



Notice of meeting of

Planning Committee

To: Councillors R Watson (Chair), D'Agorne, Firth, Funnell, Horton, Hudson, Hyman, Jamieson-Ball, Moore, Morley, Pierce, Potter (Vice-Chair), Reid, Simpson-Laing, B Watson and Wiseman

Date: Thursday, 25 March 2010

Time: 4.30 pm

Venue: The Guildhall, York

**The site visit will commence at 12.30pm
on Wednesday 24 March 2010 meeting at Memorial Gardens**

AGENDA

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 5 - 22)

To approve and sign minutes of meetings of the Planning Committee held on 3 and 17 February 2010.

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 **5.00pm on Wednesday 24 March 2010**. 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) **Proposed Site for Poppleton Bar Park and Ride, Northfield Lane, Upper Poppleton, York (09/02294/FULM) (Pages 23 - 38)**

Construction of park and ride facility with up to 1250 parking spaces, associated access, passenger terminal building, wind turbine and landscaped bund [*Rural West York Ward*] **[Site Visit]**

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

Democracy Officer:

Name: Jill Pickering

Contact Details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

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
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The majority of councillors are not appointed to the Executive (40 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Decision Session) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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PLANNING COMMITTEE

SITE VISIT

WEDNESDAY 24 MARCH 2010

The bus will depart from Memorial Gardens at 12:30pm

TIME (Approx)	SITE	ITEM
12.45pm	Proposed Site for Poppleton Bar Park And Ride, Northfield Lane, Upper Poppleton, York (Meeting at Wyevale Garden Centre Car Park opposite the site)	4a

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City of York Council

Committee Minutes

MEETING	PLANNING COMMITTEE
DATE	3 FEBRUARY 2010
PRESENT	COUNCILLORS R WATSON (CHAIR), D'AGORNE, FIRTH, FUNNELL, HORTON, HUDSON, HYMAN, MOORE, MORLEY, PIERCE, REID, SIMPSON-LAING, B WATSON, VASSIE (SUB FOR CLLR JAMIESON -BALL), KING (SUB CLLR POTTER) AND GILLIES (SUB FOR CLLR WISEMAN)
APOLOGIES	COUNCILLORS JAMIESON-BALL, POTTER AND WISEMAN

30. INSPECTION OF SITES

The following site was inspected before the meeting:

Site	Reason for Visit	Members Attended
Factory, Bishopthorpe Road, York (09/01606/OUTM)	To enable Members to view the site in relation to the amended redevelopment proposals in particular the accesses and relationship of the development to the surrounding areas and Listed Buildings.	Councillors D'Agorne, Firth, Gillies, Hudson, Hyman, Morley, B Watson, R Watson and Wiseman.

31. DECLARATIONS OF INTEREST

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

Councillor D'Agorne declared a personal non prejudicial interest in relation to Plans items 4a to 4g (Factory, Bishopthorpe Road, York YO23 1NA) as a regular user of the Sustrans cycle path situated adjacent to the site and as he was employed by York College.

Councillor Fraser declared a personal non prejudicial interest in relation to Plans items 4a to 4g (Factory, Bishopthorpe Road, York YO23 1NA) as a Governor of Knavesmire School, situated on Campleshon Road, a resident of Millfield Road and as his daughter resided in Nunthorpe Avenue, both in the vicinity of the site.

32. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 17 December 2009, be approved and signed by the Chair as a correct record, subject to the

deletion of the words 'nature conservation' in the sixth paragraph of the preamble to Minute 27a (Land to the West of Metcalfe Lane, Osbaldwick, York) and its replacement with 'housing and open space'.

33. PUBLIC PARTICIPATION

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

34. PLANS LIST

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

34a Factory, Bishopthorpe Road, York YO23 1NA (09/01606/OUTM)

Members considered a major outline hybrid application, submitted by GHT Developments LLP, which consisted of outline and full proposals for the comprehensive redevelopment of the former Terry's site.

Officers circulated the following additional information and update reports:

- Details of the hybrid format of the applications;
- Updated affordable housing figures as follows:
Affordable housing at 82 units (32 x 2 bed flats, 7 x 2 bed houses, 10 x 3 bed houses) for affordable rent together with units (22 x 2 bed flats, 1 x 2 bed house and 10 x 3 bed houses) for discounted sale.
- Additional correspondence from Micklegate Ward Councillors in relation to outstanding matters and concerns, including, scale and massing of the office area, addition of a top floor on the Main Factory building, decking to the existing car park within the Green Belt, unacceptable and underestimated traffic and air quality impact, bus provision, cycle and pedestrian access, Mount Vale junction and continued consultation, community and educational needs, amount of affordable housing, provision of housing for the elderly, sustainability and construction work and traffic.
- Officers response to Ward Councillors comments;
- Comments received from the Racecourse, mainly in relation to the integration between the Chocolate Works site and York Racecourse and the new access to the site from Racecourse Road;
- Officer response to the Racecourse's comments;
- Comments from the Commission for Architecture and the Built Environment (CABE) whose comments it was pointed out were based upon a limited internal review of the site;
- Comments from English Heritage, the Conservation Area Advisory Panel and Yorkshire Forward;
- Details of the proposed method for calculating contributions;
- Updated Scarcroft Road/Bishopthorpe Road Junction analysis (detailed in a Technical Note from AECOM);

- Additional/Amended conditions relating to the % of designated workspace of each live/work unit, details to secure their internal arrangements and for no subdivision of these units, prevention of the B1 floorspace being used for the repair etc of motor vehicles or processing of food and retail;
- Details of the extension of time requested by the applicants which had been suggested as five years for submission of reserved matters and seven years from the date of permission or two years from the approval of the last reserved matters for the commencement of development;
- Amendment to Section 6.7 of the report in respect of the conditions;
- Briefing Note from Turley Associates responding to the comments of CABE;
- Art Strategy as proposed as part of the development;
- Perspective sketch plans of the proposed Racecourse link to the site;
- Legal note detailing the various elements of planning permission requested in the applications.

Officers confirmed that they had nothing to add to the Committee update other than to confirm that, if approved, the application would have to be referred to the Secretary of State as the proposed car park to the east of Bishopthorpe Road was sited in the Green Belt.

Representations were made by Steve Davis, Managing Director of Grantside in support of their proposals for the site. He referred to the refusal of planning permission in August 2008 and to the nine reasons for refusal. He pointed out that he hoped this scheme responded to and addressed all these reasons. Particularly as they had undertaken extensive consultation with the public and consultees and held discussions with the Community Forum and public exhibitions. He confirmed that the current application was not a revision of the previous scheme but it was a completely new scheme developed from first principles. He stated that he felt the wider community would gain significant benefits from the scheme.

Peter Callaghan, Development Director for Grantside, also made representations in support of the scheme. He spoke in relation to traffic and sustainable transport and confirmed that following agreement with Officers their Transport Assessment had scrutinised the overall impact of the development on the highway network. It had been concluded that the only highway engineering mitigation works necessary were at the Mount Vale/Knavesmire Road junction with signalisation of the junction being suggested. He confirmed that local residents had been consulted to ensure that their concerns were met. He then went on to outline the sustainable transport measures proposed which included the promotion of cycling and walking and the increased use of public transport.

