



## 2.2 Policies:

CYGP1  
Design

CYGP15  
Protection from flooding

CYGP4A  
Sustainability

CYNE6  
Species protected by law

## 3.0 CONSULTATIONS

INTERNAL.

3.1 Highway Network Management.  
Comments awaited. Members to be updated verbally at the Committee meeting.

3.2 Environmental Protection Unit.  
No objections but request that conditions be attached referring to Noise/vibration/dust, floodlighting and Contaminated land.

3.3 Countryside / Ecology Officer.  
No objections.

EXTERNAL.

3.4 Clifton Planning Panel.  
No objections provided that the information regarding traffic implications is assessed as correct by the appropriate specialist Council staff.

3.5 Foss Internal Drainage Board.  
The calculations included with the application suggest that the discharge from this site will be similar to that already existing and will discharge to the River Foss. The IDB consider the application as a redevelopment of a brownfield site and would therefore look to reduce the final discharge rate to a maximum of 70% of the existing rate. Condition recommended.

3.6 Neighbours and Third parties.  
Site notices were placed close to the entrances on Haxby Road and Wigginton Road. The nearest houses opposite the Haxby Road entrance were consulted by letter. No objections received.

## 4.0 APPRAISAL

#### 4.1 KEY ISSUES:

- Highway movements and safety.
- Visual amenity and impact on Bootham Stray.
- Harm to protected species.
- Sustainability.
- Surface water drainage.

4.2 Relevant national guidance is contained in PPS1 (Delivering Sustainable Development), the overriding objective of which is the need to promote sustainable and inclusive patterns of development, PPS9 (Biodiversity and Geological Diversity) which states that planned development should have a minimal impact on biodiversity and PPG13 (Transport) the key objectives of which include promoting more sustainable transport choices including public transport and reducing the need to travel by private car. PPS25 (Development and Flood Risk) is also considered relevant, an overarching aim of which is to ensure that new development does not increase flood risk whether it be through river flooding or surface water drainage.

4.3 With reference to the City of York Draft Local Plan, the policies relevant to this proposed development include:-

GP1 (Design). This seeks to ensure that development proposals respect the local environment, be of a density, layout, scale and design which is compatible with neighbouring buildings, spaces and local character, respect local neighbour amenity and provide the minimum lighting levels required in connection with that development.

Policy NE6 (Species protected by law) - states that where a proposal may have a significant effect on protected species or habitats, applicants will be expected to undertake an appropriate assessment to ascertain the presence of any protected species and where they are identified what mitigation measures will be provided.

Also relevant to this application are policies GP15a (Development and Flood risk) and T4 (cycle parking standards).

#### HIGHWAY MOVEMENTS AND SAFETY.

4.4 At the time of writing this report, the comments of the Council's highway officers are awaited. These will be reported to members at the meeting. The main points for consideration on this issue are the likely vehicle movements as a result of this development and in particular how these compare to existing levels, particularly bearing in mind the reduced production area as a result of the future Nestle South redevelopment. The existing Haxby and Wigginton Road entrances are being utilised so no new access points are proposed. One positive element of the proposal in highway terms is the moving of the Wigginton Road site entrance (security barrier and hut) further into the site. This will result in increased queue capacity off the public highway (particularly for HGV's) whilst waiting at the security gate which, it is hoped, will increase highway safety at this point.

#### VISUAL AMENITY AND IMPACT ON BOOTHAM STRAY.

4.5 The Wigginton Road entrance is adjacent to Bootham Stray and a key issue is whether the proposed entrance details affect the setting and visual appearance of The Stray at this point. Despite the repositioning and realigning of the entrance road including the barrier, weighbridge and security cabin there is no alteration to the boundary with the Stray land. The new security cabin and entrance details will now be seen further into the site so slightly opening up the views into the site from public views, which represents a slight visual improvement over existing. Realigned fence positions are internal to the site and do affect Stray boundaries.

4.6 The new security building is similar to the existing equivalent. It is modest in size at less than 4 metres high and against the highly industrial backdrop of factory and office buildings officers consider that this will be barely noticeable. Furthermore, the general entrance arrangement will be similar to existing and is what would be expected to be seen at the main entrance to a large industrial site such as this. Officers raise no objections to this.

#### HARM TO PROTECTED SPECIES

4.7 In order to create the space for the new car park which will take its access from Haxby Road, a building (building 58) has to be demolished. This building has been subject to a detailed bat survey which concludes that no bats are present in the building. The Council's Countryside officer is happy with these conclusions and raises no objections.

