

1.5 The company's England head office is currently at the Bio Centre at York Science Park. The new headquarters is required due to growth, the need for a bespoke research facility and the desire for the company to have its own premises. The firm would have some 55 employees.

1.6 The application is brought to main, rather than sub committee, to avoid delay in determination. This is because if members are minded to approve the application it will then need to be referred to the Government Office, as the site is in the green belt.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

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:

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|--------|--|
| CYSP2 | The York Green Belt |
| CYGB1 | Development within the Green Belt |
| CYGB11 | Employment development outside settlement limits |
| CYSP6 | Location strategy |
| CYSP7A | The sequential approach to development |
| CYGP24 | Safeguarded land |
| CYGP1 | Design |
| CYGP4A | Sustainability |
| CYT4 | Cycle parking standards |

3.0 CONSULTATIONS

Flood Risk Management

3.1 No objection in principle but officers will require the following drainage information to be agreed –

- Details of the existing and proposed drainage system, to include calculations and invert levels to ordnance datum.
- A topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties.

- The soak away must be shown to work to BRE standards. The surface water run-off shall be restricted to 70% of the existing rate.

Ainsty Internal Drainage Board

3.2 No objections provided surface water run-off is controlled and the rate running into watercourses is not increased.

Yorkshire Water

3.3 No objection.

Rufforth with Knapton Parish Council

3.4 Do not object to the application as long as the site does not encroach upon the current Green Belt.

Publicity

3.5 Deadline for comment was 6.11.2013. No written representations have been made.

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.
- Design
- Sustainable development and construction
- Impact on the highway network
- Cycle and car parking
- Drainage

Green Belt issues

Impact on the green belt

4.2 The application site is at the south end of Northminster Business Park. The 2005 Local Plan classifies this as Safeguarded Land. Safeguarded Land is land which is within the Green Belt. It is not allocated for development, but is identified as land which could accommodate development needs beyond the plan period if necessary.

4.3 In 2009 permission was granted for an office / research and development use at the site to the east of the application site; also on safeguarded land (planning application 09/02291/OUTM which has since been implemented).

4.4 The area to the north of the business park is designed as an 'Out of Centre Premier Employment Site' in the 2005 Local Plan where research & development uses will be appropriate and other offices or light industrial uses acceptable where there are no other suitable sites in the built up area. The land has not been developed over the plan period.

4.5 The National Planning Policy Framework states that the general extent of the Green Belt across the country is already established. The NPPF advises that when plans are being updated / prepared, this an appropriate time to review green belt boundaries, taking into account the need to promote sustainable patterns of development.

4.6 The new Local Plan for York, which is intended to plan for the period of 2015 to 2030, is currently at the preferred options stage. There are variations in green belt boundaries, which are based on the need to accommodate growth over the plan period and considering both the nationally established purposes of the green belt (control unrestricted sprawl and preventing neighbouring towns from merging for example) and the technical appraisals of the York Green Belt, which consider the locally specific roles of the Green Belt; safeguarding the historic setting, as established in Local Plan policies SP2 and SP3.

4.7 In the new Local Plan, the application site is designated as Safeguarded Land. However the site to the west is allocated for development. The land to the north of the business park, previously identified for development, would become safeguarded land. The allocations may be varied as progress towards adoption of the plan continues.

4.8 The application site is screened from distant views in all directions apart from to the west, by tree cover and the business park. The building would be 30m by 18m and approx 9m high. It is smaller in footprint than the new development to the east and would be of comparable height. The field to the west (running south down to Moor Lane) is allocated for development in the new Local Plan.

4.9 Given the layout of Northminster Business Park and its surrounding landscaping this is the logical location for an expansion. There would be a low impact on the openness of the green belt (as currently allocated). Considering the preferred option for development of the area, as identified in the new Local Plan, there would be no significant impact on the openness of the green belt by allowing the development proposed.

Very Special Circumstances

4.10 According to the NPPF the proposed development is classed as inappropriate development. Such development is, by definition, harmful and may only be allowed when there are very special circumstances demonstrated which out-weigh the harm. The impact on the green belt has been deemed to be low, as established above. There are circumstances which outweigh the harm. These are as follows -

- Northminster Business Park has been identified for growth in the current and proposed Local Plan documents. Development on the application site would have a lower impact on the openness of the green belt in comparison to the areas which have been identified for growth within the (existing and proposed) plan periods - the agricultural fields to the north and western sides of the business park which are physically more detached from the existing developments and are more visually prominent in distant views.
- The development is to provide premises for a research and development operation; the type of 'knowledge based' development that the city wished to attract in allocating the business park as an area for growth.
- Although there are two other available sites at the edge of the city (not in the green belt) available, at Clifton Moor and York Business Park, the application site will in the long-term be more accessible by sustainable modes of transport, when the Park and Ride facility currently under construction is complete and as Poppleton Railway Station is within walking distance of the site.

