

## COMMITTEE REPORT

**Date:** 27 April 2011                      **Ward:** Westfield  
**Team:** West/Centre Area                      **Parish:** No Parish

**Reference:** 09/02304/FUL  
**Application at:** Morrisons Front Street Acomb York YO24 3BZ  
**For:** Provision of 21no. additional car parking spaces on land to the rear of 7 and 9 Green Lane with associated lighting, fence, and trolley shelter  
**By:** Mr Gareth Wilkinson, WM Morrison Supermarkets PLC  
**Application Type:** Full Application  
**Target Date:** 18 February 2010  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application seeks permission for the formation of 21 additional car parking spaces on the land to the rear of 7 and 9 Front Street, Acomb. In addition associated lighting, acoustic fence, trolley shelters and cycle storage facilities are proposed.

1.2 The existing car park at Morrisons has a capacity of 264, including 18 disabled spaces and 11 parent and child spaces. The car park is owned by the Council but controlled by a tripartite agreement between the Council, Morrisons and the Social Club. An additional 21 spaces are proposed on land to the south east of the store. This land was formerly the rear gardens of 7 and 9 Green Lane and is in the region of 60m by 17m. The land backs onto a number of residential properties with associated gardens fronting Green Lane and a small cul-de-sac. It would side onto the existing store.

1.3 The additional spaces would be accessed off the main car park and would involve the removal of 7 fir trees and the removal of two parent and child parking bays to create the access road. The access road would side onto the residential properties with the cars parking nose/tail towards the store. An access gate is proposed in order to lock this area off from vehicles when the store is closed. Three additional street lights are proposed and a 2.4m high close boarded fence is proposed to the boundary with the residential properties in order to act as an acoustic barrier.

1.4 As part of the scheme the existing pedestrian access to the front of the store is to be widened to 3m in order to accommodate the additional pedestrian movements generated. Existing cycle parking and trolley bays are to be relocated to provide a clear access to the store and the existing disabled bays fronting the store are to be pushed back with the bollards being repositioned. Due to the altered location of the disabled bays one is to be removed in order to provide easier access into the repositioned bays.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: Acomb Area 0007

Air safeguarding GMS Constraints: Air Field safeguarding 0175

2.2 Policies:

CYGP1 Design

CYGP4A Sustainability

### **3.0 CONSULTATIONS**

#### **Internal**

##### Highway Network Management

3.1 Capacity calculations indicate that the Front Street junction can handle the predicted increase in traffic flow during the peak periods without significant delays or excessive queuing. Even with the extra 21 spaces the total capacity of the car park will be 265 spaces, which would still keep it below the maximum parking standards for a store with a gross floor area of 3660m<sup>2</sup>. Alterations within the site to provide a 3m wide pedestrian access are an improvement.

##### Environmental Protection Unit

3.2 Satisfied with the findings of the acoustic report and agree that the proposed car park extension would not result in the loss of amenity to adjacent residential dwellings, subject to the provision of an acoustic barrier.

##### Structures and Drainage

3.3 The development is in low risk flood zone 1 and should not suffer from river flooding. Insufficient information has been submitted to assess surface water drainage and a condition is proposed.

#### **External**

##### York Access Group

3.4 Do not object to the additional parking but are concerned about pedestrians crossing the entrance at Front Street where the wall of No 8 partially obscures views of turning traffic

##### Police Architectural Liaison Officer

3.5 Crime levels and anti-social behaviour incidents are particularly high in an area, which includes Morrisons store. Would strongly recommend the new parking area be covered by CCTV, particularly as natural surveillance is limited. Welcome the 2.4m high fence and the gate to the access

## Neighbours

### 3.6 Six letters of objections received on the following grounds:

- The gate would only prevent cars accessing the parking area and not youths on foot
- Additional noise of engines running, car doors opening and slamming, car boots opening and slamming, car alarms, human voices and the clanking of trolleys
- Poorer air quality
- Inappropriate to fell the trees
- Levels should be the same as neighbouring properties to prevent any flooding
- No shroud is proposed to the additional street lighting
- CCTV should be installed
- No additional car parking was required at the time of the store extension
- May damage tree roots
- Noise and disturbance would be created during the construction works
- Does not accord with the Councils strategy on climate change
- Morrisons have not helped reduce car borne journeys by providing internet shopping, improved cycle parking or cycle trailer hire
- Should provide self check out and more check outs to speed up customers
- Disabled bays are often empty and some should be converted to general parking
- May undermine the foundations of residential properties
- Small garden would be unusable due to noise and fumes