Representations were then received from Eamonn Keogh on behalf of the Planning Consultants for the scheme who referred to the concerns raised by the Micklegate Ward Councillors. He stated that extensive public consultation had taken place with residents etc and pointed out that this was a community led scheme which had received a great deal of support.

Jane Hunt, representing Yorkshire Forward, expressed her support for the use of this brownfield site, which would provide a large amount of office space thereby assisting economic growth in the city. She confirmed that the mixed use proposals and hotel provision would encourage spending in the city and provide much needed employment and she welcomed the sustainable measures to be incorporated into the scheme.

Andy Chase of the Micklegate Planning Panel indicated that, although the Panel supported the significant improvements that had been made to the scheme, they were still concerned in relation to a number of issues. These related to traffic generation, access to the site, the decked car park which they felt was inappropriate in the Green Belt and the steep gradient of the cycle path to the north of the car park. The Panel felt that this was an opportunity to get the development right.

Representations were then received from William Derby, on behalf of York Racecourse. He confirmed that he supported both the development brief and the application but required clarification in relation to the integration between the Racecourse and the Chocolate works site. He referred to the Racecourse's busy Conference Centre and link between it and the proposed hotel, which he hoped would be incorporated into the plan to ensure its future completion. He went onto refer to the proposed access to the site via Racecourse Road, a busy cul de sac used by a large number of people and stated that he wanted to ensure the public's safety if the road was opened up for use.

Cllr Merrett, as one of the Local Members for the Micklegate Ward, referred to the key historic building on this important site. He confirmed that he supported its reuse and the improved application submitted for the site, which was a great opportunity for the city. However, he went onto refer to the intensification of use of the site with the increased scale and massing of the office area to the south, the increase in car parking spaces and the new modal split of traffic. He referred to the previous refusal for the site, owing to the impact of the significant addition traffic generated by the scheme, and pointed out that Ward Members felt that these proposals would have an unacceptable and underestimated traffic impact on the area. He confirmed that he had undertaken traffic counts at similarly located office developments within York and in view of his findings it appeared that the assumed modal split for office use on the site was over optimistic. Ward Members pointed out that it was important that the Travel Plan was stronger to encourage more sustainable forms of transport. He went on to request the Committee to defer further consideration of this application to enable negotiations to be undertaken to reduce the scale of the commercial element of the scheme together with a re-examination of the traffic implications to include phased implementation.

Cllr Gunnell, also as a Micklegate Ward Member, referred to the work undertaken by the three ward Councillors in relation to this application, she confirmed that her comments reflected the views of their ward residents. She stated that they wanted the Terry's site brought back into use but referred to the Ward Members concerns in relation to scale and massing, in relation to the top floor of the factory building, the car park sited in the Green Belt and the impact of traffic on air quality and impact on local

schools. She confirmed that local residents main concerns related to traffic generation and the possible under estimates in relation to this. She asked Members to require the developer to agree a bond to ensure that if traffic generation exceeded certain limits that this money would fund free residents parking etc. and for a contribution towards St Chad's Parish Hall for community use.

Cllr Fraser, also as a Micklegate Ward Member, confirmed his support for the development of the site, which was at present a target for vandals and graffiti. He stated that they welcomed many aspects of the revised application however they still had major concerns over the scale and massing of the development, which they felt was unchanged. The traffic would affect the highway network, particularly at the junctions, which were already overloaded, and this would add to existing air quality problems. He asked the Committee to note the traffic counts undertaken by Cllr Merrett and agree to defer the application or impose a condition requiring the developer to lodge a bond whilst the impact of traffic was assessed against the developers assessment and if this proved to have been underestimated then mitigation measures should be put in place.

Cllr Galvin then made representations as Local Member for Bishopthorpe. He confirmed that this was an important site, which would play a large part in improving the City's economy. He referred to the anticipated increased traffic levels in the vicinity of the site particularly in Bishopthorpe which he felt would be badly affected. Residents felt that traffic would access the site via Sim Balk Lane and Bishopthorpe thereby avoiding the traffic signals on Tadcaster Road. He stated alternatives were required either an improvement to the highway infrastructure or a new link road from the A64 to Sim Balk Lane. He therefore requested Members to defer further consideration pending receipt of proposals to deal with the proposed traffic generation.

Members then commented and questioned various aspects of the proposals including:

- The legality of the bond suggested by Ward Members;
- The possible phased approach of the development as used at the University of York;
- Types of mitigation measures;
- Integration of site and Racecourse;
- Reasons for amending time limit;
- Live work units and details of area designated for each;
- Calculation of education contributions;
- Matters to be included in the Section 106 agreement;
- Energy efficiency proposals for development;
- Confirmation that the figures for traffic generation were comparable with the proposed use of the site;
- Reference to air quality objectives;
- Need to promote sustainable transport for the site;
- Provisions made to accommodate cycle movements across Bishopthorpe Road to minimise disruption to traffic flow;
- No deterrent to use of car park, feasibility of charging for its use;

- Hours of operation of subsidised bus service as little public transport to site after 7pm;
- Details of the service charges to be imposed for the properties;
- Details of type of access proposed from Racecourse Road, speed limit and it's use on race days;
- Details of house/flat split for the site;
- Reference to research that had shown retired living units needed to have 2 bedrooms to accommodate carers;
- Police Architectural Liaison Officer's comments in relation to accommodation sited above shop units and the need for the incorporation of Secure by Design condition;
- Proposals for Public Art and its siting;
- Open space and play equipment provisions;
- Length of appointment of Travel Plan Co-ordinator;
- Affordable housing units if remain unsold they should revert to affordable renting;
- Hope that it was still the developer's intention to provide allotments on site.

Following further lengthy discussions Cllr Pierce moved and Cllr D'Agorne seconded that approval be granted subject to the imposition of the recommended conditions and additions to the Section 106 with the addition of conditions relating to phasing and traffic flows in line with those imposed by the Inspector in connection with the Heslington East campus. This would require the developer to undertake annual traffic surveys to and from the site and at the principal junctions. Also phasing of the applications and requiring each application to be accompanied by a comparison of the predicted traffic flows relating to the site together with actual surveys of traffic flows and if the actual volumes were more than 5% higher than the developers, details of mitigation measures to be prepared and an implementation programme for these to reduce the actual traffic flows. On being put to the vote the motion was lost and Cllr D'Agorne asked that his vote in support of this motion be recorded.

Members thanked Officers for their work on this scheme, negotiations with the developers and for their comprehensive reports. The Chair thanked Grantside for their work and wished them success with their proposed scheme.

