



Notice of meeting of

Planning Committee

To: Councillors R Watson (Chair), Bartlett, Blanchard, Cuthbertson, Hill, Horton, Hyman, Jamieson-Ball, Macdonald, Moore, Reid, Simpson-Laing, Smallwood, I Waudby and Wilde

Date: Tuesday, 20 February 2007

Time: 4.30 pm

Venue: The Guildhall, York

AGENDA

Site Visits for this meeting will commence at 12:30 pm on Tuesday 20 February at Memorial Gardens

1. **Declarations of Interest**

At this point, members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. **Minutes** (Pages 3 - 14)

To approve and sign the minutes of the meeting of the Planning Committee held on 24 January 2007.

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 the working day before the meeting. 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 Officer for the meeting, on the details at the foot of this agenda.

4. Plans List

This item invites Members to determine the following planning application:

a) Grass verge opposite Askham Lane junction road A1237 from Askham Bryan Lane to Broad Lane Askham Bryan York (06/02604/GRG3) (Pages 15 - 28)

Proposed roundabout and associated measures to replace three existing junctions on the A1237 at Askham Lane, Askham Bryan Lane and Moor Lane including new link roads, drainage, signing, lighting and landscaping
(Rural West York Ward)

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

Democracy Officer:

Name: Sarah Kingston

Contact Details:

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

PLANNING COMMITTEE – Tuesday 20 February 2007**SITE VISITS****TUESDAY 20 FEBRUARY 2007**

TIME	SITE	ITEM
12:30	Memorial Gardens	
12:45	Grass verge opposite Askham Lane junction road A1237 from Askham Bryan Lane to Broad Lane Askham Bryan York	4a

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City of York Council

Minutes

MEETING	PLANNING COMMITTEE
DATE	24 JANUARY 2007
PRESENT	COUNCILLORS R WATSON (CHAIR), BARTLETT, BLANCHARD (FOR AGENDA ITEM 4B ONLY), CUTHBERTSON, HILL, HORTON, HYMAN, MACDONALD, MOORE, REID, SIMPSON-LAING, SMALLWOOD, I WAUDBY, WILDE AND LIVESLEY (SUBSTITUTE) [EXCEPT AGENDA ITEM 5]
APOLOGIES	COUNCILLOR JAMIESON-BALL

38. SITE VISITS

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
Car Park Union Terrace	As the application was recommended for approval and objections had been received	Councillors Bartlett, Hill, Horton, Hyman, Macdonald, Moore, Reid, Wilde
6b Monks Cross Drive	As the application was recommended for approval and objections/comments had been received	Councillors Bartlett, Hill, Horton, Hyman, Macdonald, R Watson, Wilde

39. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Cllr R Watson declared a personal and prejudicial interest in Agenda Item 4(a) Car Park Union Terrace York YO31 7ES 06/02325/FULM, as his firm of solicitors acted for the applicant, and took no part in the site visit, or in the discussion or the decision thereon. This item was chaired by Cllr Reid.

40. MINUTES

RESOLVED: That the minutes of the meeting held on 18 December 2006 be approved and signed by the Chair as a correct record.

41. PUBLIC PARTICIPATION

It was reported that nobody had registered to speak, under the Council's Public Participation Scheme, in general issues within the remit of this committee.

42. PLANS LIST

Members considered reports of the Assistant Director, Planning and Sustainable Development, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views and advice of consultees and officers.

42a Car Park Union Terrace York YO31 7ES (06/02325/FULM)

Members considered a major full application, submitted by York Housing Association, for the erection of supported residential accommodation with new pedestrian access, associated parking and landscaping including 1.95m perimeter fence.

This item was chaired by Cllr Reid.

Officers updated that two further letters of objection had been received, and these were distributed to Members for their information. Paragraph 3.3 of the report should read "will provide *rooms* for 34 people" and not homes as stated. Officers updated that if Members were minded to approve the application they were suggesting the following amendments/additions:

- Condition 4 : add "notwithstanding the submitted details..."
- Condition 21 of the report : delete "Windows shall take the form of non opening, fixed glazing"
- A new condition regarding Sustainability and BREEAM rating

Representations were received in objection to the application from a local resident of the previously proposed Nunnery Lane site. He stated that the scheme had been rushed and had not been given enough consideration and raised concerns regarding flooding and drainage, and anti-social behaviour.

Representations were received in objection to the application from a resident of Union Terrace. She stated that there was already a high concentration of similar social institutions in the area, that the loss of parking would lead to congestion, and raised concerns regarding security and crime, drainage, and the size of the development. She stated that if the application was approved she would support conditions to cover delivery times during building work, dogs on the premises, security, drainage, the setting up of a liaison group, and the entrance being on Clarence Street and not Union Terrace.

Representations were received in support of the application from the architect for the application. He stated that they had been working with Arc Light for two years on the proposals and that there had been sufficient time to design the scheme in detail. Consideration had been given to the siting

of the building, and that it is a modern building which fits in well in terrace form, using similar brick. It is seen to be more part of Bootham Park than of Union Terrace car park.

Representations were received in support of the application from the Director of Arc Light. He stated that the application was a result of two years work and cooperation and commitment of all parties involved. Meetings had already been arranged with the police, and Arc Light supported the establishment of a community liaison group. The proposals would increase the quality of accommodation and facilities available.

A Chief Inspector from North Yorkshire Police was in attendance at the meeting to respond to any questions from Members. He stated that the Arc Light scheme had the support of the police and that the Police Architectural Liaison Officer had been consulted and had commented on the planning application.