### 3.7 Two letters received in support of the scheme:

- All spaces are often taken
- Have to drive around a number of times before a space is found
- Often have to park on Carr Lane
- Car park busy at 8:30am and the cars stay all day
- Should not get free all day parking and should be limited to 4 hours

## **4.0 APPRAISAL**

### 4.1 Key Issues

- Planning History
- Need for the additional parking
- Highway Implications
- Sustainability
- Noise Impact
- Drainage

## PLANNING POLICY

4.2 The relevant City of York Council Draft Deposit Local Plan Policies are GP1 and GP4a. Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly

affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.3 Policy GP4a 'Sustainability' states that all developments should have regard to sustainable development. A sustainability statement should accompany all commercial and residential developments. The policy includes a list of criteria against which proposals should be judged which include: accessibility of the site by means other than the car; contribute towards meeting the social needs of the community; maintain or increase the economic prosperity and diversity of the City of York; be of a high quality design; minimise the use of non-renewable resources, re-use materials already on the site and use grey water systems; minimise pollution; conserve and enhance natural areas and landscape features; maximise the use of renewable resources and seek to make use of renewable energy and to make adequate provision for the storage and collection of refuse and recycling.

The Transport chapter of the local plan contains objectives that are relevant and seek to reduce pollution, noise and the physical impact of traffic, by restraining growth in the use of motor vehicles.

4.4 Policy GP4a is also supported by the Council's Interim Planning Statement, which was approved on November 2007 for Development Control purposes and is a material consideration when assessing planning applications.

4.5 Planning Policy Guidance Note 13 'Transport' states that in developing and implementing policies on parking, local authorities should: ensure that levels of parking provided in association with development will promote sustainable transport choices; don't require developers to provide more spaces than they themselves wish; encourage the shared use of parking, particularly in town centres and as part of major proposals: for example offices and leisure uses (such as cinemas) might share parking because the peak levels of use do not coincide; require developers to provide designated parking spaces for disabled people in accordance with current good practice<sup>11</sup>; where appropriate, introduce on-street parking controls in areas adjacent to major travel generating development to minimise the potential displacement of parking where on-site parking is being limited; require convenient safe and secure cycle parking in development at least at levels consistent with the cycle strategy in the local transport plan.

4.6 Planning Policy Guidance 24 (PPG24) provides guidance on the use of planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities, which generate noise.

4.7 PPS25 Development and Flood Risk: This PPS explains how flood risk should be considered at all stages of the planning and development process. It sets out the importance of the management and reduction of flood risk in planning, acting on a precautionary basis and taking account of climate change.

## PLANNING HISTORY

4.8 Planning permission was granted in September 2008 for the erection of a part single and part two storey extensions. This considerably increased the retail portion of the store. To support the application a Parking Report was submitted which assessed the parking of vehicles within the car park in terms of numbers and length of stay. The general conclusion was that there was adequate capacity within the car park to provide the necessary parking required to accommodate the extra customers to the store who travelled by car. However, since the store has been trading with its enlarged retail area it is busier than anticipated and parking is becoming increasingly difficult on the site.

## NEED FOR ADDITIONAL PARKING

4.9 As stated the car park is not only used by visitors to Morrisons but is also utilised by visitors to Acomb District Centre and the adjacent social club. There are no charges to use the car park and as such vehicles are often parked for long periods of time, often for over 7 hours. The car park is widely used and it is apparent when visiting the site that parking is getting increasingly difficult. The provision of an additional 21 spaces adjacent to the store would increase the capacity of the car park and reduce the pressure on the existing spaces.

## HIGHWAY IMPLICATIONS

4.10 As part of the application a highway report was submitted addressing vehicular flows within the site and at the junction with Front Street. Concerns have been raised by neighbours that the junction with Front Street is unsafe and additional vehicular movements would increase this situation. However, the information submitted demonstrates that the additional vehicle trips can be accommodated on the local highway network, in capacity terms, and highway safety is not a concern. In addition the creation of the additional parking spaces could have a beneficial impact upon neighbouring residential streets by providing more on site parking for Morrisons and the adjacent district centre.