RESOLVED: That the application be approved subject to the conditions set out in the report and the following

1. Completion of a Section 106 legal agreement further to the Town and Country Planning Act 1990 to secure:
 - i) Affordable housing at 82 units (32 x 2 bed flats, 7 x 2 bed houses, 10 x 3 bed houses) for affordable rent together with units (22 x 2 bed flats, 1 x 2 bed house and 10 x 3 bed houses) for discounted sale.
 - ii) A contribution towards local education provision of £1,166,881

- iii) A contribution towards off site public open space facilities of £160,249
- iv) Funding of £300k to allow the design, supervision and introduction of traffic signals at the junction of Knavesmire Road with Tadcaster Road and Mount Vale.
- v) Funding of £40k to allow the introduction of UTC control and CCTV equipment at the St. Helens Road/Tadcaster Road junction.
- vi) Contributions to be agreed between the developers Chair and Vice Chair of the Planning Committee and the Assistant Director (Planning and Sustainable Development) for the following:
 - Improved junction performance at Scarcroft Road/ Bishopthorpe Road junction
 - Provision of a shuttle bus service between the development site, Askham Bar Park and Ride site and the Station, between the hours of 7 am and 7 pm at a 30 minute frequency for a 5 year period.
 - The construction of an additional 26 spaces at the new Askham Bar Park and Ride site.
 - Improvements to the pedestrian/cycle route (Sustrans Route 65) between Bishopthorpe Road and the riverside path for pedestrian and cycle purposes including alterations to Bishopthorpe Road. Measures to include localised widening, smoothing of gradient and provision of street lighting.
 - Additional cycle route signs, as agreed, to be erected along the route between the development site and heading north through the South Bank district.
 - Off site works at Racecourse Road between the site and York Racecourse.
 - Details of the public art proposals.
- vii) A commitment to include and maintain showers and drying rooms within all office blocks to encourage cycle trips.
- viii) To agree with the Local Planning Authority energy efficiency, and waste and pollution minimisation plan with regard to the demolition and construction phases of the development, and also in the detailed design features of the scheme and its subsequent operation.

- ix) To agree with the Local Planning Authority details of the Travel Plan and employment of Travel Plan Coordinator.
- x) That the developer be required to consult with the Police Architectural Liaison Officer at the start of each phase of the development.
- xi) That, in accordance with standard provision, if any of the affordable housing units are not sold then they will revert back to social rent.

2. Referral to the Secretary of State.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, the proposed scheme would not cause undue harm to interests of acknowledged importance, with particular reference to: -

- Highway and pedestrian safety
- The Terry's Conservation Area Conservation and adjacent listed buildings
- Archaeological Deposits at the site
- Ecology at or adjacent to the site
- Residential amenity
- Affordable housing considerations
- Air quality
- Noise and Construction Related Disturbance
- Security and designing out crime considerations
- Flooding and Drainage
- Sustainability
- Impact on Local Education Provision

As such the proposal complies with policies listed in section 4.0 of the report.

Cllr D'Agorne requested that his abstention from this vote be recorded.

34b Factory, Bishopthorpe Road, York YO23 1NA (09/01608/LBC)

Consideration was given to an application for Listed Building Consent, submitted by GHT Developments LLP, for the selective demolition, alteration and construction of new extensions at the Multistorey Factory (MSF).

RESOLVED: That the application be approved subject to the imposition of conditions as listed in the report.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the Liquor Store which is a listed building, adjacent listed

buildings and the Racecourse and Terry's Conservation Area. As such this proposal complies National Planning Policy Guidance Note 15, Policies Y1 and ENV9 of the Regional Spatial Strategy for Yorkshire and Humber and policies HE2, HE3, HE4 and HE5, of the City of York Local Plan Deposit Draft.

34c Factory, Bishopthorpe Road, York YO23 1NA (09/01607/LBC)

Consideration was given to a Listed Building application, submitted by GHT Developments LLP, for the removal of an external first floor walkway from the Head Office Building.

RESOLVED: That the application be approved subject to the imposition of the conditions listed in the report.

REASON: In the opinion of the Local Planning Authority the demolition of the walkway/bridge connected to the former Headquarters building (FHQ), subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to FHQ, adjacent Listed Buildings and the Racecourse and Terry's Conservation Area. As such this proposal complies National Planning Policy Guidance Note 15, Policies Y1 and ENV9 of the Regional Spatial Strategy for Yorkshire and Humber and policies HE2, HE3, HE4 and HE5, of the City of York Local Plan Deposit Draft.

34d Factory, Bishopthorpe Road, York YO23 1NA (09/01609/LBC)

Members considered a Listed Building application, submitted by GHT Developments LLP, for the demolition of modern additions to the clock tower, ash bunker and boiler house building.

RESOLVED: That the application be approved subject to the imposition of conditions listed in the report.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the Clock Tower which is a listed building, adjacent listed buildings and the Racecourse and Terry's Conservation Area. As such this proposal complies National Planning Policy Guidance Note 15, Policies Y1 and ENV9 of the Regional Spatial Strategy for Yorkshire and Humber and policies HE2, HE3, HE4 and HE5, of the City of York Local Plan Deposit Draft.

34e Factory, Bishopthorpe Road, York YO23 1NA (09/01610/LBC)

Members considered a Listed Building application, submitted by GHT Developments LLP, for the demolition of modern additions to the Liquor Store.

RESOLVED: That the application be approved subject to the imposition of conditions as listed in the report.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the Liquor Store which is a listed building, adjacent listed buildings and the Racecourse and Terry's Conservation Area. As such this proposal complies National Planning Policy Guidance Note 15, Policies Y1 and ENV9 of the Regional Spatial Strategy for Yorkshire and Humber and policies HE2, HE3, HE4 and HE5, of the City of York Local Plan Deposit Draft.

34f Factory, Bishopthorpe Road, York YO23 1NA (09/01611LBC)

Consideration was given to a Listed Building application, submitted by GHT Developments LLP, for the demolition of the Nut and Fruit store.

RESOLVED: That the application be approved subject to the imposition of conditions as listed in the report.

REASON: In the opinion of the Local Planning Authority the demolition of the Fruit and Nut Store, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to adjacent Listed Buildings and the Racecourse and Terry's Conservation Area. As such this proposal complies National Planning Policy Guidance Note 15, Policies Y1 and ENV9 of the Regional Spatial Strategy for Yorkshire and Humber and policies HE2, HE3, HE4 and HE5, of the City of York Local Plan Deposit Draft.

34g Factory, Bishopthorpe Road, York YO23 1NA (09/01612/CAC)

Members considered a Conservation Area application, submitted by GHT Developments LLP, for the demolition of the central services building.

RESOLVED: That the application be approved subject to the imposition of the conditions as listed in the report.

REASON: In the opinion of the Local Planning Authority the demolition of the Central Services Building, subject to the conditions listed, would not cause

undue harm to interests of acknowledged importance, with particular reference to adjacent Listed Buildings and the Racecourse and Terry's Conservation Area. As such this proposal complies National Planning Policy Guidance Note 15, Policies Y1 and ENV9 of the Regional Spatial Strategy for Yorkshire and Humber and policies HE2, HE3, HE4 and HE5, of the City of York Local Plan Deposit Draft.

R WATSON, Chair

[The meeting started at 4.30 pm and finished at 8.55 pm].

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MEETING	PLANNING COMMITTEE
DATE	17 FEBRUARY 2010
PRESENT	COUNCILLORS R WATSON (CHAIR), D'AGORNE, FIRTH, FUNNELL, HORTON, HUDSON, HYMAN, MOORE, MORLEY, POTTER (VICE-CHAIR), REID, SIMPSON-LAING, B WATSON AND GILLIES (SUB FOR CLLR WISEMAN)
APOLOGIES	COUNCILLORS JAMIESON-BALL, PIERCE AND WISEMAN

35. DECLARATIONS OF INTEREST

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

Councillor Simpson-Laing declared a personal prejudicial interest in Agenda item 4 (Fulford Road Conservation Area Appraisal: Results of Consultation and Final Draft for Approval) as her parents and other relatives lived within and adjacent to the area covered by this draft appraisal and she left the room and took no part in the discussion or voting thereon.

