

## COMMITTEE REPORT

**Date:** 20<sup>th</sup> September 2012    **Ward:** Rural West York  
**Team:** Major and Commercial Team    **Parish:** Upper Poppleton Parish Council

**Reference:** 12/02429/FULM

**Application at:** Proposed Site for Poppleton Bar Park and Ride, Northfield Lane, Upper Poppleton, York.

**For:** Variation of condition 2 of planning permission 09/02294/FULM to alter the layout of the park and ride facility

**By:** City Of York Council

**Application Type:** Major Full Application (13 weeks)

**Target Date:** 5 October 2012

**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 Planning permission is sought under Section 73 of the 1990 Town and Country Planning Act to vary condition 2 to Planning Permission 09/02294/FULM to realign the internal layout and junction arrangement with the A59 York to Harrogate Road to accommodate an area of registered Village Green. The principle of development was established by planning permission 09/02294/FULM, the current application seeks simply to establish the acceptability of an amended layout.

1.2 The proposal is for a 1,250 space park and ride facility to be erected in two phases, with associated road improvements, a 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 approved. The current proposal has been the subject of a Full Environmental Impact Assessment which has been amended to take account of the altered layout.

1.3 The siting of the Park and Ride Proposal was formalised following on from an extensive public consultation exercise including a public exhibition, a leaflet drop and a public meeting. Discussions are on-going in respect of the treatment and enhancement of the area of village green to the north east.

## **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 and 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 Integrated Strategy Unit were consulted in respect of the proposal on 2nd August 2012. Any response will be reported orally at the meeting.

3.2 Environmental Protection Unit were consulted in respect of the proposal on 2nd August 2012. Any response will be reported orally at the meeting.

3.3 Structures and Drainage Engineering Consultancy raise no objection to the proposal subject to the previously recommended drainage conditions being re-imposed.

3.4 Highway Network Management raise no objection to the proposal.

3.5 Design, Conservation and Sustainable Development raise no objection to the proposal as it would allow for the area of registered Village Green to be brought back into use by the local community.

#### EXTERNAL:-

3.6 Marston Moor Internal Drainage Board raises no objection to the revised scheme.

3.7 The Environment Agency raises no objection to the revised scheme.

3.8 Rufforth and Knapton Parish Council were consulted with regard to the proposal on 2nd August 2012. Views will be reported orally if available.

3.9 Natural England raises no objection to the proposal.

3.10 The York Natural Environment Panel raise no objection to the revised scheme.

3.11 Upper Poppleton Parish Council object to the proposal on the grounds that the proposed signal controlled junction layout between Northfield Lane, Station Road and the A59 would not work and would lead to traffic congestion both within Upper Poppleton village and along the route of the A59 towards the City Centre and towards Harrogate.

## **4.0 APPRAISAL**

### KEY CONSIDERATIONS:-

#### 4.1 KEY CONSIDERATIONS INCLUDE:-

- \* The Principle of the Development;
- \* Impact upon the open character and purposes of designation of the Green Belt;
- \* Impact upon highway safety and the free flow of traffic on the A59 and adjacent roads.

### POLICY CONTEXT:-

4.2 Paragraph 90 of the National Planning Policy Framework is of particular relevance in the current context. This establishes that certain forms of development are not inappropriate within the Green Belt provided they preserve the openness of the Green Belt and the purposes of including land within the Green Belt. These include transport infrastructure such as Park and Ride sites.

4.3 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 upon the private car by providing for more environmentally friendly modes of transport.

4.4 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 the provision of a Park and Ride facility.

4.5 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.

4.6 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.

4.7 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 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 York.

4.8 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 landscape 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.

4.9 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.

#### THE PRINCIPLE OF THE DEVELOPMENT:-

4.10 The current application seeks permission for the proposed development with an amended layout to accommodate the designated Village Green to the north east. The principle of the development can not be reconsidered at this stage.

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

4.11 The NPPF allows for Park and Ride developments to be taken as appropriate development within the Green Belt providing appropriate measures are taken to ensure that the openness of the Green Belt is safeguarded. The application site as amended to take account of the village green comprises an area of gently undulating agricultural land 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 its associated development. The York to Harrogate Railway lies in the middle distance to the west and north west. The area of built development as amended would lie to the south west of the site with the Terminal Building incorporating a range of sustainable materials as previously approved.

4.12 Significant areas of landscape bunding would be created along the western and southern boundaries of the site with further planting along the northern boundary of the site integrating in with the treatment of the registered village green. 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 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. With the amended siting the degree of change would be lessened. In view of the nature of the adjoining development, the location of the built footprint of the site, which would be physically more compact with the revised scheme, and nature of the proposed landscaping it is felt that the openness of the Green Belt would be safeguarded and the requirements of the NPPF and Draft Local Plan Policy GB 1 would be complied with.