Cllr B.Watson spoke as a Ward Councillor regarding the siting of the proposal.

He distributed a letter from a ward resident which expressed their concerns regarding drainage and flooding, security and parking. He stated that the design of the proposal was not in-keeping with the area and that if the application was approved it should include a condition to state no dogs in the building.

Members discussed the controls that would be in place regarding alcohol consumption both inside and outside the building, access arrangements and opening hours, and the establishment of a community liaison group, which officers updated would form part of a Section 106 agreement. The design of the building, drainage issues and flooding, site selection, and the effect on the amount of car and coach parking available were discussed. The need for a photographic record, the positioning of the cycle parking in terms of security, and the availability of an area for refuse recycling were discussed.

RESOLVED: That the application be approved subject to the conditions outlined in the report, and subject to the following amended/additional conditions:

- Condition 4 amended to read "Notwithstanding the details submitted, details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area.

- Condition 21 amended to read "The building envelope of all buildings with a façade onto Union Terrace car park shall be constructed so as to provide sound attenuation against external noise of not less than 36 dB(A), with windows shut and other means of ventilation provided. Mechanical ventilation shall be taken from an

area away from the car park. The detailed scheme shall be approved by the local planning authority and fully implemented before the use hereby approved is constructed.

Reason: to protect the occupants from noise.

- Additional Condition "Prior to the commencement of the development, details of cycle parking (which shall be covered and secure) and refuse storage areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the cycle parking and refuse storage areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles and refuse storage, as appropriate.

Reason: In order to promote the use of cycles thus reducing congestion on the adjacent roads, and to provide adequate facilities for refuse storage within the site.

- Additional Condition "The developer shall aim to achieve a BREEAM "very good" assessment standard for the development. Prior to the commencement of any works on the site, the developer shall submit in writing for the approval of the Local Planning Authority a BREEAM design assessment demonstrating the progress of the BREEAM assessment, the percentage score expected to be achieved and the standard to which this relates. The developer shall submit in writing, prior to the commencement of work on site, details of the following:
 - the evaluation and proposals for the heating and ventilation of the building;
 - the evaluation and proposals for renewable energy generation technologies to be used in the development;
 - the evaluation and proposals for the use of rainwater harvesting in the development;
 - details of the contractor specification which shall include a commitment to considerate constructors and Site Waste Plans,

for the written approval of the Local Planning Authority.

Reason: In order to ensure that the proposal complies with the principles of sustainable development.

- Additional condition "Prior to the commencement of the development, four copies of a photographic record illustrating the current context of the site shall be submitted to the Local Planning Authority. The photographic record shall consist of a panoramic photograph taken towards Bootham Hospital including Bootham Chapel. The photographs shall be dated and labelled with the location and bound into an A4 size folder.

Reason: In order that a photographic record illustrating the context of the site is made prior to the development being carried out.

REASON: The proposal, subject to the conditions listed in the report and above, would not cause undue harm to interests of acknowledged importance, particularly the following: the setting of adjoining listed buildings and the conservation area; impact upon the safety and security of the local community; coach and car parking provision; the archaeological heritage; drainage conditions in and around the application site; air quality for future residents; effects upon the surrounding highway network; and sustainability issues. As such the proposal complies with Policies H9 and E4 of the North Yorkshire County Structure Plan (Alterations No 3 Adopted 1995) and Policies SP3, GP1, GP3, GP4a, GP4b, GP9, GP13, HE2, HE4, HE10, T12, T14a, H4a and C1 of City of York Draft Development Control Local Plan.

42b Plot 6b Monks Cross Drive Huntington York (06/02541/FULM)

Members considered a major full application, submitted by Monks Cross Partnership, for the erection of 5 two storey and 2 three storey office (B1) units including landscaping and car and cycle parking.

Officers updated that if Members were minded to approve the application they would recommend three additional conditions regarding the achievement of a good or excellent BREEAM rating, submission of an energy strategy for the building and an amended height condition to show the maximum heights of the units to be 12.8 m. They also recommended it being delegated to officers to approve the layout of the cycle path.

Representations were received in support of the application from the agent for the applicant. Colour plans/photos were distributed to Members for their information. It was stated that the applicant would support the additional conditions proposed by officers, and the proposed amendments to cycle path access.

Members discussed the planting to be agreed, parking and disabled parking, and supported the proposal for the amendments to cycle path access. Members discussed an addition to condition 8 of the report to state that details of systems for foul and surface drainage shall be submitted to and approved in writing by the local planning authority *before any development hereby approved is carried out on the site*.

RESOLVED: That the application be approved subject to the conditions and informatives outlined in the report, that it be delegated to officers to approve the plan for the cycle path access, and subject to the following:

(i) amended condition 8:

Details of systems for foul and surface water drainage shall be submitted to and approved in writing by the local planning authority before any development hereby approved is carried out on site. The approved drainage systems shall be implemented on site before the buildings hereby approved are first brought into use.

Reason: In the interests of the proper and sustainable drainage of the site.

additional conditions:

(ii) The developer shall aim to achieve a BREEAM "very good" or "excellent" assessment standard for the development. Unless otherwise agreed in writing by the Council within 1 month of the date of the commencement of construction of the development the developer shall submit in writing for the approval of the Local Planning Authority a BREEAM design assessment demonstrating the progress of the BREEAM assessment, the percentage score expected to be achieved and which standard this relates to. Where this does not meet at least a 'very good' standard then the developer must demonstrate what changes will be made to the development to achieve at least 'very good' standard.