Councillor D'Agorne declared a personal non-prejudicial interest in Agenda item 4 (Fulford Road Conservation Area Appraisal: Results of Consultation and Final Draft for Approval) as a resident of Broadway West adjacent to the area.

Councillor Firth declared a personal non-prejudicial interest in Agenda item 4 (Fulford Road Conservation Area Appraisal: Results of Consultation and Final Draft for Approval) as he had served at the Imphal Barracks and was still associated with its Mess.

36. PUBLIC PARTICIPATION

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

37. PLANS LIST

Members considered a report of the Assistant Director (Planning and Sustainable Development) relating to the following planning application, outlining the proposals and relevant planning considerations and setting out the views of consultees and officers.

37a 24 Heworth Green, York YO31 7UG (09/02081/FULM)

Consideration was given to a major full application, submitted by the National Grid, for a new planning permission to replace an extant planning permission, in order to extend the time limit for implementation of application ref: 09/00632/FUL by a further 3 years for a mixed use scheme for residential development and offices. This would consist of a maximum of 12 two bedroom apartments, a maximum of 6 two bedroom houses, a maximum of 60 three bedroom houses and a maximum of 41 four bedroom houses unless otherwise agreed in writing by the Local Planning Authority.

Officers updated the Committee on various aspects of the application including:

- Amendment to the description to read 'Application for a new planning permission to replace an extant planning permission, in order to extend the time limit for implementationby a further **two** years'
- Clarification that this shorter period had been agreed with the applicant and would require a reserved matters application to be submitted within a period of two years from the date of the new planning permission. It was also confirmed that if the reserved matters application was not submitted within the two year period, that the original permission would then lapse and a completely fresh application would be required.
- Yorkshire Water Authority had raised no objections but had advised that their previous comments and recommendations were still relevant and they had requested that the new permission be conditioned accordingly.
- It was reported that no responses had been received from local residents.
- Any approval would be subject to a variation of the existing Section 106 Agreement to encompass the new permission, in order to carry forward the financial contributions and other requirements of the previous permission.
- Details of an issue which had arisen in relation to the Certificate of Ownership in that one of the owners of the site had originally been omitted. Notice had now been served on Northern Gas Networks on 5 February, as the additional owners, which meant that it would be necessary to delay the issuing of the decision until at least 26 February.
- Legal Briefing note which explained the new procedure for the extension of time limits for implementing existing planning permissions which had been brought into force by statutory instrument on 1 October 2009.

Members then commented and queried the following aspects of the application:

- Lighting along Gas Alley adjacent to the site. Officers confirmed that when detailed proposals for the site were received they could look at how the path related to the site but pointed out that the Secure by Design condition, which formed part of this approval, also covered lighting, surveillance etc.

- Details of the Section 106 obligations and the various trigger points for meeting these. Officers confirmed that they would email the details to Members.¹
- Community space, which it was confirmed, was the same as had been proposed in the earlier application. It was pointed out that as this was an extension of time application it would be inappropriate for Members to revisit the conditions and make amendments if there had been no material change to policy or to other material considerations since the original grant of permission in 2009.
- Timescales in bringing the application forward and the need for improved security on site.

The applicant's representative, who was in attendance to answer any questions, confirmed that she would request the site owners to examine possible improvements to site security. She stated that the applicants would shortly begin negotiations with Northern Gas Networks to arrange for the removal of the on site gas holder but that by the end of the year they hoped to be in a position to market the site to a house builder with implementation of the scheme following shortly after.

Following further discussion it was

RESOLVED: That the application be approved subject to no material objections being received from Northern Gas Networks by 26 February 2010, the imposition of conditions as listed in the report and to the applicant entering into a Section 106 Agreement, subject to the replacement of the work 'except' with 'accept' in the third line of the third paragraph of Informative 2 in relation to surface water discharge.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the principle of mixed use development, affordable housing, environmental impact assessment, land contamination, air quality, noise, dust and odours, health and safety, highways and traffic considerations, design issues, the effect on the conservation area, archaeology, residential amenity, ecology, sustainability, open space provision, crime prevention, impact on education provision, flood risk and drainage, telecommunications and utilities. As such the proposal complies with Policies YH4, Y1, ENV9, ENV12, H4 and H5 of the Regional Spatial Strategy (RSS) for Yorkshire and the Humber (2008), and Policies GP1, GP3, GP4A, GP4B, GP5, GP6, GP7, GP9, GP13, GP15, NE1, NE3, NE6, NE7, HE2, HE3, HE10, HE11, T2A, T2B, T4, T5, T7C, T13A, T20, H2A, H3C, H4A, H5A, E3B, E4, ED4, L1C, SP3, SP6, SP7A and SP8 of the City of York Local Plan Deposit Draft (2005). The proposal would also comply with advice in PPS1,

PPS Supplement, PPS3, PPG4, PPS9, PPG13, PPG15, PPG16, PPG17, PPS23, PPG24, PPS25.

Action Required

1. Email Members further information requested on Section 106 for this site.

S B

38. FULFORD ROAD CONSERVATION AREA APPRAISAL: RESULTS OF CONSULTATION AND FINAL DRAFT FOR APPROVAL

Members considered a report, which presented the results of a public consultation exercise on the draft Fulford Road Conservation Area Appraisal which also included a boundary review. The report recommended the adoption of the appraisal subject to a number of minor revisions.

The Planning Committee had approved the draft appraisal for consultation on 24 September 2009. Details of the consultation responses together with Officer responses and recommendations/proposed amendments were set out in Annex C to the report.

Officers confirmed that the adoption of the document would assist with the formulation and determination of development proposals within the Conservation Area and the surrounding area.

Consideration was also given to a letter, circulated at the meeting, from Cllr Taylor. He confirmed that he was in support of the reappraisal of the Fulford Road Conservation Area but as a resident of Fishergate and Heritage Champion for the City of York he requested that consideration should be given to some additional recommendations:

- Inclusion of the former Christian Science Church and former Post Office as superb examples of C20th architecture;
- Inclusion of the early Council houses of Fulford Cross as they shared many of the characteristics with those of Alma Terrace;
- Inclusion of the Ordnance Lane buildings.

Officers confirmed that following receipt of a number of representations questioning the inclusion of Ordnance Lane they had reassessed its contribution to the area. The draft Appraisal had stated that the area would not justify conservation area status in isolation however records had now shown that the buildings were erected at the start of the C20th and that the hospital predated the buildings by 50 years although it had now been demolished and for this amongst other reasons it was not now proposed for inclusion.

Officers circulated details of English Heritage's 'Guidance on Conservation Area Appraisals', 'Conservation Area Practice', Planning Policy Guidance note nos. 15 together with photographs of the former Post Office, Christian Science Church, Ordnance Lane and the properties at Fulford Cross. Officers considered that the above guidance led them to believe that the properties did not meet the criteria for inclusion in the conservation area. In answer to a question, Officers also clarified that their comments for the

non-inclusion of Ordnance Lane were based solely on conservation area criteria and assessment rather than on future proposals for the site.

Cllr D'Agorne referred to a number of possible inclusions in the area, Alma Terrace and the Wellington Public House, which he felt, required protection, also Howard Street and Fulford Cross. He also questioned the suggestion that an assessment be undertaken of trees at the rear of St Oswald's Road, which were not visible from the Conservation Area.