#### ENVIRONMENTAL IMPACT ASSESSMENT:-

4.13 The previously approved scheme was subject to a formal Environmental Impact Assessment which has been amended in respect of the revised location for the built element of the proposal. This gave due consideration to issues 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 has been 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, ecology, landscape and the historic environment.

#### BENEFITS FOR CONGESTION AND THE SUSTAINABILITY OF PROPOSALS:-

4.14 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 those associated with it 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% have been estimated for the period when the scheme is fully operational. The scheme has been the subject of a successful Major Transport Scheme Bid on the basis of these demonstrable benefits. Furthermore the aims of Central Government Policy in relation to car borne transport outlined in the NPPF and Draft Local Plan Policies SP8 and GP4b) would be delivered by the development when fully operational.

#### IMPACT UPON HIGHWAY SAFETY AND THE FREE FLOW OF TRAFFIC:-

4.15 Concern has previously been expressed about potential increases in traffic congestion along the A59 Harrogate Road and rat running through associated side roads exacerbated by the effect of the proposed signalised junction between Northfield Lane and the A59 to control vehicles 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 a further left turning lane would be provided for traffic exiting the site directly on to the A59. Separate points of access would be provided for buses and vehicular traffic entering and leaving the site onto Northfield Lane.

4.16 It is estimated that even with the slightly amended junction layout average queues at the A59/A1237 junction would be reduced by 950 metres in the morning peak period and by 1,130 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 trips from the Harrogate direction into the City Centre would substantively negate any benefit from diverting into Upper Poppleton to reach the Outer Ring Road. The proposed off-site improvements to the A59/A1237 roundabout and its approaches including the creation of a combined pedestrian and cycle underpass would similarly improve the situation.

## **5.0 CONCLUSION**

5.1 The Park and Ride remains 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 the facility in the amended location 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 and its associated landscaping would ensure a minimal impact upon the Green Belt's openness and the practical impact of the proposed relocation to accommodate the designated Village Green would only serve to minimise any impact further.

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

5.4 The scheme as a whole complies closely with Central Government Guidance in relation to the NPPF and the requirements of Draft Local Plan Policy T6. The scheme as amended is not felt to be materially different from that previously and approval is recommended subject to the previous conditions.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION: Approve**

1 The development hereby authorised shall be begun no later than 29th March 2013.

Reason:- To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by Section 51 of the Compulsory Purchase Act 2004.

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

Drawing Refs:- HE/DEC08010354/009 C; CBHAEL502 K; HE/DEC08010354/003 E; HE/DEC08010354/002 E; HE/DEC08010354/005; CBHAEL501 J. Date Stamped 3rd July 2012.

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 substantive completion of phase 1 of the development. Any trees or plants which in perpetuity 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 Prior to works starting on site a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which shall be agreed in writing with the LPA.

Reason: In the interests of the safety and good management of the public highway.

9 Prior to the development commencing details of the measures to be employed to prevent the egress of mud, water and other detritus onto the public highway, and details of the measures to be employed to remove any such substance from the public highway shall be submitted to and approved in writing by the Local Planning Authority. Such measures as shall have been approved shall be employed and adhered to at all times during construction works.

Reason: To prevent the egress of water and loose material creating a hazard on the public highway.

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 The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

Reason: To protect the amenities of adjacent residents.

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 risk 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 hardstanding 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. All such wind turbine apparatus shall be retained and shall remain operational for the lifetime of the development unless the Local Planning Authority otherwise agrees in writing.

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.

23 A strip of land 9 metres wide adjacent to the watercourse forming the western boundary of the site shall be kept clear of all new buildings and structures (including gates, walls, fences, and trees) unless otherwise agreed in writing by the Local Planning Authority. Ground levels must not be artificially raised within the maintenance strip thereby created.

Reason:- To secure safe and efficient drainage to the nearby watercourse.

24 No development comprising any element of phase 2 of the proposal hereby approved as outlined in application drawing ref:-CBHAEM500/02 F shall be commenced until a detailed landscape scheme in respect of phase 2 has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include full details of species, mixes, density (spacing), and position of trees, shrubs and other plants, means of protection from rabbits, seeding mix and sowing rate. The scheme shall be implemented within a period of six months of substantive completion of phase 2 of the development. Any trees or plants which in perpetuity 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.

## 7.0 INFORMATIVES:

### 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 and impact upon highway safety and the free flow of traffic along the A59 and adjoining roads. 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. CONSENT FOR HIGHWAY WORKS:

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. STATUTORY UNDERTAKERS EQUIPMENT:-

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 Management Officer

**Tel No:** 01904 551416