

COMMITTEE REPORT

Committee: West/Centre Area **Ward:** Rural West York
Date: 18 March 2010 **Parish:** Parish Of Rufforth With Knapton

Reference: 09/02291/OUTM
Application at: Land Adjacent To Northminster Business Park Wykeham Road Upper Poppleton York
For: Construction of 2-storey building for business use (Class B1) with associated car parking and landscaping (on land to the south of Acer House)
By: Northminster Properties Limited
Application Type: Major Outline Application (13 weeks)
Target Date: 23 March 2010
Recommendation: Approve after referral to Sec. of State

1.0 PROPOSAL

APPLICATION SITE

1.1 The application relates to land to the south of the existing Northminster Business Park site. The site is designated in the local plan as safeguarded land and within the green belt.

1.2 The business park is accessed from North Field Lane; the entrance is around 470m south of the A59. The business park contains warehouse type buildings, used for light industry, storage and distribution and 2-storey office buildings, the latter are located along the east and south sides of the business park. There are open fields to the south, west and north of the business park, apart from buildings associated with a farm to the north side of the site entrance. To the east of the application site, between North Field Lane and the outer ring road, land is used for the storage of caravans. The business park, including the application site, is partially screened by rows of trees along the north boundary, North Field Lane (east side) and Moor Lane (south).

PROPOSALS

1.3 The application is for outline planning permission for a new headquarters for Measurement Devices Limited (MDL), to be used for research and development, light industry and offices (administration, sales and marketing). MDL develop eye safe laser measurement technology, used for measurement and navigation systems. MDL are described as a world leader in their field and the proposed building would be a base for their European, Asian and African operations. In 2008 turnover was £10 million, this is expected to grow to £30 million by 2013.

1.4 In addition to the principle of the development, approval is sought for the access to the site, site layout and the scale of the proposed building (its footprint and height). If permission were granted, reserved matters would be submitted at a later date for the detailed appearance of the building and landscaping of the site.

1.5 The proposed building would be two-story in height with an additional room on the roof for plant and laser testing equipment. The building would be around 53m by 19m, providing 1,858 sq m in floorspace. The building would typically be 8.5m high. The plant/laser testing room on the roof would be 13m by 7m, and in this area the building would be 10.5m high.

1.6 The site is 0.6 ha in overall size. In addition to the building, the site would accommodate 52 car parking spaces, landscaping and a 200m long laser testing range which would run parallel with North Field Lane along the east side of the site.

SITE HISTORY

1.7 Northminster Business Park began life after 1997 when planning permission was granted for business use of 3 existing warehouse buildings after the closure of the Challis Nursery (warehouse and distribution of plants) which previously occupied the site.

1.8 Subsequently outline permission was granted in 1999 for the larger site to be used for business, and storage and distribution uses.

1.9 Despite the land to the south and west of the site being in the green belt, the business park was subsequently extended as follows -

1.10 The site was extended by 0.66ha on the south side to accommodate the area where Acer House, Cherry Tree House, Maple House and Aspen house are now located in 2003 (03/00403/OUT). It was determined there were special circumstances to allow the development in the green belt, on the grounds that:

- The site had previously been developed, as glasshouses (although these had been demolished).
- There would be limited impact on the openness of the green belt.
- There was a shortage of available employment sites in the city.

1.11 The site was extended to the west in 2005 (04/03805/OUT) to accommodate Catherine House. A further extension to the rear (west) of Catherine House (occupied by Pavers shoes) for a 2456 sq m warehouse building was given outline planning permission in 2008 (07/02963/OUTM). The building is yet to be constructed. Again it was determined that special circumstances warranted an extension into the green belt. The grounds being that:

- The development was important for the local economy.
- There was no alternative site available.
- The site had been identified in the local plan for possible development in future.
- There would not be an undue adverse impact on the openness of the green belt.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

2.2 Policies:

CYGP1	Design
CYGP3	Planning against crime
CYGP4A	Sustainability
CYGP13	Planning Obligations
CYSP2	The York Green Belt
CYSP6	Location strategy
CYSP7A	The sequential approach to development
CYGP24	Safeguarded land
CYGB1	Development within the Green Belt
CYGB11	Employment development outside settlement limits
CYT2B	Proposed Pedestrian/Cycle Networks
CYT4	Cycle parking standards

3.0 CONSULTATIONS

CITY DEVELOPMENT

3.1 No objection to the proposal. The proposed occupant can be classed as being a business that is encouraged through the Local Plan (policy E1a advises that the Science City initiative is an essential part of York's long-term economic prosperity) and the Employment Land review. City of York Council Core Strategy Preferred Option document also refers to Northminster Business Park as a potential area of search for employment uses.