Officers suggested that The Wellington could be a candidate for the emerging local list which contained details of buildings that were of importance and interest to the local community because of their historic or architectural importance. However it has since been confirmed that the Wellington Inn was protected through statutory listing at Grade 11.

The Committee thanked Officers for all their hard work in creating the Fulford Road Appraisal.

RESOLVED: That approval for planning purposes be given to the Fulford Road Conservation Area Appraisal as proposed in Annex D and as amended by Annex C of the report. ¹.

REASON: The document is a thorough analysis of the character and appearance of the conservation area and it has been prepared in accordance with current guidance from English Heritage. As a document it is clearly written and accessible to a wide range of users. The consultation method and range accords with previous practice. Information and views of consultees have been carefully considered in the amendments proposed. The adoption of the document will assist with the formulation and determination of development proposals within the conservation area and adjacent to it.

Action Required

1. Start use of appraisal for planning purposes.

JR

R WATSON, Chair

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

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COMMITTEE REPORT

Committee: Planning Committee **Ward:** Rural West York
Date: 25 March 2010 **Parish:** Upper Poppleton Parish Council

Reference: 09/02294/FULM
Application at: Proposed Site For Poppleton Bar Park And Ride Northfield Lane
Upper Poppleton York
For: Construction of park and ride facility with up to 1250 parking
spaces, associated access, passenger terminal building, wind
turbine and landscaped bund
By: Mr Paul Thackray
Application Type: Major Full Application (13 weeks)
Target Date: 30 March 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 Planning permission is sought for a 1,250 space park and ride facility with associated road junction improvements, a single 14.5 metre high wind turbine and a terminal building providing facilities for site users, to the west of Northfield Lane, Upper Poppleton. A series of alterations including a pedestrian and cycle underpass and alterations to the roundabout junction layout would be undertaken at the A59/A1237 York Ring Road junction under Local Highway Authority Permitted Development Rights at the same time. The site lies within the designated York Green Belt and forms part of a wider package of demand management measures to deal with traffic growth in the York area including an expanded and relocated Askham Bar Park and Ride site previously dealt with by this Committee and an additional Park and Ride site to serve the B1363 Wigginton Road. The current proposal has been subjected to a full Environmental Impact Assessment.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

Common Land and Village Greens GMS Constraints: VG 15 Upper Poppleton Village Green _ Assoc Waste Lands

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

York North West Boundary GMS Constraints: York North West Boundary CONF

2.2 Policies:

CYGB1

Development within the Green Belt

CYSP8
Reducing dependence on the car

CYGP1
Design

CYGP3
Planning against crime

CYGP4A
Sustainability

CYGP9
Landscaping

CYT6
Park and Ride

3.0 CONSULTATIONS

INTERNAL:-

3.1 City Development - raise no objection to the proposal as "appropriate" development within the Green Belt. The design, layout and level of landscaping is furthermore felt to safeguard the essential characteristics of "openness" of the Green Belt.

3.2 Environmental Protection Unit - raise no objection to the proposal subject to appropriate conditions in relation to lighting and construction operations being appended to any permission.

3.3 Structures and Drainage Engineering Consultancy - raise no objection to the proposal.

3.4 Highway Network Management - raise no objection to the proposal subject to details of the internal layout, lighting and junction design being reserved for further consideration on any permission. Appropriate conditions would be attached to any permission granted (see below).

3.5 Design, Conservation and Sustainable Development - raise no objection to the proposals subject to any permission being conditioned to require the prior approval of a scheme of archaeological investigation, a detailed landscape scheme including management arrangements and the provision of at least 10% of the energy needs of the site from renewable sources.

EXTERNAL:

3.6 Marston Moor Internal Drainage Board - raise no objection to the proposal subject to any permission being conditioned to require a maintenance strip being secured along any Board maintained water courses crossing the site and any surface water discharges from the site being regulated at the agricultural rate of run-off.

3.7 Yorkshire Forward - raise no objection to the proposal.

3.8 The Environment Agency - raise no objection to the proposal subject to the flood attenuation measures outlined in the Flood Risk Assessment being secured by condition appended to any permission.

3.9 Yorkshire Water Services Limited - raise no objection to the proposal subject to any permission being conditioned to secure satisfactory surface water and foul drainage works.

3.10 Rufforth and Knapton Parish Council - raise no objection to the proposal subject to the improvement of pedestrian and cycle links between the application site and the villages of Rufforth and Knapton .

3.11 North Yorkshire Police Architectural Liaison Officer - raises no objection to the proposal.

3.12 Upper Poppleton Parish Council object to the proposal on the grounds that it would lead to increased congestion along the A59 and surrounding roads, it would lead to increased rat-running through Upper Poppleton village, there would be insufficient landscaping until the proposal has been fully implemented and the proposed lighting would cause pollution to surrounding areas.

3.13 Cyclists' Touring Club North Yorkshire - object to the proposal as being premature prior to the intended employment related developments in the vicinity being implemented, the proposal would simply lead to the re-location of existing congestion problems and would lead to the creation of significant numbers of additional car journeys from neighbouring villages.

3.14 York Natural Environment raise no objection to the proposal.

3.15 Natural England raise no objection to the proposal.

3.16 Nine letters of objection have been received in respect of the proposal. The following is a summary of their contents:

- * The proposal would increase congestion on the A59 and surrounding roads within the Outer Ring Road;
- * The proposal would lead to rat running through Upper Poppleton village;
- * The proposal should be located on the former Civil Service Sports Ground inside the Outer Ring Road off the A59;
- * The increased levels of traffic on the A59 would lead to increased levels of noise pollution;
- * The proposed lighting would lead to a significant problem of light pollution through the surrounding area;
- * The proposed wind turbine would itself give rise to a significant problem of noise pollution and visual intrusion and that a ground mounted solar panel should be chosen as an alternative means of renewable energy generation;
- * The proposal would detract from the pleasant rural ambience of Upper Poppleton village;
- * The proposal would lead to increased levels of traffic congestion through Upper Poppleton village and along the A59 to the west of the Outer Ring Road;

- * The proposal should be located further along the A59 towards Harrogate;
- * The proposed signalised junction between the A59 and Northfield Lane would exacerbate existing problems of traffic congestion along the A59 towards the Outer Ring Road;
- * The proposal would seriously detract from the open character of the Green Belt;
- * The proposal would detract from the residential amenity of properties in Station Road and Northfield Lane Upper Poppleton;
- * The additional hard surfaced area would exacerbate existing problems of flooding within the Ouse catchment area;
- * The additional monies to be spent on the proposed Park and Ride should instead be spent on enhanced public transport provision in the area.

4.0 APPRAISAL

KEY ISSUES

4.1 The main considerations identified are:-

- * Impact upon the open character and purposes of designation of the Green Belt;
- * Appropriateness of the location of the proposal;
- * Impact upon highway safety and the free flow of traffic on the A59 and adjacent roads;
- * Impact upon levels of noise and light pollution in the surrounding landscape;
- * Impact upon the rural ambience of the surrounding area;
- * Impact upon the residential amenity of properties in Station Road and Northfield Lane Upper Poppleton;
- * Appropriateness of the chosen mode of renewable energy generation.