Reason. To ensure that the development is sustainable and accords with Policy GP4A of the draft City of York Local Plan.

(iii) Prior to the commencement of development on site an energy strategy for the building shall be submitted to and approved in writing by the local Planning Authority. The development hereby approved shall thereafter be carried out and occupied in accordance with the approved energy strategy.

Reason: In the interests of sustainable development.

(iv) Notwithstanding the information contained on the approved plans, the height of Unit A shall not exceed 8.10 metres, the height of Unit B shall not exceed 8.5 metres and the height of Units C and D shall not exceed 12.80 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: To establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

REASON: The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to protect species, the operation of the transport network, residential amenity, the character and appearance of the area or the proper drainage of the area. As such the proposal complies with Policies GP1, GP4A, T4, T13, SP8, GP9, SP9, NE2, NE5B, NE6, NE7, E1A and E4 of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG4, PPS6, PPS9, PPG13, PPG24 and PPS25.

42c Nestle Rowntree Haxby Road York YO31 8XY (06/02622/FULM)

Members considered a full application, submitted by S Hartley, for the extension to the west side of the existing Kit Kat 5 factory building. There was no update from officers.

RESOLVED: That the application be approved subject to the conditions detailed in the report.

REASON: The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the visual amenity of the area, the living conditions of occupiers of nearby dwellings, flooding or highway safety. As such the proposal complies with Policies GP1, SP8, E3b of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG4 and PPS25.

43. NESTLÉ SOUTH - DRAFT DEVELOPMENT BRIEF FOR CONSULTATION

Members considered a report which presented a Draft Development Brief for Consultation for the southern part of the Nestle Factory site, Haxby Road, York. Recent job loss announcements at the site had highlighted the need to modernise the main factory complex in order to compete in a global market. This would allow the company to commit to staying in York for the foreseeable future.

The Brief set out the need for an employment/ residential redevelopment of the area. It highlighted the key planning issues for prospective developers to consider and highlighted opportunities for adopting sustainable

development principles, good design, layout and links to surrounding areas, and where further analysis was required.

With approval from Members it would be intended that the Brief be subject to public consultation for 8 weeks from February to March 2007. Consultation responses would be considered and a revised Brief would be presented to Members for approval for development control purposes. The Council would then use this document in order to coordinate developer proposals, in the form of a master plan prior to planning application submission, and further detailed consultation with local residents and key organisations on any subsequent scheme proposed.

The development brief covered the following areas:

Introduction, Site and Surroundings, Policy Content, Sustainable Development, Policy Context, Sustainable Development, Development Opportunities, Design and Landscape Principles, Open Space, Recreation and Public Art, Safety and Security, Archaeology, Sustainable Transport, Highways and Parking, Accessibility, Environmental Issues, Services/Public Utilities, and Developing Proposals.

The report presented three options:

Option 1:

Approve the Development Brief, as proposed in the report, as the basis for consultation with local residents and key organisations;

Option 2:

Do not approve the Development Brief and request a new Development Brief be drafted with an alternative approach;

Option 3:

Do not approve the Development Brief and use the policies of the Development Plan (the Regional Spatial Strategy and the Structure Plan) and the Development Control Local Plan, 2005 as the basis for negotiation and considering applications.

Members discussed in detail the Draft Development Brief and agreed the amendments to the document as detailed below.

RESOLVED: That the Draft Development Brief be approved for consultation for the mixed-use development of the Nestle South site, subject to the following amendments :

1)Para 2.25 Reference to the East Coast Main line amended to York and North Midlands line

2)Para 2.20 Addition to sentence describing Clarence Gardens as “well used”

3)Para 2.22 Check whether the Nestlé Rowntree sports pitches are member only facilities for Nestlé employees

4)Para 2.23 Add Nestlé Rowntree allotments at Mille Crux

5)Para 2.21 - Check whether Clifton Ings is nearest Open Access Land and add reference to Clifton Backies (Local Nature Reserve)

6)Chapter 5 – Amend ‘sympathetic manufacturing’ to ‘light industry’

7)Para 5.6 Delete first sentence and rephrase second sentence re. feasibility of older buildings on site

8)Para. 5.7 Delete ‘innovative live / work units’ from second sentence

9)After para 5.10 add paragraph to properly define a live / work unit and rationalize the use of the term live / work units in the rest of the chapter to avoid over-kill

10)Para 5.20 replace ‘of development’ with ‘houses’ and delete ‘given the height and scale of nearby buildings’

11)Para 6.8 Amend first sentence to read ‘The Council will be looking to designate the buildings either side of Haxby Road..... as a Conservation Area’

12)Para 6.8 Check reference to Foss Branch Line

13)Para 6.12 Delete first sentence and replace with ‘Please refer to Chapter 11 - Highways for details of the proposed link road between Haxby Road and Wigginton Road.’

14)Para 6.12 Amend fourth sentence from ‘encouraged’ to ‘required’

15)Para 7.7 First sentence - amend ‘should’ to ‘must’

16)Para 7.7 Delete final sentence and add ‘as a first priority’ to end of penultimate sentence after ‘should be considered on site’

17)Para 10.16 Definition of ‘umbrella plan’ added as a footnote

18)Para 11.2 Move reference to York Hospital to para 11.1

19)Para 11.6 Delete and replace with following paragraph...

