

COMMITTEE REPORT

Date: 23 May 2012 **Ward:** Skelton, Rawcliffe, Clifton
Without
Team: Major and **Parish:** Clifton Without Parish
Commercial Team Council

Reference: 12/00613/FULM
Application at: Audi York Centurion Way York YO30 4WW
For: Erection of car showroom following demolition of existing building
By: Mr Mark Taylor
Application Type: Major Full Application (13 weeks)
Target Date: 28 May 2012
Recommendation: Approve

1.0 PROPOSAL

1.1 Audi York comprises a single storey profile steel clad unit dating to the 1980s lying in close proximity to a number of other car dealerships at the eastern edge of the Clifton Moor Business Park. Planning permission is sought for the redevelopment of the site to provide expanded sales and office space and to facilitate the relocation of servicing and maintenance functions to the adjacent former DHL site. Planning permission (ref 11/02828/FULM) has already been granted for the relocation of the service functions.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYS13 Car Showrooms

CYGP1 Design

CGP15A Development and Flood Risk

CYGP4A Sustainability

CYHE10 Archaeology

3.0 CONSULTATIONS

INTERNAL:-

3.1 Environmental Protection Unit raise no objection to the proposal.

3.2 Highway Network Management raise no objection to the proposal.

3.3 Structures and Drainage Engineering Consultancy object to the proposal on the grounds that insufficient information has been submitted to enable any impact upon the local surface water drainage pattern to be properly assessed.

3.4 Design, Conservation and Sustainable Development were consulted on 22nd March 2012. No response has been forthcoming.

EXTERNAL:-

3.5 Clifton (Without) Parish Council raise no objection in principle to the proposal but express concern with regard to the possibility of additional vehicle traffic on Clifton Moorgate.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- * Impact upon the visual amenity of the wider street scene;
- * Impact upon the wider local economy;
- * Impact upon a site of archaeological importance;
- * Impact upon the local pattern of surface water drainage;
- * Sustainability.

PLANNING POLICY FRAMEWORK:-

4.2 The National Planning Policy Framework is relevant in the determination of this application in that it encourages Local Planning Authorities to support existing business sectors taking account of whether or not they are expanding or contracting. At the same time where a development may have a significant material impact upon a designated heritage asset such as a Scheduled Ancient Monument or its setting then significant weight should be given to securing its conservation.

4.3 Policy S13 of the York Development Control Local Plan is of particular significance in the determination of this application. This sets a clear policy framework that requires that applications for car showrooms be assessed against

the remaining policies within the Draft Local Plan and if approved their Permitted Development Rights for change of use to A1 retail be removed.

4.4 Policy GP1 requires new development proposals to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces, and the character of the area using appropriate building materials.

4.5 Policy GP15a) requires developers to satisfy the Local Planning Authority that any flood risk can be successfully managed with the minimum environmental effect and ensure that the site can be developed, serviced and occupied safely.

4.6 Policy HE10 states that archaeological deposits of national importance outside of the York City Centre Area of Archaeological Importance must be preserved in situ.

4.7 The submission did not include a statement of community involvement; however given the location and nature of the scheme this was not considered to significantly hinder the Council's consideration of the scheme.

IMPACT UPON THE VISUAL AMENITY OF THE WIDER STREET SCENE:-

4.8 The existing Audi dealership building comprises two elements; a flat roofed blockwork and curtain wall clad shed used for servicing and vehicle maintenance and a glazed show room building with a metallic mono-pitched roof. The proposal envisages the demolition of the existing complex of buildings and its replacement with a silver curtain wall clad and patent glazed structure over a slightly larger footprint than the existing structure. The building would be closely related to the built frontage along the south side of Clifton Moorgate and would be clearly visible in long and short distance views from the north and north east. The adjoining pattern of built development comprises a range of industrial type sheds and large retail units including a number of other car dealerships. Whilst there is by no means a uniform palette of materials there is a uniform pattern of scale and massing amongst properties along Clifton Moorgate. This would be respected by the proposed replacement building. Its design and external appearance would furthermore closely reflect that of the adjacent properties and it is not felt that there would be any detrimental impact upon the visual amenity of the wider street scene.

IMPACT UPON THE WIDER LOCAL ECONOMY

4.9 The eastern sector of the Clifton Moor Business Park contains a variety of uses mainly centred around wholesale distribution and the motor trade. The current proposal is seen as necessary to accommodate an expansion of the existing Audi car dealership with ancillary functions transferred to the adjacent site. The development would enable the existing business to continue on the site with the

existing workforce, whilst at the same time responding to its current trading needs, in line with Central Government Planning Policy outlined in the National Planning Policy Framework. Policy S13 of the Draft Local Plan does set out a requirement that proposals for car dealerships be conditioned to withdraw their Permitted Development Rights to become an A1 Retail Unit. It is felt that such a requirement would be appropriate in the current circumstances as the site is not suitable for conventional retailing.