3.2 A business expansion of the type represented by MDL should be encouraged and would provide York with a significant opportunity. City Development considers that very special circumstances have been demonstrated in this case, and as such the development of the green belt is not objected to. These circumstances are considered to be:

- A justified need for MDL to create their new international headquarters in York and on Northminster Business Park.
- The suitability of the application site in terms of meeting the spatial requirements of MDL and the suitability in terms of minimising wider landscape impacts.
- An absence of suitable alternative sites within the City of York and its hinterland to house the proposed development.
- The importance of the proposal in economic terms.
- Transport links for staff and product distribution/proximity to workforce.

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

3.3 Countryside Officer - The application site is within a field with little wildlife interest, being an ex-arable field with dense, species poor vegetation. As such there is no objection to the proposed development.

3.4 Officers add that there are opportunities for increasing the wildlife value of the site and the immediate surrounding area through landscaping and management of the remaining area not affected by development. An acidic, annual breck type vegetation could be developed along the side of the testing range for example. This species is typical of but very rare within the Acomb and Poppleton area.

3.5 Landscape officers - Consider the key issue would be the visual impact of the development from Moor Lane. Moor Lane is a public right of way and bridle path linking Knapton with Harewood Whin and Rufforth across open fields and mostly flat topography. It provides a means of access to the countryside for the neighbouring communities and links directly with Poppleton via North Field Lane. The surrounding land represents the countryside edge to the city. It is a relatively simple landscape; its value lies in its openness and rural agricultural character. Moor Lane is a key recreational route and component of York's green infrastructure which has been identified in the draft local plan as an important link in the cycle/pedestrian network; therefore its setting merits protection, and preferably enhancement as well. In order for the lane to be part of the countryside experience, and to function as an effective part of the green infrastructure, its setting i.e. the openness either side of it, needs to be retained.

3.6 When viewed from Moor Lane the building will have an impact on the open character of the green belt, due to its physical presence and the need to provide screening of the building. It pushes the negative human influences closer to the lane, thereby reducing the benefit of distance as a mitigating factor. Although the building is narrow on plan and set against a shelterbelt of trees, it represents a significant extension into the belt of green fields that would threaten the quality of landscape experienced from the public right of way and lead to coalescence between Knapton and Northminster Business Park by way of sequential experience as one travels through the landscape. Should more development of this sort be allowed in the near future then the existing recent additional agricultural buildings in the neighbouring fields to the west would be read as part of the business park, resulting in a cumulative effect.

3.7 The planting along the northern boundary of Moor Lane provides some screening of the site, which during the winter months is transparent, therefore it acts as a distraction rather than a complete screen, but in the summer months it would provide good visual coverage along this short section of Moor Lane. However as one travels towards Knapton from further west the site is currently clearly exposed to view in all seasons. The building and exterior areas will require lighting, which will have a significant visual impact especially during the winter months when in use during office hours and when deciduous vegetation is lacking. This would also represent an extension of the urban edge.

3.8 The proposed mitigation planting is fairly meagre, nonetheless it is suitable in that it comprises of landscape features that are typical for the area, i.e. hedgerows, hedgerow tree, small groups of native trees within grassland. These will not provide complete screening, but nor should compete screening be necessary since this in itself represents a loss of openness. The reinstatement of a hedge along the western field boundary (outside of site but within ownership) would be welcomed and

presumably could be secured.

HIGHWAY NETWORK MANAGEMENT

3.9 No objection, make the following observations.

- As 100 staff may eventually be employed at the site a travel plan should be developed.
- The internal roads in the business park are not to adoptable standard, dominated by cars and poor for cyclists and pedestrians. It is asked that the applicants improve cycle/pedestrian access to the site. It is suggested the footpath be improved along North Field Lane between the existing business park entrance and the application site, which would provide a convenient and direct route for cyclists/pedestrians.
- The proposed car and cycle parking facilities are appropriate to the size of development proposed.
- The addition in traffic as a consequence of the development, although it would have minimal effect on the highway network, could increase queuing at the North Field Lane/A59 junction. This could be mitigated by increasing the length of the left turn lane. It is asked that the applicants agree to contribute towards such roadworks through a planning obligation.