Design

4.11 The NPPF advises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Local Plan policies GP1: Design, GP9: Landscaping and E1: Employment are also relevant in this respect. In assessing design, relevant to this scheme is the need for the building to be functional, fit in with its surroundings and be attractive through its landscaping.

4.12 The design intent is that the building would appear consistent with the recently constructed Redwood House to the east, considering detailing, scale and materials. This coherent approach is supported and will be sympathetic to the setting. The development would be in a landscaped setting, with mature trees at the site entrance and planting around the periphery and centre of the site. Usually it would be a requirement for the building to be close to the entrance, rather than the car park, this being preferable for pedestrians and cyclists and preventing the car park being the visually dominant feature. However in this case the development has functional requirements that dictate the location of the secure yard and its proximity

to the lab rooms. As such the proposed layout is the optimum arrangement for the applicants and most efficient use of the land and this is accepted. The layout has been amended (revision A) to move the cycle parking closer to the entrance and away from the service yard and a dedicated footpath has been provided which runs to the front door. Overall the design is acceptable.

Sustainable development and construction

4.13 To comply with Local Plan policy established within the council's Interim Planning Statement (IPS) on Sustainable Design and Construction the development is expected to achieve a BREEAM standard of very good and provide at least 10% of its energy demand from on site renewable, low or zero carbon technology.

4.14 The applicants have agreed that the building will meet the required BREEAM target. This was achieved at the development next door, and this development is intended to be of similar construction. The aspiration is for over 10% of energy demand to be achieved. Air-sourced heat pumps are likely to be used along with solar and photovoltaic panels. The standards can be secured through planning conditions.

Impact on the highway network

4.15 The National Planning Policy Framework advises that developments should:

- Provide safe and suitable access to the site for all people and minimise conflicts between traffic and cyclists or pedestrians.
- Maximise sustainable transport modes and minimise the need to travel.
- Incorporate facilities for charging plug-in and other ultra-low emission vehicles.

4.16 The development would have adequate highway and servicing facilities and would be compliant with the NPPF requirements as -

- It is expected the development would have 45 to 55 employees. Data suggests this would amount to some 13 vehicle trips at peak times. The junction with the A59 is currently being upgraded to enhance its capacity and this development would not cause an undue strain on the highway network.
- Cycle and car parking exactly meet the standards established in the Local Plan. 20 cycle parking spaces (the minimum required for the proposed development) and 36 car parking spaces (the maximum). There are changing facilities in the building and a condition can ensure the facilities are provided and retained. A condition could also require installation of electric vehicle charging facilities.
- There is a footpath that leads through the business park to the application site. A footpath will be provided within the site that follows a desire line and leads to the front entrance.

Drainage

4.17 The NPPF requires that suitable drainage strategies are developed for sites, so there is no increase in flood risk elsewhere. Local Plan policy GP15a: Development and Flood Risk advises discharge from new development should not exceed the capacity of receptors and water run-off should, in relation to existing run-off rates, be reduced.

4.18 The surface water from the business park is currently diverted to storage lagoons to the SW of the site from where run-off into the wider network is restricted. The proposed drainage strategy is that surface water from the application site either soaks away, or runs into a storage tank located below the car parking area. The flow from the storage tank will be controlled and run into the lagoons. In accordance with policy the strategy can ensure surface water run-off rates are not increased, in relation to the existing. The detailed design would be secured through a condition.

5.0 CONCLUSION

5.1 Although the site is in the green belt, it has been identified for future development in the 2005 Local Plan and in the preferred options version of the new Local Plan. Due to the scale of the building and given the development to the north and to the east, there would be no undue impact on the openness of the green belt, and a lower impact than if the development were to other sides of the business park that have been identified for development (those to the north and to the west).

5.2 The development would allow a growing business to remain in the city, providing employment in research and development, a growth sector for which Northminster Business Park has been identified to accommodate in Local Plans.

5.3 Due to the economic benefits of the proposed development and lack of harm to the openness of the green belt, it is deemed that there are very special circumstances which justify the proposed development. As the site is within the green belt, the application would though need to be referred to the Government Office if members are minded to approve the scheme.

5.4 The proposals are compliant with policy in other respects. There would be no undue impact on the highway network or flood risk and the development would meet current local policy requirements regarding sustainable design and construction.