IMPACT UPON A SITE OF ARCHAEOLOGICAL IMPORTANCE

4.10 Some 130 metres to the south east of the site lies a Roman encampment which is a Scheduled Ancient Monument. In terms of its impact upon the buried archaeology the distance is such as to ensure that any impact would be minimal. In terms of impact upon the setting of the Ancient Monument the location of intervening development to the south would effectively minimise any impact.

IMPACT UPON THE LOCAL PATTERN OF SURFACE WATER DRAINAGE

4.11 Concern has been expressed in respect of the level of information submitted in respect of surface water drainage. The application site lies within Flood Zone 1 and is therefore deemed to be at the lowest risk of flooding. Furthermore the site as currently laid out is substantially hard surfaced. The proposed development whilst adding to the floor area of the building would not have a material impact upon the area of hard surface and therefore run off over and above the existing situation. It is therefore felt that surface water drainage could be acceptable dealt with by condition on any permission.

SUSTAINABILITY

4.12 The application details describe the means proposed to reduce the environmental impact of the development, mainly through making the building as energy efficient as possible. No indication however has been given in respect of renewable energy generation at the site although details of other similar schemes incorporating energy generation by solar array were submitted as supporting information. It is therefore recommended that any permission be conditioned to require submission of a detailed scheme for 10% renewable energy generation for prior approval.

4.13 The details include 4 'Sheffield' type cycle stands adjacent to the building. However the provision of secured covered cycle parking for staff is being sought in accordance with the Council's standards, and Members will be updated at the meeting. A condition requiring full details of cycle parking is also recommended.

5.0 CONCLUSION

5.1 The adjoining buildings along Clifton Moorgate comprise a range of shed type structures giving a similar pattern of scale and massing to that of the proposal. It is felt overall that the scheme would be acceptable in design terms, and that it would not give rise to an adverse impact upon the local pattern of surface water drainage or the nearby Scheduled Ancient Monument. The proposals would help to consolidate the business and safeguard existing employment at the site.

5.2 In light of the above the scheme is considered to be acceptable in planning terms and approval is therefore recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

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

Drawing Refs:- A(PL)01 003 Rev A .Date Stamped 29th March 2012; A(PL)01 004. Date Stamped 11th February 2012; A(PL)01 005. Date Stamped 24th February 2012; A(PL)01 002 Rev C. Date Stamped 11th February 2012; A(PL)01 100 Rev B. Date Stamped 11th February 2012; A(PL)01 101 Rev B. Date Stamped 11th February 2012; A(PL)01 200 Rev B. Date Stamped 11th February 2012. A(PL)01 003 Rev A. Date Stamped 29th March 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 VISQ10 Details of External services to be app -

4 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs and other landscaping;. This scheme shall be implemented within a period of six months of the completion of the development. 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: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

5 DRAIN1 Drainage details to be agreed -

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6 The premises shall be used for a car dealership with associated facilities and for no other purpose, including any other purpose in Class A1 in the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.

Reason: So that the Local Planning Authority may re-assess alternative uses which, without this condition, may have been carried on without planning permission by virtue of Article 3 of the Town and Country Planning (Use Classes) Order 1987.

7 VISQ4 Boundary details to be supplied -

8 HWAY31 No mud on highway during construction -

9 No building work shall take place until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate how the development will provide, from on-site renewable energy 10% of the development's predicted energy demand. The development shall be carried out in strict 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 development shall thereafter be maintained to at least the required level of generation.

Reason:- In the interests of achieving sustainable development in accordance with the requirements of Policy GP4a) of the City of York Development Control Local Plan and the Adopted Interim Planning Statement "Sustainable Design and Construction".

10 The development hereby approved shall be constructed to a BREEAM standard of "very good". A Post Construction assessment by a licenced BREEAM assessor shall be carried out and a copy of the certificate shall be submitted to the Local Planning Authority prior to the occupation of the building. Should the development fail to achieve a "very good" BREEAM rating a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a "very good rating". The 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 sustainable development in accordance with the requirements of Policy GP4a) of the York Development Control Local Plan and the Adopted Interim Planning Statement "Sustainable Design and Construction".

11 HWAY18 Cycle parking details to be agreed -

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the visual amenity of the wider street scene, impact upon the wider local economy, impact upon a site of archaeological importance, impact upon the local pattern of surface water drainage and sustainability. As such the proposal complies with Policies S13, GP1, GP15a), GP4a) and HE10 of the City of York Development Control Local Plan.

2. CONTROL OF POLLUTION ACT 1974:-

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00; Saturday 09.00 to 13.00; Not at all on Sundays and Bank Holidays.

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

3. UNEXPECTED CONTAMINATION:-

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the Authority's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

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