the NPPF.

## GREEN BELT

- 4.7 As noted above, saved Policies YH9C and Y1C of the Yorkshire and Humberside Regional Strategy define the general extent of the York Green Belt and as such Government Planning Policies in respect of the Green Belt

apply. Central Government Planning Policy as outlined in paragraphs 79 to 90 of the National Planning Policy Framework identifies Green Belts as being characterised by their openness and permanence. Substantial weight should be given to any harm to the Green Belt.

- 4.8 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.
- 4.9 The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 90 does allow 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 Green Belt. This application does not fall within the list of development types considered acceptable in para.90 and therefore should only be approved where the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations amounting to very special circumstances.

## PRINCIPLE OF THE DEVELOPMENT

### ASSESSMENT OF HARM TO GREEN BELT

- 4.10 The NPPF states that inappropriate development is by definition harmful to the Green Belt. There is also some limited harm to openness as a result of the compound, cabinets and mast which are an intrusion in to the otherwise open aspect of this part of the playing field. The site is however adjacent to a wooded area which will provide some screening of the development from long range views such that only the top section of the mast above the trees will be visible. The compound is 2.6m in height and will appear an intrusion in the openness of this part of the playing fields but it will be finished in green and is set against a backdrop of a densely wooded area. It is also in proximity to the football net which are similar in scale and will ensure this area of the site is not entirely undeveloped. At 22.5m the mast will exceed the height of the trees but the applicant states that this is necessary to provide good telecommunications coverage. Within the wider playing field site there are flood lighting columns which are sited in a far less sensitive position within the middle of the site.



4.11 Limited harm has been identified to openness as a result of the compound, cabinets and mast introducing an intrusive element in to an otherwise relatively undeveloped area. The wooded area to the rear does however provide some screening and the applicant has indicated that the equipment will be finished in a green colour. While relatively close to the highway, the site is significantly screened by the doctor's surgery and it is considered that little of the development will be visible in long range views.

#### OTHER CONSIDERATIONS – TELECOMMUNICATIONS IMPROVEMENT AND SPECIFIC LOCATION

4.12 As stated above, the NPPF clarifies that the form of development proposed constitutes inappropriate development within the Green Belt and should therefore only be approved in very special circumstances. The applicant has therefore provided the following statement detailing these very special circumstances:

- Improvement to the telecommunications network across a range of technologies where there is a demonstrable need for improved coverage. The site is efficiently sited within an area identified by CTIL Radio Planners as being deficient in coverage. Specifically the mast will provide coverage to the rural villages of Elvington, Sutton upon Derwent and the immediate surrounds.
- The mast will be painted green, so as to assimilate its immediate location set against the trees immediately to the east which provide screening beyond. Special consideration has been given to the discrete location and design of the proposed mast where the mast will appear camouflaged from views in the surrounding area.
- The list of candidate sites demonstrates the search undertaken to find alternative locations to erect a telecommunications installation. It has been clearly stated that the surveyed sites do not provide adequate opportunities by means of structural composition and the need to increase the overall size of development.
- The club would like to improve their drainage system for the grass pitches to facilitate more use during the autumn and winter months, with interest in also resurfacing the MUGA to allow for all weather and multi-sport use, better storage facilities and improvements to the clubhouse itself. The investment into the club would aid such improvements to the club.

4.13 The NPPF states in para.45 that applications for telecommunications equipment should be supported by the necessary evidence to support the proposed development. This supporting evidence should include the outcome of consultations with organisations with an interest in the proposed development; evidence that consideration has been made of siting the

equipment on an existing building or mast sharing; and a statement that certifies that when operational the equipment will meet International Commission guidelines.

- 4.14 It is considered that the need to site the mast within the target area provides the most relevant aspect . Coverage is currently poor within the villages of Elvington, Sutton on Derwent and surrounding areas and the proposed mast will significantly improve this. The applicant has also provided a list of sites which have been considered as alternatives but do not provide the benefits of the application site. The financial incentive to the Club referred to is not considered to be a relevant material planning consideration that should be taken into account in determining the application.