POLICY CONTEXT:-

4.2 Paragraph 3.17 of PPG 2 "Green Belts" is of particular relevance in the current context. This identifies Park and Ride facilities as being specifically appropriate development within Green Belt areas subject to the stipulation that the openness and purposes of including land within the Green Belt would not be compromised by any particular proposal.

4.3 Paragraph 62 of PPG 13 "Transport" is of particular relevance in the current context. This clarifies that Park and Ride schemes would be permissible in the Green Belt where this is shown to be the most sustainable option. Scale and design will be particularly crucial factors in determining whether the impact of such schemes on the openness and visual amenity of Green Belt areas will be acceptable.

4.4 Policies Y1c) and Y1d) of the Yorkshire and Humber Regional Spatial Strategy are of particular relevance in the current context. These require that the nationally significant historical and environmental character of York be protected and enhanced and that accessibility to and within York be improved by the provision of additional Park and Ride sites.

4.5 Policy SP8 of the York Development Control Local Plan is of particular relevance in the current context. It seeks that new development must reduce dependence on the private car by providing for more environmentally friendly modes of transport.

4.6 Policy GB1 of the York Development Control Local Plan is of particular relevance in the current context. It identifies a firm policy context whereby planning permission will only be given in Green Belt areas where the scale, location and design of such development would not detract from the open character of the Green Belt, it would not conflict with the purposes of including land within the Green Belt, it would not prejudice the setting and special character of the City of York and it is for one of a number of defined Green Belt purposes including for the provision of a Park and Ride facility.

4.7 Policy GP1 of the York Development Control Local Plan is of particular relevance in the current context. It sets a policy framework requiring that development proposals should respect and enhance their local environment, be of a density, layout and design that is compatible with neighbouring spaces and the character of the area, design outdoor lighting schemes which have the minimum adverse impact upon residential amenity and ensure that residents living nearby are not unduly affected by noise and disturbance.

4.8 Policy GP3 of the York Development Control Local Plan is of particular relevance in the current context. This sets down a requirement for new development to incorporate crime prevention measures to achieve natural surveillance of public spaces and paths, secure locations for car and cycle parking, provide satisfactory lighting and provide CCTV where large groups of people and/or vehicles would be gathered.

4.9 Policy GP4a) of the York Development Control Local Plan is of particular relevance in the current context. This seeks that all new development should adhere strictly to sustainable principles. This would include securing a high quality design utilising materials from non-renewable sources, maximising the use of renewable energy sources to meet the energy needs of the development and maintaining and increasing the economic prosperity and diversity of the City of York.

4.10 Policy GP9 of the York Development Control Local Plan is of particular relevance in the current context. This seeks that new developments should be subject to an appropriate landscaping scheme that should be planned as an integral part of the proposals, reflect the character of the locality and surrounding development and form a long term edge to developments adjoining or in open countryside.

4.11 Policy T6 of the York Development Control Local Plan is of particular relevance in this context. This seeks that proposals for New Park and Ride facilities should be well related to the York Outer Ring Road, should not adversely affect the environment of local communities, should not significantly detract from the open character of the Green Belt or seriously prejudice the Green Belt function of the site and should be located on or close to a major radial route approaching the City.

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

4.12 PPG2 "Green Belts" and Draft Local Plan Policy GB1 identify Park and Ride developments as being inherently appropriate within the Green Belt, subject to alternative non-Green Belt locations being unsustainable and appropriate measures being taken to secure the openness of the Green Belt. The application site comprises two gently undulating agricultural fields to the south west of Upper Poppleton village

directly to the north of the Northminster Business Park and directly to the west of the Wyevale Garden Centre and associated development. The York to Harrogate Railway lies in the middle distance to the west and north west. The area of built development would be located centrally within the application site with the Terminal Building low rise incorporating a range of sustainable materials including timber walls and a sedum roof which would enable it to blend in with the adjoining landscape.

4.13 Significant areas of landscape bunding would be created along the western and southern boundaries of the site with further landscape planting along the A59 road side boundary of the site. The character of the landscape treatment of the site would be maintained between phases 1 and 2 of the development with the earth mounding to the west and the north west of the site being drawn out to accommodate the additional spaces together with additional tree planting at key visual locations within the area of the additional spaces. In view of the nature of the adjoining development, the location of the built footprint within the site and the level and nature of landscaping proposed at the site boundaries it is felt that the openness of the Green Belt would be safeguarded in relation to the proposal and the requirements of PPG 2 "Green Belts" and Draft Local Plan Policy GB1 would be complied with.

ENVIRONMENTAL IMPACT ASSESSMENT:

4.14 The Environmental Impact Assessment included consideration of biodiversity, traffic and transport, landscape and visual amenity, historic heritage, noise, air quality, water, land use and public rights of way, ground conditions, waste, and cumulative impact. Each issue is carefully considered and consultees have concurred with the conclusions set out and mitigation measures to ensure that the development has least impact locally on for example landscape, ecology and the historic environment.

BENEFITS FOR CONGESTION AND SUSTAINABILITY OF PROPOSALS.

4.15 The planning statement submitted with the proposal and more specifically the Traffic Impact Assessment outline the benefits of the proposal for the wider City. The City Centre area particularly at peak holiday periods endures very high levels of vehicle generated green house gas emissions and other related pollutants. The current proposal together with the associated proposals at Clifton Moor and Askham Bar would lead to demonstrable reductions in car generated pollution within the City Centre area. The Traffic Impact Assessment furthermore demonstrates very significant reductions in traffic congestion along the A59 corridor leading into the City Centre and along adjoining routes with consequent improvements in journey times. At the peak morning period reductions in traffic flow at times in excess of 50% along the A59 have been estimated for the period when the scheme is fully operational. The scheme along with the associated Park and Ride proposals have been adopted as firm commitment in the York Local Transport Plan and the associated Major Scheme Bid has been developed on the basis of these demonstrable benefits. Furthermore the aims of Central Government policy in relation to car borne transport outlined in PPG 13 "Transport" and Draft Local Plan Policies SP8 and GP4b) would be delivered by the development when fully operational

SUITABILITY OF THE LOCATION OF THE PROPOSAL:

4.16 Concern has been expressed by local residents in respect of the location of the proposal and other possible locations have been suggested. The area of the former Civil Service Sports Ground accessed from Boroughbridge Road has been suggested as a possible location. This would however be significantly smaller than the application site, have little available area for future expansion and possibly give rise to adverse amenity impacts upon local residents. Alternative sites have also been suggested further to the west along the A59 however this would create a disincentive to potential users of the site by reason of increased distance from the City Centre and the clear requirements of Draft Local Plan Policy T6 would not be complied with. On balance the application site by virtue of its physical relationship to Upper Poppleton village, the high degree of landscape mitigation envisaged within the site and its physical relationship to the A59 and A1237 York Outer Ring Road would secure compliance with the terms of Draft Local Plan Policy T6 .

IMPACT UPON HIGHWAY SAFETY AND THE FREE FLOW OF TRAFFIC:

4.17 Concern has been expressed by local residents in respect of potential increases in traffic congestion along the A59 Harrogate Road and adjoining side roads with "rat running" through Upper Poppleton village exacerbated by the proposed signalised junction between Northfield Lane and the A59 to control traffic entering and leaving the site. The application has been accompanied by a detailed Traffic Impact Assessment which clearly demonstrates that current levels of traffic congestion within the vicinity would be significantly reduced following implementation of the proposal. The junction between Northfield Lane and the A59 would be further modified by the addition of a left turning slip road on to the A59 and further left turning lane would be provided for traffic exiting the site directly onto the A59. Separate points of access would be provided for buses and vehicular traffic entering and egressing from the site onto Northfield Lane.