MARSTON MOOR DRAINAGE BOARD

3.10 The site is in an area with existing drainage problems. Surface water from the business park is discharged into a balancing lagoon, which discharges, at a controlled rate, into Knapton Moor Dyke. The board suggest the proposed site drainage be connected to this system if there is capacity. Otherwise it should be restricted to any other watercourse at a greenfield site.

3.11 The drainage boards requirements for the development are as follows -

- It must be shown that the proposed means of water discharge will be controlled so it does not increase discharge into the receiving watercourse to the extent that would increase flood risk. It is preferred that the existing run-off rate be reduced by 30%.
- A sustainable drainage system should be implemented if feasible.

YORK DRAINAGE ENGINEERS

3.12 Although formal comments are pending engineers are of the opinion that the site can be acceptably drained. Details could be secured through a condition if necessary.

YORKSHIRE WATER

3.13 No objections. Ask that the site be developed with separate systems of drainage for foul and surface water on and off site.

3.14 Surface water from the car park would need to be treated before discharge to prevent pollution of the sewer network.

YORK NATURAL ENVIRONMENT PANEL (YNEP)

3.15 Would prefer to see re-development of the cities brownfield land, of note York Central/Northwest, or that MDL utilise a vacant building within the business park.

YORK GLIDERS CLUB

3.16 No response.

SAFER YORK PARTNERSHIP (SYP)

3.17 Only reported crimes at the business park have been forced entry, at ground floor level. To prevent such crimes SYP recommends boundary fencing, secure (to British Standard 7950) windows and doors at ground floor level, CCTV, alarm system, lighting and construction site security, the latter to prevent theft of building materials.

PARISH COUNCILS

3.18 Rufforth with Knapton - Object. This proposal is within the proposed extension to the business park, however the land is set aside for future development, which would be re-considered in the LDF which is still out for consultation. Until the LDF is adopted, the site is in the green belt. It is considered there are no special circumstances to allow the development, and that alternative sites, such as Monks Cross should first be considered.

3.19 Upper Poppleton - No objections although note that there could be a significant increase in traffic between the business park and the A59 road.

PUBLICITY

3.20 The application was publicised by site notice, press notice and letters of neighbour notification. The deadline for comments was 5.2.2010. No comments have been received.

4.0 APPRAISAL

4.1 Key issues

- Whether there are special circumstances to allow the proposed development, as the site is in the green belt.
- Sustainable development and construction
- Impact on the highway network
- Cycle and car parking
- Drainage

4.2 Policies relevant to the proposal

- PPG2: Green Belts.
- PPS4: Planning For Sustainable Economic Growth
- The Regional Spatial Strategy (RSS) for Yorkshire and the Humber
- Policies of the Local Plan -see 2.1

PPG2: Green Belts

4.3 PPG2 advises that the fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of green belts is their openness. PPG2 specifies the types of development that are acceptable in the green belt (these are re-iterated in policy GB1 in the Local Plan). Other development is deemed inappropriate, which is by definition harmful to the green belt, and should therefore not be granted planning permission. Inappropriate development may only be approved when the applicant can demonstrate 'very special circumstances', that outweigh the harm to the green belt. The proposed development is not, as established in PPG2, appropriate development in the green belt. According to PPG2, the scheme can only be considered favourably if very special circumstances are deemed to apply.

4.4 PPG2 advises that safeguarded land comprises of land which may be required to serve development needs in the longer term, i.e. beyond the plan period. This is not land allocated for development, but is land kept free to meet possible longer-term development needs. The development of safeguarded land should only be allowed following a local plan review which proposes the development of particular areas of safeguarded land.

PPS4: Planning for Sustainable Economic Growth

4.5 Policy EC11 of PPS4 is relevant as it relates to determining applications for economic development outside the centre, which are not in accordance with the local plan.

The Regional Spatial Strategy (RSS)

4.6 The RSS advises that York's economy has seen a loss of traditional manufacturing jobs, which has been offset by growth in the services sector, including knowledge industries. These changes are likely to continue and underpin the long-term growth of the York economy. The RSS policy for the York (Y1) is to diversify and grow York as a key driver of the Leeds City Region economy by encouraging knowledge and science-based industries.