In terms of the internal layout of the Nestlé South site, it is proposed that a link between Wigginton Road and Haxby Road is incorporated. The Council's Local Transport Plan places particular emphasis on pedestrians, cyclists and public transport in its Hierarchy of Road Users, and the priority of the proposed route should be for these users. Traffic modelling should be carried out which investigates the impact of a through route for all road users (including the private car) on traffic volumes both within the development and on the surrounding network, and in particular at the junction of Haxby Road and Wigginton Road. Should there be a resulting increase in traffic such that the Ratio of Flow to Capacity (RFC) in the development or on the local network exceeds 0.90, or there is a diminishing in the quality of the local environment, then the proposed through route will be restricted to a highway for pedestrians, cyclist and public transport.

20)Para 11.8 Amend 'should be incorporated' to 'will be required' in the first sentence

21)Para 11.11 Amend first sentence to read 'The negotiation of very low car parking provision (in the region of 60%) has been achieved in new housing schemes across the city'

22)Para 12.1 First sentence amend 'should' to 'must'

23)Para 12.2 Fourth sentence amend to read 'There will be a requirement to achieve imaginative....'

24)Para 13.4 Fourth bullet. Delete 'although a new through link ...' etc to end of sentence

25)Appendix 2 (1993) Delete reference to Cllr Reid and refer instead to the 'Lord Mayor of York'

26)Appendix 1 - review grammar

27)All references to Wigginton should be Wigginton

28)Change dot bullets to numbers/letters

REASON:

So that extensive public consultation can take place to allow proper community and stakeholder involvement in the forward planning of this major site.

COUNCILLOR R WATSON
CHAIR

The meeting started at 5.00 pm and finished at 8.35 pm.

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COMMITTEE REPORT

Committee: Main Planning
Date: 20 February 2007

Ward: Rural West York
Parish: Askham Bryan Parish Council

Reference: 06/02604/GRG3
Application at: Grass Verge Opposite Askham Lane Junction Road A1237 From Askham Bryan Lane To Broad Lane Askham Bryan York
For: Proposed roundabout and associated measures to replace three existing junctions on the A1237 at Askham Lane, Askham Bryan Lane and Moor Lane including new link roads, drainage, signing, lighting and landscaping
By: City Of York Council
Application Type: General Regulations (Reg3)
Target Date: 23 February 2007

1.0 PROPOSAL

1.1 The applicant seeks planning approval for a roundabout and associated measures to replace three existing junctions on the A1237 at Askham Lane, Askham Bryan Lane and Moor Lane including new link roads, drainage, signage, lighting and landscaping.

1.2 The aim of the scheme is to replace the existing priority junctions on the A1237 York Outer Ring Road (ORR) at Moor Lane, Askham Lane and Askham Bryan Lane with a roundabout to improve accessibility to the south west area of the city and to address safety concerns.

1.3 The scheme has evolved from the A1237 York Outer Ring Road (ORR) Study and the subsequent Moor Lane Roundabout Study. The ORR study noted that leaving and joining the ORR at the existing priority junctions at Moor Lane and Askham Lane is difficult due to the volume of traffic on the main road and this would worsen as the volume of traffic on the ORR increases. A number of options were considered, including banned turns, signalling the junctions, and providing a roundabout or roundabouts. The ORR Study concluded that a roundabout was the most appropriate solution. The Moor Lane Roundabout Study was tasked with identifying appropriate location(s) and layout(s) for the roundabout as well as their potential impacts.

1.4 The proposed scheme involves a new roundabout on the A1237 between the existing Moor Lane and Askham Lane junctions with new connections to Moor Lane, Askham Lane and Askham Bryan Lane. The proposed scheme will affect approx. 6 hectares of Grade 2 agricultural land located within the designated Green Belt. The three existing junctions would be closed. Use will be made, where appropriate, of the redundant sections of side roads to provide direct shared uses for cyclists and pedestrians between Moor Lane and Askham Bryan Lane and between Askham Lane and Askham Bryan Lane avoiding the roundabout. Alternative routes are also being provided for A1237 cyclists who wish to avoid the roundabout.

1.5 Associated infrastructure, including street lighting, traffic signs and road markings will be provided. New drainage, boundary treatment and landscape/nature conservation features are also key components of this particular scheme.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYGB1

Development within the Green Belt

CYGP1

Design

CYT18

Highways

CYGP9

Landscaping

CYGP4B

Air Quality

CYNE1

Trees, woodlands, hedgerows

CYNE7

Habitat protection and creation

3.0 CONSULTATIONS

INTERNAL

3.1 Urban Design and Conservation - No Objections

"Landscaping proposals offer a significant opportunity to enhance the wildlife and biodiversity of the area. The scheme as proposed maximises the potential quite well although there may be opportunities to further this by providing some small ponds and scrapes that are not incorporated into the drainage system and are therefore less likely to acquire contaminants"

3.2 Archaeologist - No Objections

"Site does not lie in an Area of Archaeological Importance."

* An archaeological evaluation has been commissioned and this is currently being carried out by Halcrow.

- * A geophysical survey of the site has been completed. No evidence of archaeological anomalies on the site.
- * A field evaluation consisting of the excavation of a 2% sample of the application site has been agreed in order to determine that there are archaeological features within the development site.

3.3 Highway Network Management - No Objections

The decision to form a roundabout on the A1237 at the junctions of Moor Lane, Askham Lane and Askham Bryan Lane has been made by the authority. As such officers have purely considered the proposed roundabout in terms of technical capacity and design.

The application was accompanied by a Transport Assessment which identified the expected changes in traffic patterns and flows on the surrounding highway network that will arise as a result of the roundabout. Following discussions with officers further network modelling and sensitivity testing has been carried out including the running of microsimulation programs. The network modelling has included data from the authorities SATURN model and has taken into account traffic changes on the network as a result of committed and future development sites around the city. The results of this additional microsimulation model concur with the earlier data contained within the TA.