6.0 RECOMMENDATION: Approve after referral to Sec. of State

Conditions -

1 TIME2 Development start within three years -

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

Site Layout PL 03A

Plans and section PL 04

Elevations PL 05

Landscaping plan 2429/1 revision B

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

3 Landscaping

The pedestrian footpath leading into the site and to the building entrance shall be installed prior to occupation of the development hereby approved. The gate and fence to the secure yard shall be to match, in type and height, the fence surrounding the site, as shown on the approved site plan.

Within 6 months of occupation the approved landscaping scheme shall be implemented. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: In the interest of promoting sustainable modes of transport and in the interests of visual amenity.

4 BREEAM

The development shall be constructed to a BRE Environmental Assessment Method (BREEAM) standard of 'very good'. A Post Construction stage assessment shall be carried out and a Post Construction stage certificate shall be submitted to the Local Planning Authority prior to occupation of the building. Should the development fail to achieve a BREEAM standard of 'very good' a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a standard of 'very good'. The approved remedial measures shall then be undertaken within a timescale to be approved in

writing by the Local Planning Authority.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of GP4a of the City of York Development Control Local plan and paragraphs 2.1 to 2.4 of the Interim Planning Statement 'Sustainable Design and Construction' November 2007.

5 Low / zero carbon technology

No building work shall take place until details have been submitted and approved in writing by the Local Planning Authority to demonstrate that no less than 10% of the development's predicted energy requirements will be provided from low or zero carbon technology. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of the development. The site thereafter must be maintained to the required level of generation.

Reason: In the interests of achieving a sustainable development in accordance with the requirement of GP4a of the City of York Development Control Local plan and the Interim Planning Statement 'Sustainable Design and Construction' November 2007.

INFORMATIVE

Evidence to demonstrate compliance should be submitted in the form of BRUKL (commercial) worksheets.

6 Cycle parking and staff facilities.

Prior to first use of the development the cycle parking (20 spaces) and changing facilities shown on the approved plans shall be installed and shall be provided for the lifetime of the development. The cycle parking spaces shall be secure, using Sheffield type hoops or similar, and covered.

Reason: To ensure adequate space for, and to encourage cycle use in accordance with policies GP1, and T4 of the City of York Draft Local Plan and section 3 of the National Planning Policy Framework.

7 Travel Plan

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, to the satisfaction of the Local Planning Authority.

Reason: To reduce private car travel and promote sustainable travel in accordance with paragraph 36 of the National Planning Policy Framework and policy T13a of the City of York deposit Draft Local Plan.

8 Electric Vehicle Recharging Facilities

Before the occupation of the development an Electric Vehicle Recharging Point shall be provided on-site and maintained for the lifetime of the development, to the satisfaction of the Local Planning Authority.

REASON: To promote and facilitate the uptake of electric vehicles / bikes / scooters on the site in line with the Council's Low Emission Strategy (LES) and the National Planning Policy Framework (NPPF).

INFORMATIVE: Electric Vehicle Recharging Point means a free-standing, weatherproof, outdoor recharging unit for electric vehicles with the capacity to charge at both 3kw (13A) and 7kw (32A) that has sufficient enabling cabling to upgrade that unit and to provide for an additional Electrical Vehicle Recharging Point.

9 Site Drainage

Development shall not begin until site specific details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Details to include:-

- a) Calculations and invert levels to ordnance datum of the existing and proposed surface water systems.
- b) A topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.
- c) An appropriate assessment carried out under BRE Digest 365, (preferably carried out in winter), to prove that the ground has sufficient capacity to accept surface water discharge from the proposed building and permeable paving, and to prevent flooding of the surrounding land and the paving itself. Please note that

City of York Council's Flood Risk Management Team should witness the BRE Digest 365 test.

- d) If the above soakaway proves to be unsuitable then In accordance with City of York Councils Strategic Flood Risk Assessment and in agreement with the Environment Agency and the York Consortium of Internal Drainage Boards, peak surface water run-off from the development must be attenuated to that of the existing rate (based on a Greenfield run off rate of 1.40 l/sec/ha). Storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

Reason: In the interests of the proper drainage of the site, and to comply with guidance contained within York's Strategic Flood Risk Assessment and the National Planning Policy Framework.

10 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), there shall be no extension or external alteration to the building hereby approved and no development of additional hard-standing to that shown on the approved plans.

Reason: In the interests of visual amenity and the openness of the green belt.

7.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome: requested amendments to the layout plan and the use of planning conditions.

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