#### SUSTAINABILITY

4.8 The comments of the highways officer are awaited and these may include some comments on levels of parking, cycle parking provision and promoting sustainable forms of transport for staff working at the site. Overall the redevelopment proposals will result in a reduction in parking on the site of approximately 11% although this is partly due to the future smaller production area. This equates to an overall loss of spaces across the site of 132. The site already has a good supply of cycle parking across the site and the provision contained within the future Nestle South redevelopment area have been re-provided across the remainder of the site so thereby maintaining the existing provision. A cycle only access gate will also be provided on Haxby Road which will provide access to the 162 cycle storage area on the eastern side of the site. The site is also very well served by public transport and this application does not alter the arrangements that staff already have with regard to using public transport.

#### SURFACE WATER DRAINAGE

4.9 The comments of the Foss IDB are noted and conditions recommended to address these. The comments of the Council's Structures and drainage officers are awaited however and therefore the final wording of such a condition (if required) will be reported at the committee meeting. A new surface water drainage design is included in the scheme and overall this will result in a reduction in the discharge rate from 311l/s to 298l/s, although it is hoped that this can be improved upon further. It is not envisaged that there will be any flooding issues as a direct result of this development, subject to the agreed scheme.

## 5.0 CONCLUSION

5.1 Subject to the comments of the highway officers, no objections are raised with regard to visual amenity, impact on Bootham Stray, drainage and loss of protected species. The proposal is considered to be in accordance with national guidance and relevant draft local plan policies on these matters. Final highway and drainage comments and any recommended conditions as a result of these will be reported to members at the committee meeting.

## 6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Drawing no's:

- 1032/01
- U1446/01
- A3 - CP001 Sheet 2
- A3 - CP001 Sheet 3
- A3 - CP001 Sheet 4
- U1446/01 Rev. A
- 78579/202 Rev. H

or any plans or details subsequently agreed in writing by the Local Planning Authority as 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 The materials to be used externally shall match those of the existing buildings in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

4 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, dust and waste disposal resulting from the site preparation, groundwork, construction and demolition phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Once approved, the CEMP shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason. In the interests of maintaining reasonable levels of amenity of nearby residents during construction.

5 In the event of the car parks being floodlit at any time, a full Lighting Impact Assessment for each of the proposed sites would be required to assess the impact of the lighting from the park and ride developments on the environment and local residential dwellings. Such assessment should be undertaken by an independent assessor (not the applicant or the lighting provider) and agreed in writing by the Local Planning Authority prior to its installation and should include the following details:

- Description of the proposed lighting: number of lighting columns and their height, and proposed lighting units.
- Proposed level of lighting and the proposed site.
- Drawings showing the illuminance levels (separate drawings for each item listed):
  - Plan showing horizontal illuminance levels ( $E_h$ ), showing all buildings within 100 metres of the edge of the site.
  - Plan showing vertical illuminance levels ( $E_v$ ), showing all buildings within 100 metres of the edge of the site.
  - Vertical cross-sections across the site showing lighting columns and vertical illuminance (2 to 50 lux lines), the heights of buildings within 100 metres of the edge of the site and any existing/proposed screening. Two vertical cross-sections across the length and width of the site (perpendicular to each other) should be provided.
- Specification of the Environmental Zone of the application site, as defined in The Institution of Lighting Engineers' Guidance Notes for the Reduction of Light Pollution.
- A statement of the need for floodlighting.

Reason. In the interests of preventing unnecessary light pollution in the local area and in the interests of the amenity of local residents.

6 In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken, and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of 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. In the interests of the amenity and public health of people using this land.

Please note: Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

## **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 Highway movements and safety resulting from the amended access and layout details, visual amenity and good design with regard to the new security centre and in particular any impact the development may have on Bootham Stray, harm to protected species with particular regard to the possible presence of bats in the building to be demolished to make way for the Haxby Road car park, sustainability, with particular regard to continued cycle and public transport use and surface water drainage rates from the new car parks which may cause flooding in the local area. As such the proposal complies with national guidance in PPS1 (Delivering Sustainable Development), PPS9 (Biodiversity and Geological Diversity), PPG 13 (Transport) and PPS25 (Development and Flood Risk) and Policies GP1, GP15A, NE6 and T4 of the City of York Development Control Local Plan.

### **Contact details:**

**Author:** Matthew Parkinson Development Control Officer

**Tel No:** 01904 552405