## IMPACT ON TREES

- 4.15 Three trees adjacent to the site were identified as potentially impacted by the proposal. The site overlaps the Root Protection Zone of one of these trees. To ensure minimum damage to the roots, a specialist form of foundation consisting of a steel platform fastened to the ground at the corners with screws will be utilised and a no-dig load bearing surface will be used along the access road to avoid compaction. A small amount of pruning of the trees above the site will be required to allow construction and ensure coverage. A condition is suggested to ensure the works to the trees are carried out in accordance with the submitted tree survey.

## ACCESS

- 4.16 Access to the site is good and is via a short track off Elvington Lane down the side of the doctor's surgery. This track currently provides secondary access to the playing fields with a main access to the car park at the other side of the surgery.

## 5.0 CONCLUSION

- 5.1 The site lies within the general extent of the Green Belt as identified in the RSS to which S38 of the 1990 Act applies. Having regard to the purpose of the RSS policies it is considered appropriate and justified that the proposal is therefore assessed against the more restrictive policies in the NPPF relating to protecting the Green Belt.
- 5.2 The NPPF indicates that very special circumstances cannot exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In this case, harm has been identified by way of inappropriateness and impact on openness. The applicant has indicated that the siting of the proposal provides improved

telecommunications coverage to an area that is presently not well served. Evidence has been submitted to show that alternative sites have been considered, but no appropriate site has been identified outside the Green Belt which provides the same level of telecommunications coverage.

- 5.3 In the circumstances of this case the need for the mast and the evidence of a lack of suitable alternative sites outside the Green Belt is considered to clearly outweigh the harm to the Green Belt by way of inappropriateness and any other harm, even when giving substantial weight to such harm. There are no other material planning considerations that would warrant refusal of the application and therefore the development is recommended for approval subject to conditions.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Approve subject to conditions

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out in accordance with the following plans:-

Location plan 100 Rev B

Proposed elevations 301 Rev B

Proposed site plan 201 Rev B

Tree survey SA134AIA

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

- 3 Development shall be carried out in accordance with the information contained within the tree survey ref. SA134AIA.

Reason: To protect the existing trees adjacent to the site.

