

COMMITTEE REPORT

Committee: East Area **Ward:** Fishergate
Date: 14 September 2006 **Parish:** Fishergate Planning Panel

Reference: 06/01458/FULM
Application at: 23 Hospital Fields Road York YO10 4DZ
For: Two storey office development with associated car and cycle parking
By: Shepherd Developments
Application Type: Major Full Application (13 weeks)
Target Date: 27 September 2006

1.0 PROPOSAL

This application seeks permission for the erection a two storey office development with associated car and cycle parking to this currently vacant site occupying the former MOD depot and Mechplant/Shepherd Offices site.

The floor area of the offices is approximately 1,512sq.m gross B1 offices.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

2.2 Policies:

CYGP1
Design

CYSP7
The sequential approach to development

CYE4
Employment devt on unallocated land

3.0 CONSULTATIONS

Internal

Highway Network Management - Highway Officers have no objections to the scheme subject to modest revisions being resubmitted concerned with dimensions of parking bays and visibility splays. Officers have also requested contributions for a real time travel information system at a cost of around £7000.

Archaeology - Watching brief on all groundworks. The site lies outside the AA1 but in an area where there have been prehistoric and roman material found and where a nineteenth century hospital and ordnance depot stood.

EPU - No Objection in principle. The main issues that need addressing should the development go ahead are as follows:

Noise - There may be noise during the construction phase of the development. This has the potential to affect the amenity of neighbouring properties. A condition is felt appropriate to restrict the hours of work. There is also the issue of permanent plant/machinery which may be fitted as part of the scheme. Although not causing a statutory nuisance, this plant/machinery may give rise to a loss of amenity. A condition is recommended to require the approval of any noisy plant/machinery.

Contaminated land - The site in question is within 250m of a landfill site. There is the potential for migrating gases that could present a health risk if the development were to go ahead and suitable gas protection measures were not incorporated. A condition is recommended that requires the developer to undertake an assessment of the situation that will involve a minimum of 3 months gas monitoring. The historical maps show that a tramway depot was within 250m of the site and that the site itself was used as an ordnance depot.

City Development - No response at time of writing.

External

Parish/Planning Panel Response - No objections however the Fishergate Planning Panel are concerned with the overall appearance of the proposed building and are concerned about the lack of texture and style.

Neighbour Response - No Objections from consulted neighbours.

4.0 APPRAISAL

Key issue(s): Effect Upon the Street scene

THE APPLICATION SITE. - The application site is a Brownfield site located within an area that saw much development during the 19th century. The site is upon the former military hospital of around 1850 that was superseded by an MOD Ordnance depot. Subsequently the site appears to have been developed spasmodically,

previously been used as an industrial estate and the most recent application of recent years was for the installation of a 2 storey portable office building for the storage of files and office material. The site has now been cleared and is currently fenced and underused.

There are old military buildings to the north of the plot and within the locality with light industrial units to the south and housing beyond. The site is 150m from the Ouse and the established cycle route.

DEVELOPMENT PRINCIPLE - The development will occupy unallocated land within this area of light industrial uses. These uses have been expanding to encompass high density residential and speculative office development over recent years and this scheme follows that trend. It is felt that the reuse of this prime Brownfield site close to the city centre is appropriate and acceptable. The applicant has provided evidence that they have examined other sites that are allocated within the Local Plan and have provided evidence to support their decision however at time of writing Officers are awaiting confirmation of this from City Development.

SUSTAINABILITY - The proposed building is within easy walking and cycling distance of the City centre and as such reduces the need for employees to use a private car to access their place of work. The site is also a Brownfield site and as such is previously developed land that takes pressure off other less suited potentially Greenfield sites.

The building itself does propose to utilise bricks that have a high embedded energy however the proposed building will encompass natural ventilation that reduces solar heat gain and maintains adequate internal temperatures without the need for air conditioning. The offices internally are open plan and the width of the structure is being maintained at a suitable distance to allow through day lighting to the internal spaces. The main south facade will act as a thermal mass device soaking up the solar heat during the day and releasing later. Moreover the proposed car park is intended to be constructed using a permeable material to reduce water run off. In sustainability terms the scheme will meet current Building regulations and is expected to exceed them and should result in another flagship development for the city in sustainability terms.