4.18 It is estimated that average queues at the A59/A1237 junction would be reduced by 950 metres in the morning peak period and by 1130 metres at the evening peak with queues at the junction of Station Road and Northfield Lane being reduced by 560 metres in the morning peak and 130 metres in the evening peak. Average delays per vehicle would be reduced by 620 and 230 seconds respectively in the morning and evening peak period. Rat running through Upper Poppleton village would also be greatly reduced as the significant reductions in queuing and delay on the approach to the A59/A1237 roundabout coupled with the reduction in the number of trips from the Harrogate direction into the City Centre would negate the benefits of diverting through Upper Poppleton to reach the Outer Ring Road. The proposed off-site highway improvements to the A59/A1237 roundabout and its approaches including the creation of a combined pedestrian and cycle underpass would similarly improve the situation.

IMPACT UPON THE LEVELS OF LIGHT AND NOISE POLLUTION IN THE SURROUNDING LANDSCAPE:

4.19 Concern has been expressed in relation to levels of additional noise and lighting associated with the proposed facility and its impact upon the amenity of the adjoining area. The application site would be lit by 25,10 metre high columns giving an average luminance of 20 lux. The light fittings would be dark skies compliant and would be switched off when the site is not in use. The nearest residential property would be some 80 metres from the site access road at the closest point and 150 metres from

the developed area of the proposal. The developed area of the proposal would be some 45 metre from the A59 at its closest point.

4.20 On balance, the level of impact from site lighting on the amenity of surrounding areas would not be significantly over and above that of neighbouring employment related uses. Noise impact arising from the proposal is again not felt to be materially significant on account of the level of traffic calming in-built into the proposed design and the substantial distances involved with noise sensitive properties.

IMPACT UPON THE RURAL AMBIENCE OF THE SURROUNDING AREA:

4.21 Concern has been expressed in respect of the impact of the proposal upon the rural ambience of the surrounding area. The application site whilst currently in agricultural use is bounded on three sides by urban fringe type development and by the Harrogate to York railway on the fourth. The built footprint of the proposed development has been located centrally within the application site with a very significant fringe of landscaping to the site boundaries. It is felt that the proposed development in the same manner as it would safeguard the openness of the Green Belt, would not have a materially harmful impact upon the ambience of the surrounding area.

IMPACT UPON RESIDENTIAL AMENITY:

4.22 Concern has been expressed that the proposal would have a materially detrimental impact upon the residential amenity of properties in Northfield Lane and Station Road in Upper Poppleton. The closest residential property in Station Road would be some 80 metres from the closest point of the application site and the nearest residential property on Northfield Lane would be over 200 metres distant from the boundary of the proposal at its closest point. In view of the location of the built development within the application site and the nature of the boundary landscaping works there would not be a material impact upon the residential amenity of properties in the vicinity.

RENEWABLE ENERGY GENERATION:

4.23 Concern has been expressed in relation to the suggested mode of renewable energy generation at the site. The proposal is for the erection of a Ropatec Wind Rotor Double Vertical Wind Turbine. This would be approximately 14.5 metres high and would be located in close proximity to the proposed Terminal Building within the Central Circulation island within the site. It is intended that the turbine would provide approximately 10% of the energy needs of the proposed facility in line with the requirements for major developments contained within the adopted Interim Planning Guidance for Sustainable Construction. There would be no material noise impact from the proposed turbine perceptible outside of the site and any visual impact would be minimised by its relatively sheltered location within the centre of the site and the extent and nature of the proposed landscaping at the site boundaries.

5.0 CONCLUSION

5.1 The Park and Ride facility is considered to be an integral part of the Council's Local Transport Strategy in seeking to reduce congestion and delay to and from the

City Centre as well as minimising pollution levels. The development of such a facility does not conflict with the purpose or principles of the site's Green Belt designation.

5.2 The facility would be constructed in two phases with 600 spaces initially with a further 650 spaces to be added in the medium term. The proposed landscape treatment would be varied accordingly with the proposed earth mounding relocated with additional tree planting in visually significant areas. The design and layout of the scheme with its associated landscaping would ensure a minimal impact upon the Green Belt's openness.

5.3 The proposal has been subject to a detailed traffic impact assessment which demonstrates that it would lead to significant reductions in queuing along the A59 and surrounding roads and would as a consequence deter rat running through Upper Poppleton village.

5.4 The site would be lit by "dark sky" compliant columns which would be turned off when not in use and any noise nuisance would be mitigated by the design and internal layout of the site. There are no residential properties in close proximity to the site and the overall impact of the development upon residential amenity is considered to be acceptable.

5.5 The scheme as a whole complies closely with Central Government Guidance in relation to PPG13 "Transport" and the requirements of Draft Local Plan Policy T6 and considering its scale has attracted relatively little objection, with the majority of consultees in support of the scheme. In view of the positive benefits arising from the development approval of the scheme is therefore recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Drawing Refs: HE/DEC08010354/005; HE/DEC08010354/002D;
HE/DEC08010354/003 D; CBHAEM500/02 G; CBHAEM500/02 F;
HE/DEC08010354/009 A; 0862/01; 0862/02; 0862/03 Date Stamped 21st
December 2009

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

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used in the Terminal Building hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of the terminal building. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

4 Notwithstanding the application details hereby approved full details of the proposed street furniture including bins, lamp posts, benches, sign posts and cycle lockers shall be submitted to and approved in writing by the Local Planning Authority prior to their erection on site. The development shall thenceforth be undertaken in strict accordance with the details thereby approved and retained thereafter.

Reason: To safeguard the visual amenity of the site and to secure compliance with Policy GP1 of the York Development Control Local Plan.

5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed landscape scheme (including details for the living roof of the terminal building) which shall include the species, species mixes, density (spacing), and position of trees, shrubs and other plants, means of protection from rabbits, seeding mix and sowing rate. This scheme shall be implemented within a period of six months of substantial completion of each phase of the development. Any trees or plants which within a period of five years from the implementation of the landscape scheme, 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 otherwise agrees in writing.

Reason: So the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site, since the landscape scheme is central to the amenity of the development and to secure compliance with Policy GB1 of the York Development Control Local Plan.

6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed landscape/habitat management plan which shall make reference to the landscape scheme and include ground preparation and operational specifications for the creation and management of the various landscape types, with particular reference to the three woodland types, two species rich grasslands, scrub, grassland with bulbs and management of the existing hedge to be gapped up.

Reason : So that the Local Planning Authority may be satisfied with the suitability of the planting and habitat implementation and establishment methods which forms part of the mitigation for the development.

7 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work in accordance with the Archaeological Framework (a scheme of archaeological excavation and subsequent programme of analysis and publication involving community archaeology groups at all stages) agreed in writing with the Local Planning Authority. This programme of archaeological work shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies in an Area of Archaeological Importance and the development may affect important archaeological deposits which must be recorded prior to destruction.