Following assessments of future year scenarios with and without the roundabout, it has been shown by the application that the proposed roundabout does not have a detrimental impact on the operation of the A1237 ORR.

The data provided has demonstrated that the proposed roundabout will not have a detrimental impact on the capacity of adjacent links and junctions nor on the wider highway network.

3.4 Environmental Protection Unit - No Objections (Conditions Included).

EXTERNAL

3.5 Marston Moor Internal Drainage Board - Awaiting Comments

3.6 Highways Agency - No Objections.

3.7 Environment Agency - No Objections (Condition Included).

3.8 York Cycle Campaign - Objections.

- * Insufficient information relating to cycle crossings.
- * Elements of the design would be hazardous and inconvenient to cyclists.
- * Poor visibility - with serious or fatal consequences.
- * Cycle routes are inconvenient and slow

3.9 Transport 2000 - Objections

- * Contrary to central government policy.
- * Expensive.
- * Benefits only a very small proportion of the Greater York Population.
- * Encourages more car usage.
- * Does not contribute in any way to the battle against Global Warming.
- * Increased traffic levels on the Outer Ring Road.

- * Strengthens the case for the eventual duelling of the road.

3.10 Natural England - No Objections

"However it is the advice of the Natural England that the recommendations outlined in Section 3.6, 3.7 and 3.8 of the Environmental Assessment and Section 7 of the bat survey report in Appendix 3 are made a condition of the Planning Permission."

3.11 Askham Bryan Parish Council - No Objections

The Parish Council voted 4-3 in favour of the proposal. Individual comments of the Parish Councillors were attached to the consultation papers and are set out below.

Comments

- * Reinstate weight limit on Askham Fields Lane.
- * Footpath/Cycle Lane to be designed to prevent use by motorcycles/scooters.
- * Existing accesses should be retained.
- * Bunding should be increased to deflect sound better.
- * Traffic Calming measures required in the village.
- * Additional informing signs should be considered/re-sited.
- * A more obvious "entrance" into the village is required.

Objections

- * Not a proper case to be made on the grounds of road safety.
- * Concerns about increased traffic, including HGV's.
- * Bunding Inadequate.
- * No lighting details

3.12 Cyclists Touring Club - Objections

- * Inappropriate and premature as it does not constitute sustainable development.
- * Transport Assessment based on assumptions about vehicle movements.
- * Inappropriate use of Green Belt land.
- * Intrusive signs and lighting will adversely affect the setting of York,.
- * Increase in noise levels.
- * Does not reduce congestion, adversely affects air quality, will not contribute to improvements to public health.

3.13 One letter of objection and one letter of support have been received from members of the public regarding the applicants' proposals. The letters raised the following issues.

Objection

- * Roundabout is too large.
- * Increased light pollution.
- * Concerns about the visual impact.
- * Would like the back garden extending 20 feet.

Support

- * Improves highway safety for villagers.

4.0 APPRAISAL

KEY ISSUES

Policy Context
Road Safety/Layout
Environmental Assessment
Residential/Visual Amenity
Landscaping/Nature Conservation
Lighting/Signage
Drainage

POLICY CONTEXT

4.1 Policy T18 of the Development Control local Plan states that increases to existing road capacity will only be supported if:

- a) they are absolutely necessary to overcome existing congestion levels; or
- b) they facilitate the Councils economic programme; or
- c) they open up vacant land for development; or
- d) they remove traffic from environmentally sensitive areas; or
- e) they improve road safety; or
- f) they reduce conflicts between vehicles and pedestrians/cyclists; and
- g) they incorporate public transport facilities; and
- h) after careful evaluation of the environmental cost and benefits the scheme will result in tangible benefits.

In considering the design of new roads, the needs of pedestrian and cyclists must be taken into account.

4.2 Policy GB1 (Development in the Green Belt): states that planning permission within the Green Belt will only be granted where:

- a) the scale, location and design of such development would not detract from the open character of the Green Belt; and
- b) it would not conflict with the purposes of including land within the Green Belt; and
- c) it would not prejudice the setting and special character of the City of York

AND it is for one of a number of appropriate uses, which includes highway works.

4.3 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.

4.5 GP4A 'Air Quality' Proposals for development in an AQMA (Air Quality Management Area) are required to assess their impact on air quality.

Proposals for development outside an AQMA will be required to assess their impact on air quality, where:

a) there is a cumulative significant impact of traffic generation (an increase of more than 5% traffic flow).

4.6 Policy NE1 'Trees, Woodlands and Hedgerows' the aforementioned, which are of landscape, amenity, nature conservation or historical value, will be protected by:

- * Refusing development proposals, which result in their loss or damage; and
- * Requiring trees or hedgerows which are retained on development sites to be adequately protected during any site works; and
- * Making tree preservation orders for individual trees and groups of trees which contribute to the landscape or local amenity; and
- * Making hedgerow retention notices where appropriate to protect important hedgerows and; ensuring the continuation of green/wildlife corridors.

4.7 Policy NE7: 'Habitat Protection and Creation' - Development proposals will be required to retain important natural habitats and, where possible, include measures to enhance or supplement these and to promote public awareness and enjoyment of them.

Within new developments measures to encourage the establishment of new habitats should be included as part of the overall scheme.