4.11 The additional works proposed on site create a wider pedestrian access to the store, when approaching from the car park. At present this has a restricted width due to the location of the disabled car parking bays, security bollards and the parking of trolleys. The area is also often congested with people queuing at the cash machine. This scheme would increase the pedestrian access to 3m by setting the disabled bays and bollards back and relocating existing trolley parks and cycle storage facilities. The amendments would result in the loss of a single disabled car parking bay but this is considered acceptable.

## SUSTAINABILITY

4.12 Planning Guidance in the form of PPG13 encourages developments to locate in areas that are accessible by modes of transport other than the car. The store is located in close proximity to the district centre and is easily accessible by cycle, foot and bus. Secure cycle parking is provided on the site and Morrisons have agreed to

a Travel Plan as part of the approval for the extension. However, there is still a demand for additional parking on the site for use by customers to the store and the district centre. It has been suggested that car parking charges should be applied in this car park or a period of free parking being made available with charges following. However, the council are reluctant to agree to this course of action as it may push long term parking onto nearby residential streets, to their detriment.

4.13 Whilst it is considered that the increased parking provision does not discourage trips by the private car the additional spaces would be use by the community as a whole and have a dual purpose in providing parking facility for the general area and not just the store itself. As part of the scheme cycle storage facilities will be improved which may encourage more visitors by modes other than the private car.

## NOISE

4.14 The nearest residential properties are those located along Green Lane and a small cul-de-sac serving number 15, 17 and 19a Green Lane. Numbers 5 and 7 Green Lane are residential properties within the ownership of Morrisons, No 9 is a Carpet shop with a first floor studio flat (No 9a), No 11 is a picture framing shop which appears to be a purely commercial unit, whilst No 13 is a commercial premises at ground floor with residential use to the rear and possibly first floor (No 13a). The properties of 15, 17 and 19a Green Lane are detached residential bungalows located along the South Eastern boundary of the proposed car park extension. The dwellings at number 13 and 19a would be approximately 14m from the boundary with the proposed car park. However, number 15 would only be 3m from the boundary. Concerns are raised in connection with the potential noise disturbance for these residential properties, in particular car doors opening and closing and vehicular movements.

4.15 As part of the submission an Acoustic Noise Assessment was submitted and council Environmental Protection Officers visited the site. At present the background noise environment in the area is currently dominated by noise from traffic on Green Lane, Front Street and York Road, including regular bus services and delivery vehicles in the area (not all associated with Morrisons). Noise from the existing car park is barely audible at certain parts of the site over the background noise level in the area and where car park noise is audible it is not considered to be intrusive or to result in loss of amenity. It is considered that to reduce the potential for noise disturbance the spaces to the rear of the area, backing onto the properties facing Green Lane should be designated for staff parking only in order to reduce the vehicular movements within this locality. In addition an acoustic barrier is proposed to the boundary with numbers 15, 17 and 19a, which would reduce the potential for noise disturbance considerably. Furthermore, the existing access gate between the proposed car park and service yard is to be replaced with a solid gate, as opposed to the mesh gate, which is present. This would reduce existing noise disturbance currently arising by delivery vehicles visiting the store.

4.16 It is understood that at present these residential properties back onto an open garden area where noise levels being generated are low. It is not disputed that there will be an increase in noise as a result of the proposed car park. However, the survey carried out demonstrates that there would not be an increase in noise to a

level, which would result in a loss of amenity on the basis that an acoustic fence is erected.

## DRAINAGE

4.17 The applicant has submitted information to identify that the car parking area would be drained by a central soakaway, which would be attached to a stormceptor. Insufficient information has been submitted to assess whether this is acceptable. Conditions can be attached to any permission granted in order to achieve the satisfactory drainage of the site.