## **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) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

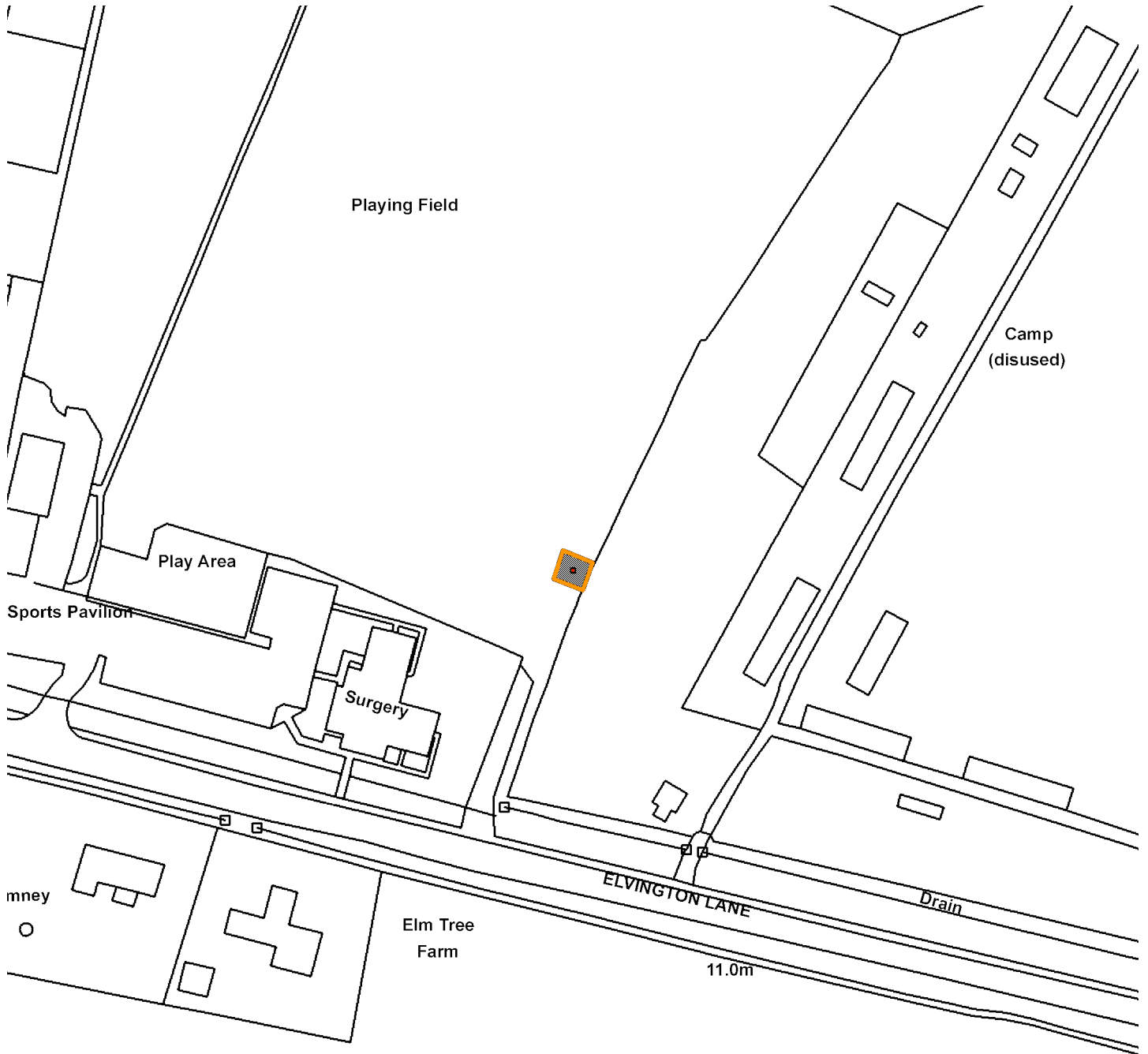
**Contact details:**

**Author:** Alison Stockdale, Development Management Officer (Wed - Fri)

**Tel No:** 01904 555730

16/02212/FUL

Proposed Telecommunications Mast Elvington Lane Elvington



Scale : 1:1297

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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Site Plan
<b>Date</b>	06 December 2016
<b>SLA Number</b>	Not Set

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3.2 Highway Network Management were consulted with regard to the proposal on 14th October 2016. Views will be reported orally at the meeting.

3.3 Strategic Flood Risk Management were consulted with regard to the proposal on 14th October 2016. Views will be reported orally at the meeting.

3.4 Public Health(Sport and Active Leisure) object to the proposal on the grounds that the proposed usage by caravans and tents would materially conflict with the use of the playing field for sporting activities, would harm the playing surfaces and would allow for the potential change of use of the entire playing field area for camping use by stealth.

#### EXTERNAL:-

3.5 Environment Agency raise no objection in principle to the proposal but raise concerns in respect of the lack of information relating to foul drainage from the site and the proximity of the waste disposal operations that may give rise to noise and odour at Harewood Whin to the north east.

3.6 The Ainsty(2008) Internal Drainage Board raise no objection in principle to the proposal but express some concern in terms of the lack of information in respect of surface water drainage and recommend that any permission be made subject to a condition requiring prior approval of a detailed surface water drainage scheme.

3.7 Rufforth with Knapton Parish Council was consulted with regard to the proposal on 14th October 2016. Views will be reported orally at the meeting.

## 4.0 APPRAISAL

### KEY CONSIDERATIONS:-

#### 4.1 KEY CONSIDERATIONS INCLUDE:-

- Impact upon the open character and purposes of designation of the Green Belt;
- Impact upon the residential amenity of neighbouring properties;
- The adequacy of proposed foul and surface water drainage arrangements.
- Harm to the existing playing field use.



## PLANNING POLICY:- POLICY FRAMEWORK

### Development Plan

4.2 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

4.3 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.

### Emerging Local Plan

4.4 The planned consultation on the Publication Draft of the City of York Local Plan, which was approved by the Cabinet of the Council on the 25 September 2014, was halted pending further analysis of housing projections. An eight week consultation on a further Preferred Sites document has concluded. Recently, however, announced closures of Ministry of Defence Sites in the York administrative area have given rise to further potential housing sites that require assessment and consideration as alternatives. The emerging Local Plan policies can only be afforded weight at this stage of its preparation, in accordance with paragraph 216 of the NPPF. However, the evidence base that underpins the proposed emerging policies is capable of being a material consideration in the determination of the planning application.