Local Plan

4.7 Policy GP24a of the local plan relates to safeguarded land. GP24a states that until the local plan is reviewed, planning permission will only be given for development of safeguarded land when it is required in connection with established uses, or if not, a use which would preserve the open nature of the land and would not prejudice the potential for the future comprehensive development of the site. The background text suggests that reserved land has been selected, as it will help to meet development needs and ensure it occurs in sustainable locations.

4.8 The sequential approach to development is established in the local plan in policies SP6 and SP7a which give priority to developing brownfield land and central areas, prior to considering out of centre locations. This approach is in line with government's overarching objective established in national policy, to deliver sustainable growth, focusing development in existing centres, and reducing the need to travel.

4.9 York is developing a Core Strategy as part of the Local Development Framework (LDF) process. The LDF will eventually replace the local plan. The Core Strategy, which is presently at the preferred options stage (so not adopted and therefore carries very limited weight in policy terms), recommends that the land to the south and west of the existing Northminster Business Park retains its present status in case it is required to accommodate economic development over the plan period.

PRINCIPLE OF THE PROPOSED DEVELOPMENT

4.10 PPG2 does not define very special circumstances. It does however determine that 'the visual amenities of the green belt should not be injured by proposals for development within the green belt which, although they would not prejudice the purposes of including land in green belts, might be visually detrimental by reason of their siting, materials or design'. According to policy SP2 of the local plan, the primary purpose of the York Green Belt is to safeguard the setting and historic character of the city. In deciding whether very special circumstances apply, officers consider the visual impact on the green belt should be considered, against the economic benefits of the proposed development, and consideration given to whether there is a suitable alternative site for the development which would be sequentially preferable (see 4.8).

Openness of the green belt

4.11 The application site comprises of an unused field, formerly in agricultural use. The applicant's landscaping assessment reports that the development would be discreet due to the planting along North Field Lane to the east, along Moor Lane to the south and the business park to the north. The development would have a low level impact, due to views available being from the business park, from Moor Lane, south of the site, and SW of the site and the farm buildings to the west. From Moor Lane views of the site are interrupted by a Hawthorn hedgerow. Planting along the west boundary of the site could further reduce visual impact.

4.12 Due to the footprint (53m by 19m), shape and height of the building (8.5m to 10.5m) it would be a prominent addition that would erode the openness of the green belt, in particular when viewed from Moor Lane, to the south/SW of the site. The building has been designed to be efficient and fit for purpose, this has dictated its footprint and height. The applicants do not wish to amend the building's form/massing, thus reducing its prominence. Predominantly the building would be viewed from over 350m away and its prominence could be reduced by considering the cladding materials (for example timber cladding or a living wall to blend in with surrounding vegetation and it may be feasible to have a green/sedum roof), size of the roof extension and the scheme of lighting the building and its surroundings (overall brightness and times of operation). These elements would be the subject of conditions and a reserved matters application (for design).

Site selection

4.13 The application site is allocated as safeguarded land/land allocated for future development in the local plan. Such land is designated to avoid re-drawing green belt boundaries at the end of a plan period, if future demand is envisaged. According to PPG2 sites should be developable when needed, located where future development would be an efficient use of land, integrated with existing development, and well related to public transport and other existing and planned infrastructure.

4.14 Although the land the subject of this application is identified in the local plan for possible future development, it cannot be assumed it will be taken out of the green belt and allocated for employment use in the LDF. The LDF will identify the forecasted future demand for growth (over the plan period) and determine which sites are preferable to accommodate such.

4.15 Based on the council's latest employment land review (published Feb. 2009) there is more than enough land to accommodate predicted development over the upcoming plan period. The site to the south of Northminster Business Park scores poorly in relation to other 'available' sites (ranked 34th in sites suitable for office, research and development and 18th in land for industrial or storage and distribution uses). However the site does benefit from being deliverable in the short term period, unlike other identified sites for development, and accessibility would be improved should the Poppleton Bar park and ride proposal go ahead.

4.16 National and local planning policy stipulates that a sequential approach be taken to locating economic development. The preferred option is to develop brownfield and centrally located sites prior to greenfield land. The application site is greenfield, and in the green belt. In sequential terms the application site is not favourable for development. However the applicants have specific site requirements due to the laser testing operation, which is fundamental to the business, and have demonstrated there are no alternative sites available.