4.8 Policy GP9 'Landscaping' - Where appropriate development proposals will be required to incorporate a suitable landscaping scheme, and this must:

- a) be planned as an integral part of the proposals; and
- b) include an appropriate range of indigenous species; and
- c) reflect the character of the locality and surrounding development; and
- d) form a long term edge to developments adjoining or in the open countryside.

4.9 Planning Policy Guidance Note 2 'Green Belts' sets out the purposes of including land within Green Belts and establishes specific categories of development that are appropriate within Green Belts.

- a) the scale, location and design of such development would not detract from the open character of the Green Belt; and
- b) it would not conflict with the purposes of including land within the Green Belt; and
- c) it would not prejudice the setting and special character of the City of York

AND it is for one of the following purposes:

- * minerals extraction, provided high environmental standards are attainable; or highway works or other essential operations including waste disposal; or park and ride facilities; or

All other development is deemed inappropriate and therefore harmful to the Green Belt. Policy E8 of the North Yorkshire County Structure Plan establishes a Green Belt around the City of York and Policy E9 states that planning permission will only normally be granted for the change of use or redevelopment of existing buildings in connection with agriculture, outdoor sport, cemeteries or large institutions and 'other uses appropriate in a rural area'. The boundaries of the Green Belt are detailed on the Proposals Map of the City of York Local Plan Deposit Draft (CYLPDD) and this site clearly falls within the Green Belt.

ROAD SAFETY/LAYOUT

4.10 As noted in paragraph 1.3 above the ORR study concluded that a roundabout was the most appropriate solution to the existing problems at the junctions with Moor Lane and Askham Lane this road safety requirement satisfies the requirements of policy T18(e).

4.11 Stages 1 and 2 of the Road Safety Audit highlighted potential problems and mitigation that has been incorporated into the design.

4.12 Facilities for pedestrians and cyclists have been provided within the schemes design. Such features consist of shared use pedestrian/cycleways leading to dedicated crossing facilities. On the A1237 ORR these crossing facilities consist of refuge islands North and South of the proposed roundabout allowing vulnerable highway users to cross the carriageway in two-stages.

4.13 . It is considered that the proposal complies with Policy T18.

RESPONSE TO YORK CYCLE CAMPAIGN - OBJECTIONS

4.14 Insufficient information relating to cycle crossings.

In an ideal world cyclists and pedestrians would cross the outer ring road (ORR) using grade-separated facilities, however, budgetary constraints mean that this solution can't be justified given the potential levels of use by non-motorised modes. There are existing crossings on the ORR which are proposed to be retained which enable cyclists to cross the ORR at-grade but in two stages. Cyclists are advised to dismount to use these crossings because of the volume, speed and type of vehicles travelling on the outer ring road, whilst this isn't ideal it is felt to be a safer option than cycling across the crossing.

4.15 Elements of the design would be hazardous and inconvenient to cyclists.

The comments about sharp bends and detours have been taken on board and the cycle route at the southern end revised to address these issues.

4.16 Poor visibility - with serious or fatal consequences.

The crossing point on Askham Lane was moved as a result of the Stage 1 Safety Audit which flagged up the existing crossing as potentially dangerous due to trees obscuring sightlines. The crossing point was moved further from the bend specifically to improve the sightlines, further safety audits will review this revised arrangement and any comments from these will be taken into consideration should any further amendments be required.

4.17 Cycle routes are inconvenient and slow

It is extremely difficult to provide safe cycle facilities on roundabouts of this size and capacity. It is expected that experienced cyclists will continue to use the ORR and that only less confident cyclists will divert to the route around the periphery of the roundabout which will be signed as A1237 North/South (avoiding roundabout). Whilst this may be a slight inconvenience, the reduction in danger from less confident cyclists not having to negotiate the roundabout is probably of more importance to cyclists.

RESPONSE TO TRANSPORT 2000 OBJECTIONS

4.18 Contrary to government policy

Government policy is directed toward a series of shared priorities. These being:

Tackling congestion, improving accessibility, road safety, air quality and other quality of life issues. The junction improvement will reduce the amount of waiting traffic, accidents and the amount of traffic seeking alternate routes on the remainder of the local road network.

4.19 Expensive

The scheme will provide benefits for many forms of transport, not just car users, and will contribute to achieving targets set within the second local transport plan for various modes and other improvements such as reductions in casualties

4.20 Benefits only a very small proportion of the greater York population

The scheme offers benefits to areas other than on the roads directly served by the improvement, as traffic will redistribute onto the ORR from less appropriate routes within the area. Relieving traffic from these less appropriate routes could offer benefits to cyclists and the public transport system.

4.21 Encourages more car usage

Existing congestion levels on the ORR are likely to remain a sufficient deterrent to generating significant traffic growth if this junction improvement is carried out in isolation.

4.22 Does not contribute in any way to the battle against global warming

It is intended that the junction improvements will reduce delays for joining the ORR, thereby reducing the amount of standing traffic at the approaches. This in itself should lead to a reduction in emissions from idling engines. In addition providing easier and more direct access onto the ORR may reduce the distance travelled by some motorists that would otherwise use longer routes to access the ORR.

4.23 Increased levels of traffic on the ORR

Existing congestion levels on the ORR are likely to remain a sufficient deterrent to generating significant traffic growth. However, this improvement is part of a package of improvements on the ORR to ease congestion. Once this package is complete, it is possible that more traffic will use the ORR than does at present, but it is also likely that this will be traffic reassigned from less appropriate routes within the confines of the ORR. Relieving traffic from these less appropriate routes could offer benefits to cyclists and the public transport system.