### NPPF

4.5 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.

4.6 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. Your officer's view is that this presumption does not apply to this proposal as the site lies within the general extent of the Green Belt as identified in the RSS and therefore justifies the application of the more restrictive policies in Section 9 to the NPPF.

4.7 IMPACT UPON RESIDENTIAL AMENITY:- Central Government Planning Policy in respect of amenity as outlined in paragraph 17 of the National Planning Policy Framework "Key Planning Principles" urges Local Planning Authorities to give significant weight to the need to secure a good standard of amenity for all new and existing occupants of land and buildings.

4.8 DRAINAGE MATTERS: - Central Government Planning Policy in respect of surface water drainage as outlined in paragraph 103 of the National Planning Policy Framework indicates that in determining planning applications Local Planning Authorities should ensure that flood risk is not increased elsewhere.

IMPACT UPON THE OPEN CHARACTER AND PURPOSES OF DESIGNATION OF THE GREEN BELT:-

4.9 As noted above, saved Policies YH9C and Y1C of the Yorkshire and Humberside Regional Strategy define the general extent of the York Green Belt and as such Government Planning Policies in respect of the Green Belt apply. Central Government Planning Policy as outlined in paragraphs 79 to 90 of the National Planning Policy Framework identifies Green Belts as being characterised by their openness and permanence. Substantial weight should be given to any harm to 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. Paragraph 90 does allow 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 Green Belt. This application does not preserve openness and therefore should only be approved where the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations amounting to very special circumstances.

4.12 The proposal seeks planning permission for change of use of a part area of the existing playing field to form a camping and caravan site although no indication despite requests of the applicant has been given as to the layout or arrangement of pitches. The field is accessed via the northern access to Rufforth Airfield to the north east with the club house and car park bounding the site to the north. The remainder of the site is extremely open, being particularly visible in longer distance views to the south and south west. With the exception of the northern edge of the site the area remains largely open and undeveloped in character. Whilst little detail has been submitted with the proposal it is clear that in order to be commercially viable the operation of the site would fundamentally alter the character of the site and its operation. Paragraphs 89 and 90 of the National Planning Policy Framework outlines a number of types of development incorporating new building which are felt to be appropriate in the Green Belt providing they do not harm its openness. An exception exists in respect of facilities for outdoor recreation that are deemed to be appropriate providing they give rise to no additional harm to openness. The proposal on the basis of the information that has been submitted is simply for a material change of use and is therefore deemed to be inappropriate within the Green Belt. In terms of the specific impact upon the openness of the Green Belt, the site lies within a gently rolling agricultural landscape at the periphery of Rufforth Airfield. Its surroundings are characterised by the local traditional pattern of field boundaries with mature hedges in native species with isolated mature trees. The proposal by virtue of introducing a large but indeterminate number of brightly painted caravans together with the associated comings and goings through much of the day would fundamentally harm the open character of the Green Belt. Significant weight is given to the harm to the openness of the Green Belt caused by the proposal in considering this application.

4.13 As a consequence of the prominence of the field relative to the surrounding landscape there would be significant additional harm to the openness of the Green Belt arising from the proposal.

4.14 In order to be acceptable and to overcome the general policy presumption against inappropriate development in the Green Belt the proposal would need to evidence other considerations that would clearly outweigh the harm to the Green Belt. (para 87 and 88 NPPF). No evidence of any such very special circumstances

despite repeated requests has been submitted by the applicant to justify harm to the Green Belt.

#### IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES:-

4.15 The proposal lies within an area of open countryside directly to the east of Rufforth village however there two groupings of dwellings to the north east and south east of the site associated with the former airfield use at the site and the agricultural holding presently occupying the eastern and central sections of the former airfield. The proposal envisages the introduction of a significant number of caravans and or tents of an indeterminate layout and at indeterminate time in close proximity to the residential property. Insufficient information has been submitted to enable an appropriate assessment of the impact of the proposal upon the residential amenity of the neighbouring properties or the need for any mitigation.