8 HWAY40 Dilapidation survey

9 HWAY31 No mud on highway during construction

10 Prior to the commencement of any works, full details shall be approved in writing by the Local Planning Authority of the design of the following access points to serve the Park and Ride site:

- i) The mini-roundabout access on to Northfield Lane providing vehicular access to the site;
- ii) The new access and egress points for bus services on to Northfield Lane;
- iii) The new egress point for vehicular traffic on to the A59.

Stage 1, 2 and 3 safety audits are also to be undertaken and submitted for approval in respect of these works.

Reason: In the interests of highway safety.

11 Prior to the commencement of any works, full details shall be agreed in writing with the Local Planning Authority of the construction of the Park and Ride facility, including cycle parking facilities, drainage, lighting, signing and lining, barrier control equipment, CCTV equipment and surfacing materials.

Reason: In the interests of highway safety.

12 Prior to the commencement of any works, a detailed method of works statement shall be submitted to and agreed in writing by the Local Planning Authority. This statement shall include the precautions to be taken to ensure the safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting construction materials.

Reason: To ensure the safety and convenience of highway users

13 Prior to the commencement of any construction works, details shall be submitted to and approved in writing by the Local Planning Authority of the arrangements for maintaining the movement of traffic in the vicinity of the site, during the periods when construction work is being undertaken in relation to the provision of new access points serving the Park and Ride facility.

Reason: In the interests of highway safety

14 During the development of the site, all demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 07:00 to 19:00

Saturday 07:00 to 13:00

Not at all on Sundays and Bank Holidays, unless the prior agreement of the Local Planning Authority has been sought and given in writing.

Reason: To secure the residential amenity of nearby properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

15 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, demolition, groundwork and construction phases of the development. Once approved, the CEMP shall be adhered to at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the residential amenity of nearby properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17 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 of the site and its surroundings.

18 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority before work on site commences.

Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.

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

Reason: To ensure that the site is safely and satisfactorily drained

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

Reason: To ensure that the site can be safely and satisfactorily drained.

21 Surface water from vehicle parking and hard standing areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should

not be passed through any interceptor.

Reason: In the interests of safe and satisfactory drainage.

22 Notwithstanding the application details hereby approved full details of the proposed wind turbine apparatus including height, colouring, design, location and mode of connection to the National Grid shall be submitted to and approved in writing by the Local Planning Authority before work on site commences. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason: To ensure that the development is undertaken in strict accordance with sustainable principles and to secure compliance with Policy GP5 of the York Development Control Local Plan.

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 impact upon the open character and purposes of designation of the York Green Belt, appropriateness of the location of the proposal, impact upon highway safety and the free flow of traffic along the A59 and adjoining roads, impact upon noise and light pollution in the surrounding landscape, impact upon the rural ambience of the surrounding area, impact upon the residential amenity of properties in Station Road and Northfield Lane Upper Poppleton and the appropriateness of the chosen means of renewable energy generation. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GB1, SP8, GP1, GP3, GP4a), GP9 and T6 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

2. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington
(01904) 551361
Temporary Highway Closure

3. INFORMATIVE:

You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

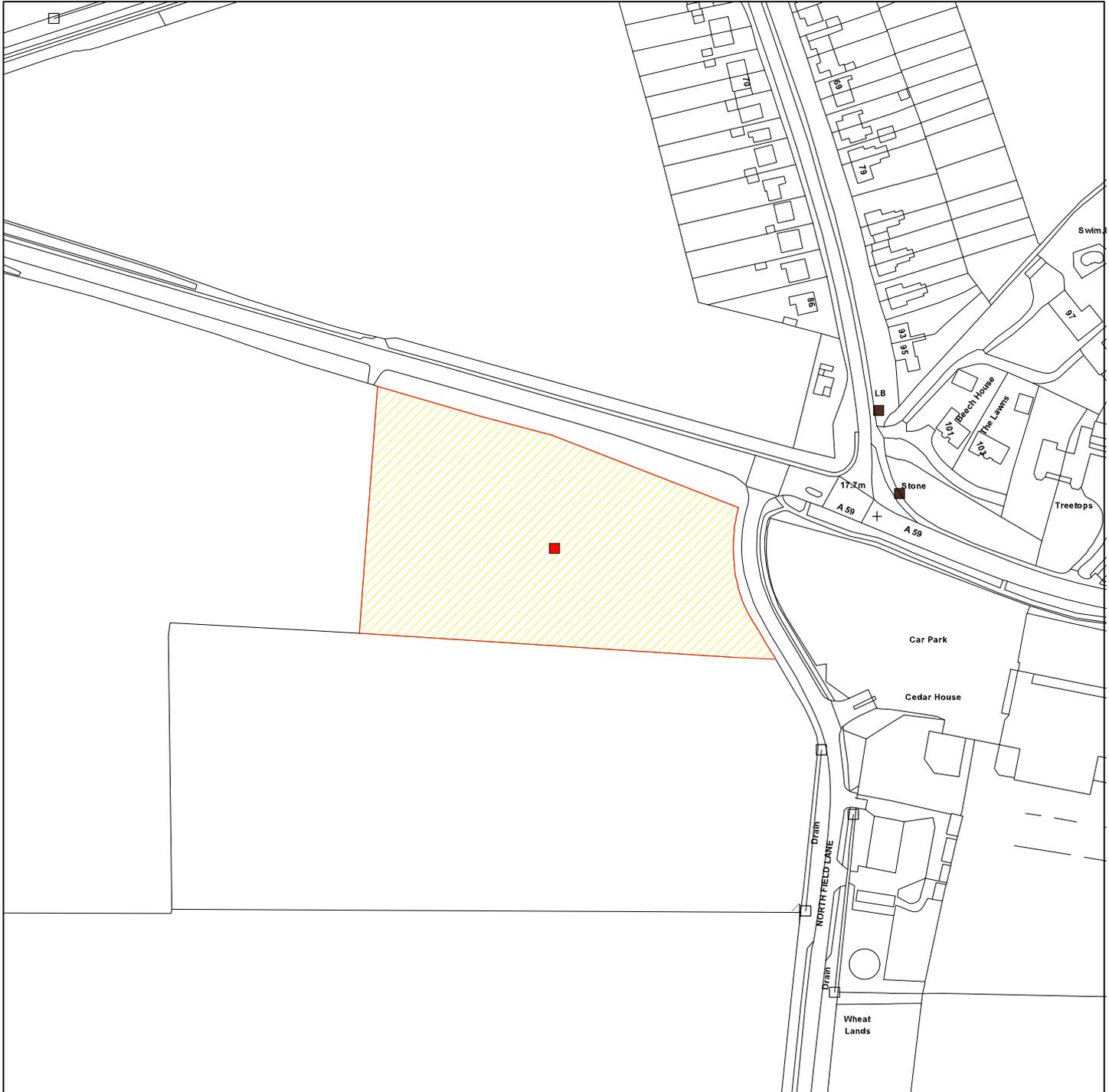
Contact details:

Author: Erik Matthews Development Control Officer
Tel No: 01904 551416

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Poppleton Bar Park & Ride, Northfield Lane

09/02294/FULM



Scale : 1:2500

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Organisation	City of York Council
Department	Planning & Sustainable Development
Comments	Application site
Date	05 March 2010
SLA Number	Not set

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