4.24 Strengthens the case for eventual dualling

Completing the package of junction improvements could equally obviate the need to dual the ORR. If the improvements perform well, congestion levels may be limited to such a level that dualling would no longer be appropriate. The case either way would be more accurately determined through effective monitoring of future improvements.

CYCLIST TOURING CLUBS OBJECTIONS

4.25 Inappropriate and premature as it does not constitute sustainable development

See response to 4.18 contrary to government policy.

4.26 Transport Assessment based on assumptions about vehicle movements.

Assumptions are initially made and later backed by transport modelling.

4.27 Inappropriate use of Green Belt land

Highway improvements are a permitted use of green belt.

4.28 Intrusive signs and lighting will adversely affect the setting of York

Signing and lighting will be in scope and scale with the remainder of the ORR. Improvements in lighting design and technology may reduce the impact.

4.29 Increasing noise levels

Noise levels are a complex function of traffic flow, composition and speed, the road surface and weather conditions. It is possible that noise levels will decrease through a more regulated even traffic speed with less standing traffic. Mitigation measures should be put into place to minimise the effects of noise.

4.30 Does not reduce congestion, adversely affects air quality, will not contribute to improvements to public health.

See response to 4.18 contrary to government policy.

ENVIRONMENTAL ASSESSMENT

4.31 Air Quality - A screening assessment based on the Design Manual for Road and Bridges (DMRB) was used to assess the local air quality at 4 potentially sensitive receptors for five scenarios, using background concentrations taken from the National Air Quality Archive (NAQIA), and Traffic Data provided by Halcrow.

4.32 Further assessment (using the DMRB Screening Method) to predict the local air quality for a potentially sensitive receptor within the Askham Bryan Village was also undertaken.

4.33 Results show that air quality at all surrounding properties should remain well within the current health based objectives for nitrogen oxide and PM10. Traffic modelling also indicates a reduction in travel time and distances across the city during the AM peak, this subsequently reduces traffic and congestion in the city centre and contributes to the aims and objectives of the Air Quality Action Plan.

4.34 Contaminated Land - Historically, land use has been dominated by agriculture. However, in response to any unforeseen contamination issues, relevant conditions will be included.

4.35 Noise and Other Amenity Issues - The impact of the scheme has been assessed using the Calculation of Road Traffic Noise (CRTN) for the existing situation, the situation on opening (2008) and the future (2023). The result of this show that the nearest noise sensitive receptors will experience an unperceivable change in noise level, this is based on modelling with the proposed bunds to the east and west of the site in place and the proposed low noise surfacing to be applied to the scheme. Conditions have been included to ensure that the nearest sensitive receptors are not impacted upon by noise, dust and vibration during the construction stage.

RESIDENTIAL/VISUAL AMENITY

4.36 The urban fringe of York at Woodthorpe lies at a distance of between 200 metres and 400 metres to the east of the A1237 and West Field approx. 1.4km to the north. These areas are characterised by two storey brick built properties with pantile roofs.

4.37 The village of Askham Bryan, which is designated as a Conservation Area, lies approx. 800 metres to the west of the A1237 along Askham Lane and contains a range of late 19th Century and 20th Century properties. Properties currently existing on Askham Lane are located within 88 and 140 metres of any new additions to the Outer Ring Road.

4.38 The overall design of the roundabout, inclusive of the proposed bunding, landscaping and existing topography, represents little harm to the visual amenity of neighbouring properties. The roundabout as a detached entity would not be directly visible from any habitable vantage points. The western arm will be located closer to the aforementioned dwellings, however as no significant increases in traffic are anticipated the visual/residential harm is expected to be minimal. Such an assessment is bolstered further by the comments submitted by the Environmental Protection Unit.

LANDSCAPING/NATURE CONSERVATION

4.39 Two significant areas have been identified on the eastern and western sides of the roundabout, which are proposed to be appropriately contoured and comprehensively landscaped with indigenous species to screen the roundabout from nearby properties. To the west a 55 metre planting strip is proposed with a maximum of 35 metres provided to the east. The western and eastern bunds measure approx. 1.5 metres and 1 metre in height above the carriageway of the A1237 respectively. Taking the local topography into consideration the highest point of western bund is located approx. 4.157 metres above Askham Lane. To the east the aforementioned bunding and planting will be located approx. 10.849 metres above the properties on Coeside. New boundaries will be fenced and planted with indigenous hedging species. The Countryside Officer is of the view that the scheme maximises the wildlife and biodiversity potential quite well. Conditions are included to ensure that habitat mitigation measures are included at the construction stage and following completion.

LIGHTING/SIGNAGE

4.40 Lighting details have been forwarded to the Street Lighting Engineer for consideration. As such it is currently envisaged that the roundabout and its immediate approaches would be lit and the existing lighting on Moor Lane extended through to the roundabout. The lighting design will recognise the rural nature of this location and would be dark sky compliant to minimise any light pollution.

DRAINAGE

4.41 The new highway drainage system will incorporate a balancing pond to act as a containment facility and to cater for the additional run off and thus ensure that there will be no increase in flows at the outfalls as a result of these improvements.

4.42 The Environment Agency has no objections to the proposed roundabout. However, a condition is requested to ensure that surface water run off is "restricted to no greater than that which currently discharges from the site"

5.0 CONCLUSION

5.1 The proposed roundabout by virtue of its considered design provides environmental and nature conservation enhancements, improved accessibility to the A1237 from existing side roads and a reduction in area wide traffic levels and journey times, without compromising the visual/residential amenity of neighbouring properties and communities or the character and appearance of the designated Green Belt. As such it is considered to comply with the requirements of policies H18, GB1 etc etc

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2

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

TACYCB900/005 - Proposed Cross Sections.