4.17 Laser testing is required as part of the research and development that would be carried out at the site. An uninterrupted 200m testing range and a further testing range that is uninterrupted for 5km (this would be carried out from the roof of the proposed building) are required. This poses difficulty in selecting a site for such development. Logistically it is preferable for the companies' operations to be under one roof. The applicants have undertaken an extensive site search, including vacant sites and sites allocated for development in the local plan. The outcome, which has been verified by York England, is that there are no other suitable sites within the city that are available and sequentially preferable to the application site, either due to site constraints or delivery/land ownership issues. There is the option that testing could be carried out at an independent site, away from the headquarters building, but the applicant is not amenable to this option which would be significantly less efficient in comparison to the proposal put forward.

Economic benefits of the proposals

4.18 As stipulated in policy EC11 of PPS4 in determining whether development outside the centre, and not in accordance with the Local Plan is appropriate, planning authorities (LPA's) are advised to -

- Weigh market and other economic information alongside environmental and social information.
- Consider any longer term benefits, as well as the costs, of development, such as job creation or improved productivity including any wider benefits to national, regional or local economies.
- Consider whether proposals help to meet the wider objectives of the development plan.

4.19 The proposed use, which involves research and development is the type of operation that the city seeks to accommodate, as part of the Science City York initiative. This is established in the RSS and the local plan. The proposed development will bring the companies' headquarters to the city and create a mix of employment opportunities, including skilled jobs involving research and development.

4.20 The proposed development would benefit the local economy and does to an extent meet the wider objectives in the plan as the application site has been set aside for possible employment use/development in future. On this basis the proposal is the type of development which PPS4 seeks to allow if any environmental harm is deemed to be acceptable.

SUSTAINABILITY

4.21 The proposed development is expected to meet the requirements of the council's Interim Planning Statement (IPS) on Sustainable Design and Construction. This requires schemes that involve over 500 sq m floorspace to achieve a BREEAM standard of very good. The applicants have agreed that should outline permission be granted they would commission an assessor to advise on the design, with the intention of achieving a very good rating. This can be secured through a condition should outline consent be granted.

4.22 The applicants contend that the site is accessible by rail (Poppleton station 800m away), buses that run along the A59 and through Poppleton, and possibly the Park and Ride presently proposed by the Council, and by cycle. As such despite the location, the site is not reliant upon car use. A green travel plan could also be prepared to promote alternative means of travel to the private car.

HIGHWAYS

Highway network.

4.23 The applicant's transport statement found that the A59/North Field Lane junction is currently operating below its capacity. However at peak travel times (8-9 am and 17:00-18:00) traffic can queue along the A59 toward the city and in the evening along North Field Lane attempting to get onto the A59.

4.24 As 60% of the envisaged staff at the proposed development will work between 8:30 and 16:30, much of the additional vehicles movements will be outside the peak times. It is estimated that at peak times there would be 23 additional vehicle movements in the morning, 18 in the evening when the proposed development were

at full capacity (100 employees). The applicants advise that this will not have a material impact on the existing road network. Highway Network Management officers accept these findings.

4.25 Highway Network Management note that vehicles leaving North Field Lane in the evening are currently delayed to some extent, as there is a single lane for cars wanting to turn left and right. Queuing could be alleviated by adding a filter lane for vehicles turning left onto the A59. It has been suggested the applicant fund this infrastructure. It is deemed this would be an unreasonable requirement on the applicant. Whilst an extra lane would be desirable, queuing already occurs and typically under 10% of vehicles turn left onto the A59. Queuing arises due to the amount of traffic on the A59, and there would not be a material impact on such, or the amount of vehicles on North Field Lane, as a consequence of the development. Furthermore improvements are proposed to this junction, including the provision of an additional lane, as part of the proposed Park and Ride development.

Consideration of cyclists and pedestrians

4.26 National policy note PPG13: Transport seeks to promote accessibility to jobs by public transport, walking and cycling, and to reduce the need to travel, especially by car. When considering planning applications it requires LPA's to give priority to pedestrians and cyclists over cars. PPG13 states developments should be in locations which are highly accessible by walking, cycling and public transport. In determining planning applications LPA's should pay particular attention to access arrangements to help promote walking as a key means of access, and create direct, safe walking routes.