VISUAL IMPACT - The Office building is of a modern design that relies on modernist principles and features. This works well for the most part however Officers had reservations about the main southern elevation. This elevation, although relieved by the main entrance was very bland as submitted and in the officers opinion failed to create a facade that they believe is necessary in the interests of high quality design. Negotiations with the architect and developer have subsequently taken place to address this and revised plans are expected at time of writing. The revisions will relieve the appearance of this solid wall by utilising contrasting bricks and basing the concept on a De Stijl method of abstraction that Officers feel works well and will contribute positively to the locality.

The rest of the structure is well designed and the 'gable' elements being totally glazed are considered a quality and unique design feature.

5.0 CONCLUSION

REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact upon the streetscene and locality and its impact upon employment allocation within the city. As such the proposal complies with Policies GP1, GP4a, E4 and SP7 of the City of York Deposit Draft Local Plan, as well as Regional Spatial Strategy Policy YH8 and PPS6 Planning for Town Centres (2005).

6.0 RECOMMENDATION: Approve

1 TIME2

2 VISQ8

3 PLANS2

4 ARCH2

5 All demolition and construction works and ancillary operations, including deliveries to and dispatch 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	

Reason: To protect the amenity of local residents

6 A desk study shall be undertaken in order to identify any potentially contaminative uses which have or are currently occurring on the site. This shall include a site description and a site walkover and shall be submitted to and approved by the local planning authority prior to development of the site.

This should, where possible date back to 1800

Reason: To protect human health

7 A site investigation shall be undertaken based upon the findings of the desk study. The investigation shall be carried out in accordance with BS10175: Investigation of potentially contaminated land: code of practice. The results of the investigation shall be submitted to and approved by the local planning authority in writing prior to any development commencing on the site.

Informative: the site appears to have been used as an ordnance depot, therefore the investigation should also include potential military contaminants.
Reason: To protect human health

- 8 A risk-based remedial strategy shall be developed based on the findings of the site investigation. The remedial strategy shall be submitted to and approved by the local planning authority in writing. The approved strategy shall be fully implemented prior to any development commencing on site.

Reason: To protect human health

- 9 A validation report shall be submitted to and approved by the local planning authority, detailing sample locations and contaminant concentrations prior to any development commencing on site.

Reason: To protect human health

- 10 Any contamination detected during site works that has not been considered within the remedial strategy shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

Reason: To protect human health

- 11 A timetable of proposed remedial works shall be submitted to the local planning authority prior to any works being undertaken on the site.

Reason: To protect human health

- 12 A gas survey shall be carried out on the site over a period of at least three months to consider the effects of landfill gas migration. This shall be undertaken prior to the commencement of the development.

Reason: To protect human health

- 13 Based on the information from the gas survey a gas protection regime shall be designed using a risk based method. The monitoring results and gas protection regime shall be submitted to and approved by the Environmental Protection Unit of the City of York Council prior to the commencement of any development on site.

Reason: To protect human health

7.0 INFORMATIVES: Notes to Applicant

1.

Demolition and Construction - Informative

The developer's attention should also be 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 attached to any planning approval:

1 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".

2 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.

3 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.

4 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.

5 Any asbestos containing materials shall be removed by licensed contractors to a licensed disposal site.

6 There shall be no bonfires on the site.

2. Informative:

The remedial strategy shall have due regard for UK adopted policy on risk assessment and shall be developed in full consultation with the appropriate regulator(s).

3. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact upon the streetscene and locality and its impact upon employment allocation within the city. As such the proposal complies with Policies GP1, GP4a, E4 and SP7 of the City of York Deposit Draft Local Plan, as well as Regional Spatial Strategy Policy YH8 and PPS6 Planning for Town Centres (2005).

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