#### PROPOSED FOUL AND SURFACE WATER DRAINAGE ARRANGEMENTS:-

4.16 Central Government Planning Policy as outlined in the National Planning Policy Guidance indicates a hierarchy of foul drainage disposal arrangements with a connection to a public foul sewer the ideal solution with a package treatment plant as the most favoured alternative where a public connection is not for any reason achievable. The submitted documentation however indicates a septic tank would be used as the means of foul water disposal without any detail as to the size, location or pattern of usage of the tank and why a connection to the public foul sewer operated by Yorkshire Water in Rufforth village a short distance away may not be practicable. Insufficient information has therefore been forthcoming to enable an informed judgement to be made in terms of the suitability of the proposed foul drainage arrangements.

4.17 In terms of surface water drainage the submitted application details indicate that surface water would be discharged to a nearby watercourse. However, no detail has been forthcoming in terms of new areas of hard surfacing, the location of the water course to receive the additional surface water or its capacity and the rate at which the surface water would be discharged. Again despite requests of the applicant insufficient information has been forthcoming to enable an informed assessment of the proposed means of surface water drainage and any implications in terms of flood risk to be undertaken.

#### HARM TO THE EXISTING PLAYING FIELD USE:-

4.18 The application site comprises a playing field area with occasional use for caravan rallies and a caravan club site exempt site for five caravans or less. Concern has been expressed in relation to the impact of the proposal upon the operation of the playing field by virtue of potential conflict with users and harm to the

playing surface. The applicant has indicated that the proposal seeks a formalisation of the existing arrangements but has not supplied precise detail as to what these existing arrangements are. As such it is not possible to properly assess the impact of the proposal upon the recreational usage of the site. Paragraph 74 of the NPPF sets out a presumption against harm to or the loss of existing recreational land and as such the proposal is unacceptable.

## **5.0 CONCLUSION**

5.1 Planning permission is sought for the change of use of the Rufforth Playing Fields to form a caravan and camping site. However no information has been forthcoming in terms of layout, pitches or total numbers of tents or caravans or servicing arrangements.

5.2 The site lies in visually prominent location within the general extent of the Green Belt to the east of Rufforth village as identified in the RSS to which S38 of the 1990 Act applies. Having regard to the purpose of the RSS policies it is considered appropriate and justified that the proposal is therefore assessed against the more restrictive policies in the NPPF relating to protecting the Green Belt.

5.3 The NPPF indicates that very special circumstances cannot exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In this case, harm has been identified by way of impact on openness. In accordance with paragraph 88 to the NPPF, substantial weight is given to the harm to the Green Belt. The applicant has not submitted any evidence to show that other considerations providing a clear case for "very special circumstances" clearly outweigh the harm to the Green Belt and therefore the development is recommended for refusal.

5.4 Furthermore notwithstanding the submission of a "management plan" insufficient information has been submitted with the proposal to enable an appropriate assessment of its impact upon the residential amenity of neighbouring properties, the local pattern of surface water drainage or the appropriateness of the proposed means of foul drainage to be properly undertaken. The proposal is also recommended for refusal on grounds of insufficient information relating to foul and surface water drainage and impact upon residential amenity.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION: Refuse**

1 The proposal lies within the general extent of the Green Belt as set out in the saved RSS policies YH9C and Y1C. The application has therefore been considered against the policies in the Framework at Section 9 relating to development in the

Green Belt. The proposal causes harm to the openness of the Green Belt and there are no other considerations that clearly outweigh the harm to the Green Belt

2 Insufficient information has been submitted with the proposal to enable an informed assessment of the impact of the proposal upon the residential amenity of neighbouring properties and the need for appropriate mitigation contrary to Central Government Policy as outlined in Paragraph 17 "Core Planning Principles" of the National Planning Policy Framework.

3 Insufficient information has been forthcoming to enable an informed assessment of the appropriateness of the chosen means of foul water disposal or the suitability of the proposed means of surface water disposal contrary to Central Government Planning Policy as outlined in paragraph 103 of the National Planning Policy Framework.

4. Insufficient information has been forthcoming to enable an informed assessment to be undertaken in respect of the impact of the proposal upon the continuing usage of the playing field area contrary to Central Government Planning Policy as outlined in paragraph 74 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:

- i) Clarification as to the proposed means of surface and foul drainage;
- ii) Clarification as to the operating arrangements for the site including total numbers and proposed layout;
- iii) Submission of a case for "very special circumstances" to justify otherwise inappropriate development within the Green Belt.