4.27 An objective of the local plan is to promote more environmentally friendly uses of travel than the car. Policy T2b states that new built developments on sites over 0.4ha in size (application site is 0.6ha) should contribute towards the development and improvement of pedestrian and cycle route networks. The policy also notes that due consideration will be given to impacts on security.

4.28 There is a cycle/footpath between the A59 and the entrance to the business park, and also a route from Knapton to the south end of North Field Lane, which includes a crossing over the outer ring road. However the footpath from the A59 (along North Field Lane) terminates at the business park entrance and within the business park there are no dedicated cycle routes or footpaths between the site entrance and application site. Cyclists/pedestrians would, under the present situation, have to compete with vehicles, including parked cars and service vehicles. Also cyclists/pedestrians accessing the site from the south would have to pass the building's entrance and travel in excess of 600m to enter the building as the only site entrance proposed is through the business park (although it is likely the majority of staff would approach the site from the north).

4.29 To improve accessibility for cyclists and pedestrians it is desirable to provide cycle parking and a staff entrance at the north side of the building (opposed to the south). Officers consider it is also reasonable to request upgrading the pedestrian access to the proposed building, given that potentially 100 employees would be based in the building. Such a requirement would be consistent with PPG13 and policy T2b of the Local Plan. The applicants have agreed to provide a dedicated

walkway between the business park entrance and the application site, which would vary between 1m and 1.5m in width.

Cycle and car parking

4.30 Policy T4 of the Local Plan seeks to promote cycling and states that all new development should provide storage for cycles in accordance with the standards in appendix E of the Local Plan (so 31 spaces minimum for a development of this size). Changing facilities for staff are also preferable and should be provided within the building. Cycle parking would be provided at both ends of the building, and the amount of spaces (31) meets the requirements of the Local Plan.

4.31 55 car parking spaces are proposed, for the assumed 100 staff and visitors. The maximum number of spaces, as established in the Local Plan, for a site this size would be 62. The parking provision is deemed acceptable for the site and is not objected to.

Travel Plan

4.32 PPG13 states developments should be in locations which are highly accessible by walking, cycling and public transport. Businesses should make every effort - for instance by adopting travel plans - to encourage car sharing and non-car modes of transport. Policy T13a of the Local Plan requires a Travel Plan when developments would employ over 30 persons. A condition is suggested that a travel plan be submitted at an appropriate time and updated annually.

DRAINAGE

4.33 No formal details have been provided to date. The site is not in a flood zone. York Drainage Engineers have met with the applicants and are of the opinion that it will be possible to manage surface water run-off, without adding to flood risk elsewhere. It is proposed to use soakaways and storage tanks with restricted flows for surface water. A condition is presently suggested requiring details to be submitted, which allows for an achievable fallback should soakaways not work.

5.0 CONCLUSION

5.1 Under the Town and Country Planning (Consultation) (England) Direction 2009 as the amount of floorspace involved exceeds 1,000 sq m the application will need to be referred to the Secretary of State for consideration if approval is recommended as the site is within the green belt.

5.2 In officers opinion special circumstances exist that outweigh the impact on the green belt and justify development of safeguarded land. The development, by definition, is inappropriate in the green belt, contrary to national policy in PPG2, and there would be harm to the openness of the green belt due to the scale of the proposed development and its location. However there are presently no preferable sites where this particular development could be located, due to MDL's requirements, and the development will have benefits for the cities' economy due to the type of knowledge based industry involved and number of jobs created. It is also

noted that the site has been selected as one which could potentially be developed for employment uses in future.

5.3 The development could also help to mitigate its impact by adding ecological value to the site, delivering a building of sustainable construction and taking steps to encourage alternative means of travel to the private car. These can be secured through conditions and the reserved matters applications on landscaping and design.

5.4 The proposed development would not have a material impact on the highway network and the site drainage can be controlled through a condition.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve after referral to Sec. of State

1 OUT1 Approval of Reserved Matters – time limit

2 Fully detailed drawings illustrating all of the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works, and the development shall be carried out in accordance with such details:

Details to be submitted: appearance and landscaping of the proposed development to be carried out, including a schedule of all external materials to be used and details of protection and enhancement of wildlife habitats (the latter in accordance with policy NE7 of the Draft Local Plan).

Reason: In order that the Local Planning Authority may be satisfied as to the details of the development and to comply with the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006.