TACYCB900/001 - General Arrangement.

TACYCB900/004 - Planning Application Boundary and Land Acquisition Plan.

TACYCB900/008 - Aerial Photo-Montage.

Transport Assessment.

Road Safety Audit - Stage 1 "Incorporating the Designers Response".

Environmental Assessment.

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

- 3 Any contaminated material detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

Reason: To protect human health and the wider environment

- 4 Prior to any works commencing on site, a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration and dust resulting from the site preparation, groundwork and construction phases of the development. Once approved, the CEMP shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of occupants of adjacent and adjoining properties during the development of the premises.

- 5 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees, hedging and shrubs. 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 five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

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

- 6 No hedging shall be fully removed before the 31st March 2007, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests nature conservation.

- 7 Prior to the commencement of development, full details of the proposed balancing pond, including its overall capacity shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that surface water run off is no greater than that currently discharged from the site.

- 8 Prior to the development commencing, details showing how existing habitats used by amphibians, badgers, breeding birds and bats will be protected and or enhanced, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of nature conservation and habitat creation.

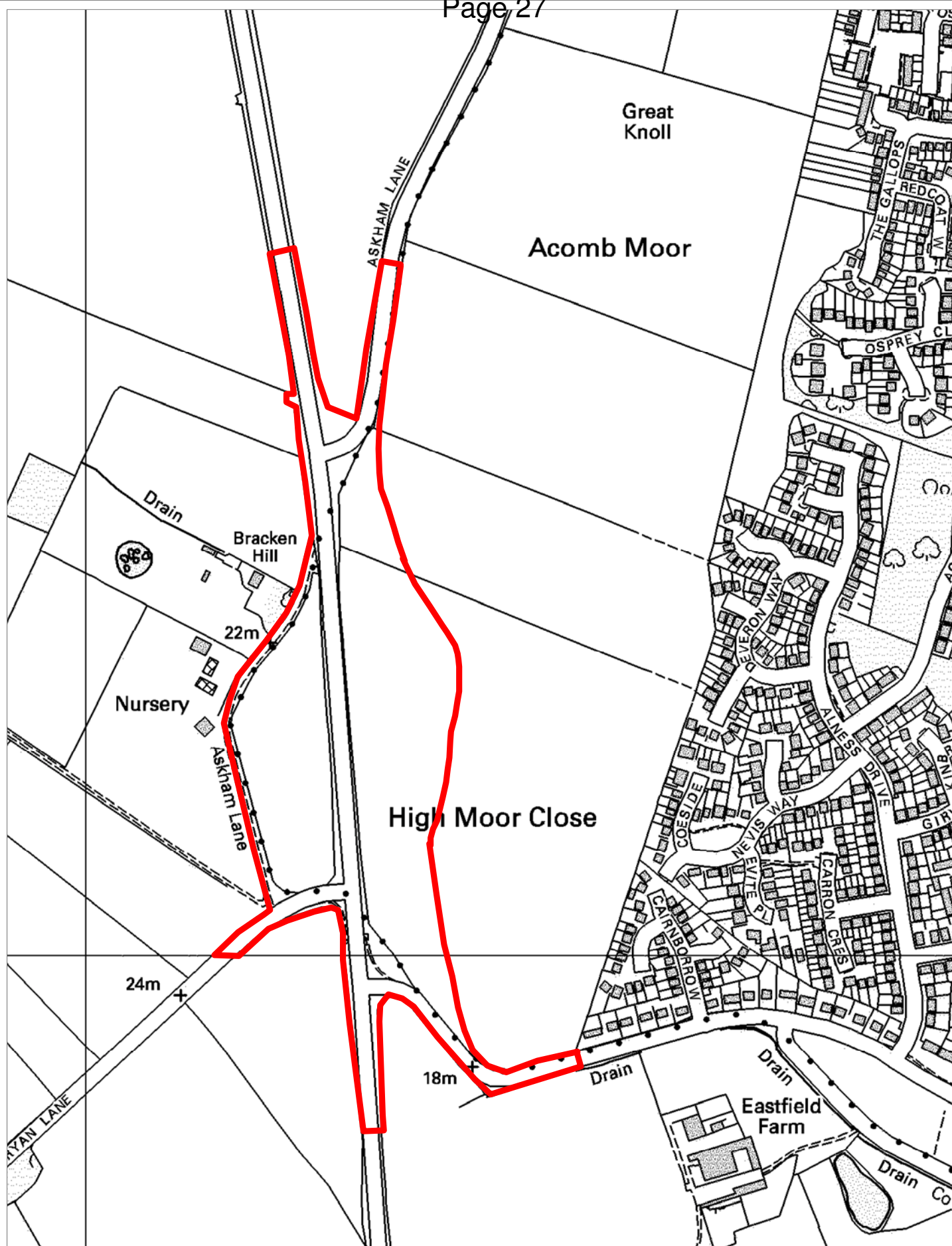
7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual/residential amenity, area wide traffic levels or the open character of the designated Green Belt. As such the proposal complies with PPS1 and PPG2 and Policies T18, GB1 and GP1 of the City of York Development Control Draft Local Plan.

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MOOR LANE ROUNDABOUT 06/02604/GRG3

SCALE 1:5000
Originating Group

DRAWN BY PSL
Project

DATE 9/2/2007
Drawing No.



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