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

### **Contact details:**

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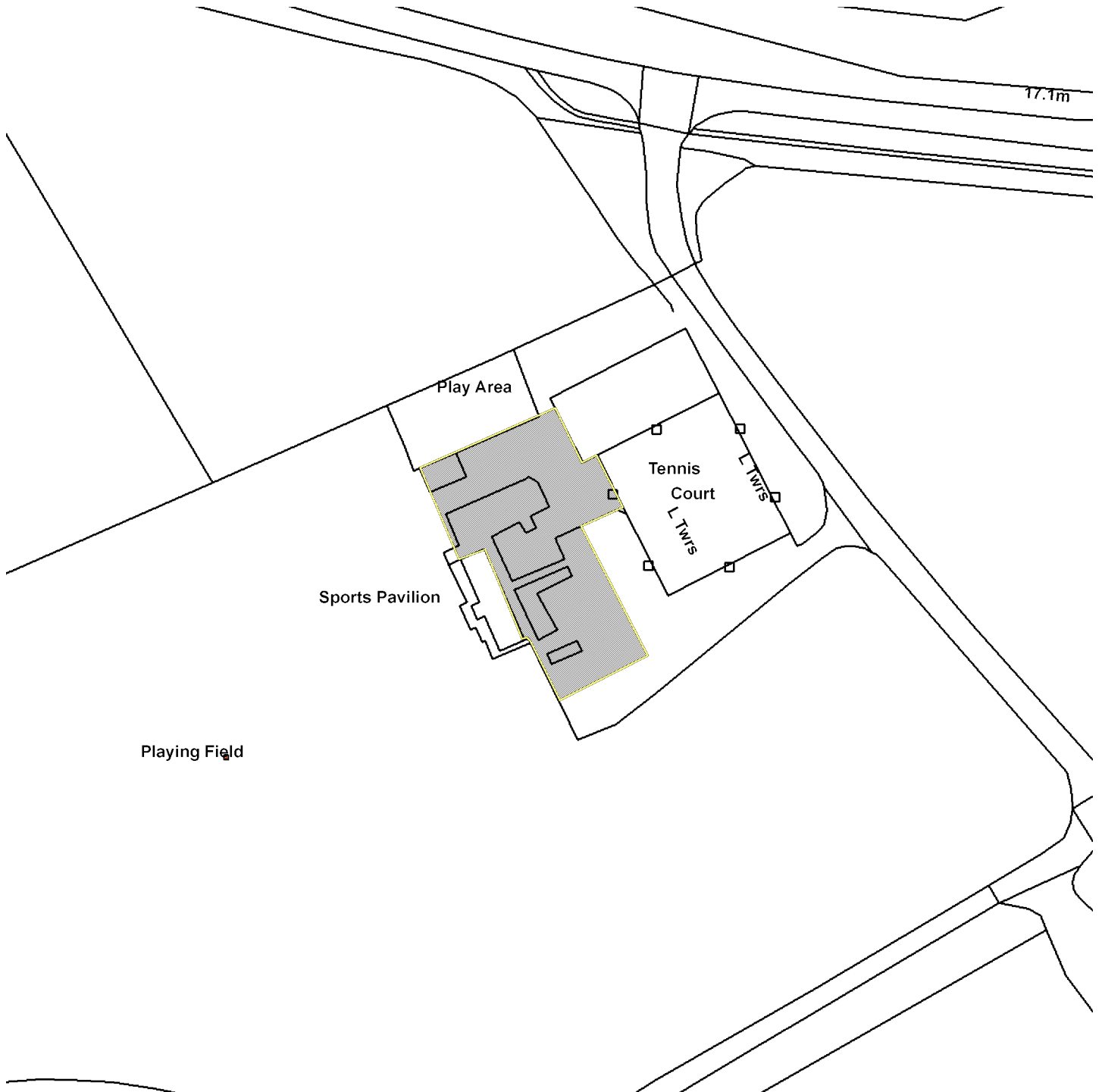
**Tel No:** 01904 551416

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16/02303/FUL

Rufforth Playing Fields Wetherby Road Rufforth



Scale : 1:1297

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<b>Organisation</b>	Not Set
<b>Department</b>	Not Set
<b>Comments</b>	Site Plan
<b>Date</b>	06 December 2016
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