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

Access and layout as shown on drawing A863.2009.05 date stamped 18.12.2009.
Indicative scale of the building as shown on A863.2009.03B date stamped 18.12.2009.

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

4 At the time of making the reserved matters application for the appearance of the building hereby approved, or before, a BREEAM assessment, or equivalent, for the design and procurement stages of the building, shall be submitted to the Local Planning Authority and approved in writing. The assessment shall be followed by a BREEAM, or equivalent, post construction review to be submitted prior to occupation of the building.

All assessments shall confirm the minimum 'Very Good' rating, or equivalent, and be agreed to in writing by the Local Planning Authority.

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

5 Notwithstanding the details of the proposed building, as shown on drawing A863.2009.03B, the overall footprint and height(s) of the 2nd floor level shall be submitted to, approved in writing by the Local Planning Authority, and the development carried out in accordance with the approved details.

Reason: To keep the 2nd floor level to a minimal volume, to minimise the prominence of the building, in the interests of the openness of the green belt.

6 Details of the proposed lighting scheme, including times of operation and lux levels in and around the site (where affected), shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

Reason: In the interests of the setting which is within the green belt.

7 HT1 Height restricted to 10.5m from ground level.

8 Prior to occupation of the development hereby approved, a pedestrian walkway (as shown on drawing A863.2009.6), between the business park entrance and the application site entrance shall be implemented. The walkway shall be hard surfaced to match the existing pavement.

Reason: To promote sustainable travel in accordance with PPG13: Transport which seeks to promote accessibility to jobs by public transport, walking and cycling, and to reduce the need to travel, especially by car, and policy T2b of the Draft Local Plan.

9 Prior to occupation of the development hereby approved details of covered and secure cycle parking, including location, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained for such use thereafter. At least 31 cycle spaces shall be provided.

Reason: To ensure adequate space for cycle storage, and to promote sustainable modes of transport in accordance with PPG13: Transport and policy T4 of the Draft Local Plan.

10 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown), including turning areas and servicing areas have been constructed and laid out in accordance with the approved plans and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

11 Within one of year of occupation of the building a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall be developed and implemented in line with local and national guidelines.

The travel plan shall thereafter be reviewed and updated on an annual basis, and submitted to the authority's travel plan officer and approved in writing by the Local Planning Authority.

Reason: To reduce private car travel in accordance with PPG13: Transport, and policy T20 of the Draft Local Plan.

12 No development shall commence until the proposed means of drainage of the site has been submitted to and approved in writing by the local planning authority. This shall include details of the rate of discharge from the surface water and foul systems. The scheme shall be implemented in accordance with the approved details prior to use of the development and maintained thereafter.

Reason: To ensure adequate drainage and to prevent increased flood risk. in accordance with PPS25 and requirements of York's Strategic Flood Risk Assessment.

13 Surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor of adequate capacity prior to being discharged into any watercourse. Roof water drainage shall not be passed through the interceptor.

Reason: To prevent pollution of the water environment.

14 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Schedule 2 Part 8 of that Order shall not be carried out without planning permission.

Reason: In the interests of the openness of the green belt the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

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 the historic character and setting of York, the highway network and flood risk. The Local Planning Authority are also of the opinion that very special circumstances have been demonstrated that outweigh the impact of the development on the green belt (within which the application site is located).

As such the proposal complies with PPG2: Green Belts, PPS4: Planning For Sustainable Economic Growth, policies Y1 and YH9 of The Yorkshire and Humber Plan, and of the City of York Local Plan policies SP2, SP6, SP7A, GP1, GP3, GP4a, GP13, GP24, GB1, GB11, T2b, and T4.

2. SECURITY AND CRIME PREVENTION

Attention is drawn to the Police ALO comments and it is suggested that all vulnerable doors and windows be security-tested to British Standard 7950.

3. DESIGN

With regards building design/materials and landscaping the feasibility of a green/sedum roof should be considered and the building's elevations clad so the development may blend in with surrounding vegetation. You are encouraged to discuss with Council's Landscape Officers, prior to submitting a reserved matters application, requirements with regards biodiversity and screening of the building.

4. ACCESS

To make access safer and more direct it is asked that a staff entrance, and a reasonable amount of cycle spaces be provided at the north end of the proposed building.

Contact details:

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