## **5.0 CONCLUSION**

5.1 It is considered that the proposed formation of the additional car parking is acceptable. There appears to be a need for the parking, which will serve the wider community, as well as customers to Morrisons, and reduce the potential for on street parking. There would not be any detrimental impact upon highway safety and the junction of the car park with Front Street is adequate to accept the additional vehicle movements. Inadequate information has been submitted to assess the drainage of the car parking area but conditions can be attached to any approval to overcome this issue. The main point of concern related to the potential noise disturbance created as a result of the additional vehicle movements. However, the submitted noise survey confirms that there would not be an unacceptable loss of amenity to nearby residential properties.

## **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 and other submitted details:-

Drawing numbers B730-A(00)-01 received 21st December 2009  
Drawing numbers B730-A(00)-02 received 21st December 2009  
Drawing numbers B730-A(00)-03 Rev D received 4th April 2011  
Drawing numbers B730-A(00)-04 received 21st December 2009  
Drawing numbers B730-A(00)-05 received 21st December 2009  
Drawing number 1906/501 Rev 2 received 21st December 2009

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

3 ARCH2 Watching brief required

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 to the south eastern boundary with 15, 17 and 19a Green Lane. This scheme shall be implemented prior to the first use and shall be retained thereafter. 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 Prior to commencement of the use hereby permitted (or within such a time as approved in writing by the local planning authority), an acoustic barrier, at least 2.4 metres high and 18mm thick, shall be constructed around the car park area adjacent to residential dwellings. The location of the acoustic barrier shall be approved in writing by the local planning authority prior to the commencement of the use hereby permitted (or within such a time as approved in writing by the local planning authority). For the avoidance of doubt, the acoustic barrier shall be imperforate in construction with no air gaps to allow the passage of noise, such as a close boarded fence. The acoustic fence shall be constructed on site in accordance with approved details prior to the car park being brought into use and shall be retained thereafter.

Reason: To protect the amenity of nearby residents.

6 Prior to development commencing on site, details of the location, levels of illumination and shrouding for all of the proposed lights should be submitted to the Local Planning Authority for written approval. The details shall then be implemented in their entirety to the satisfaction of the Local Planning Authority and in accordance with the written approved details. The approved lights shall be switched off during store closing hours.

Reason: To protect the amenities of nearby residential properties

7 Prior to commencement on site details of the proposed replacement gate between the service yard and car park shall be submitted to and approved in writing by the local planning authority. The gate shall be fitted prior to the first use of the car park.

Reason: In order to achieve a visually acceptable development and to protect the amenity of nearby residential properties.

8 The security gate located between the hereby approved car park and the existing car park shall be closed and locked 30 minutes after the store closes and 30 minutes before the store opens

Reason: To prevent access to the area by vehicles when the store is closed

9 HWAY18 Cycle parking details to be agreed

10 Notwithstanding the information contained within the approved plans details of



allocated staff car parking within the hereby approved car parking area shall be submitted to and approved in writing by the Local Planning Authority prior to commencement.

Reason: To provide adequate levels of staff parking

11 Details to include calculations and invert levels to Ordnance Datum of the existing surface water system should be provided together with details to include calculations and invert levels to Ordnance Datum of the proposals for the new development.

The applicant should provide 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.

Additional surface water shall not be connected to any foul / combined sewer, if a suitable surface water sewer is available.

As the proposed method of surface water disposal is via soakaways, these should be shown to work through 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, and to prevent flooding of the surrounding land and the site itself. City of York Council's Drainage Section should witness the BRE Digest 365 test.

If the above soakaway proves to be unsuitable then In accordance with PPS25 and in agreement with the Environment Agency / IDB / City of York Council, peak run-off from developments must be attenuated to 70% of the existing rate (based on 140 l/s/ha of connected impermeable areas). 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.

If existing connected impermeable areas not proven then a Greenfield run-off rate based on 1.4 l/sec/ha shall be used for the above.

Reason: In the interests of the satisfactory drainage of the site

12 Details of CCTV cameras to be fitted to cover the area shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the area covered by the cameras and their location. The cameras shall be installed prior to the first use of the car park and retained thereafter.

Reason: In order to provide security to an area which is not subject to natural surveillance.

## **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 site drainage, highway safety and the free flow of traffic, noise disturbance, sustainability and the local environment. As such the proposal complies with Policies GP1 and GP4a of the City of York Development Control Local Plan and Planning Policy Guidance Notes 13, 24 and 25.

#### **Contact details:**

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