

COMMITTEE REPORT

Committee: Planning and Transport **Ward:** Huntingdon/New Earswick
Date: 24 January 2007 **Parish:** Huntingdon Parish Council

Reference: 06/02541/FULM
Application at: Plot 6b Monks Cross Drive Huntingdon York
For: Erection of 5 no. two storey and 2 no. three storey office (B1) units including landscaping and car and cycle parking
By: Monks Cross Partnership
Application Type: Major Full Application (13 weeks)
Target Date: 20 February 2007

1.0 PROPOSAL

1.1 This is a full planning application for development of office buildings on a 0.6 hectare site adjacent Monks Cross Drive. The site is situated north of the Monks Cross Shopping park and west of Norwich Union building.

1.2 The proposed development would provide 3,793 square metres of floor space (gross) arranged as 7 independent units with floor space sizes ranging from 167 sqm to 1470 square metres (gross). A shower is provided in each unit. These units are proposed to be arranged as two buildings located on the periphery of the site with car parking and a small amenity area arranged centrally. Buildings would rise to two storeys on the north and west sides and three storeys fronting Monks Cross Drive.

1.3 Vehicular access is proposed to be from the northeast corner of the site via the existing road network and pedestrian linkage would be provided north/south through the site providing direct pedestrian routes to the bus stop on Monks Cross Drive and towards the shopping park.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Premier Employment

2.2 Policies:

GP1 - Design
GP4A - Sustainability
T4 - Cycle parking standards
T13 - Car park standards in York CC/District C
SP8 - Reducing dependence on the car
GP9 - Landscaping
SP9 - Action Areas
NE2 - Rivers and Stream Corridors, Ponds and Wetland Habitats

NE5B - Avoidance of, Mitigation and Compensation for Harm to Designated Nature Conservation Sites
NE6 - Species protected by law
NE7 - Habitat protection and creation
E1A - Premier Employment Sites
E4 - Employment development on unallocated land

3.0 CONSULTATIONS

INTERNAL

3.1 HIGHWAYS NETWORK MANAGEMENT: The site is to be accessed via an existing adoptable highway from Monks Cross Drive, which is considered suitable in terms of width and visibility.

The transport and traffic implications of the site have been considered as part of the Monks Cross Masterplan. In line with the member approved Masterplan officers have secured a financial contribution of £33.6k which will be used towards works highlighted in the plan and will be secured through a S106 Agreement.

In terms of design the layout provides adequate manoeuvring space for vehicles likely to be associated with the site. Car parking has been provided in accordance with CYC maximum standards and covered and secure cycle parking has been indicated and will be secured by condition.

A segregated pedestrian link is provided which will provide a safe direct route for those arriving by non car modes.

[Three recommended conditions are attached as conditions 4, 5 and 6].

3.2 ENVIRONMENTAL PROTECTION UNIT: The proposed development site is not within the City of York Council's Air Quality Management Area (AQMA) and the introduction of office space to this location would not result in any requirement to extend the AQMA beyond its current boundary. It is understood that a traffic assessment was not specifically required for this development as this site falls within the Monks Cross Transport Master Plan Area, as such it is assumed that traffic movements have been agreed with the CYC Highways Department. With regard to the impact of this development on air quality, this Unit has no concerns however should permission be granted, I would request that the parking facilities associated with the development of this site should reflect the Council's minimum parking standard. Where fugitive dust is likely to be produced during the construction of the development, I would request that the developers attention be drawn to the informative at the end of this response which I would request is placed on the permission.

The previous use of the application site as given in the application and as shown on historical maps available to this Unit indicate it is unlikely that contamination of the land has occurred during the previous uses of the site however, should permission be granted, I would request that condition 1 below be placed on the permission to

ensure that any areas of potential contamination which are found during the development are adequately addressed.

Finally there are no noise sensitive properties in the vicinity of the application site except the farmhouse at Pigeoncote Farm which is in a derelict state and is not currently occupied however, it could be brought back into use as a residential property. To protect any future occupants of the adjacent residential property, I would request that condition 2 be placed on the permission to minimise the potential disturbance to the occupants of the residential property. However, should the applicant wish to alter the proposed hours from those given I would be able to discuss them as the application request "normal office hours" rather than specifying the required hours.

Recommended conditions:

1. [attached as condition 7]
2. The use hereby permitted shall be confined to the following hours:

Monday to Friday	0700 to 1900
Saturday	0700 to 1300
Sundays and Bank Holidays	not at all

reason: to protect the amenity of nearby residents. [see section 4.5 for commentary]

3.3 LANDSCAPE OFFICER: If the proposed landscape features are to have a significant, positive impact on the amenity of the development and hence well-being of employees, there needs to be the space with which to achieve it. The shape of the pond could have a better relationship with the building that necessitated its existence. The pond is in a good location as it marks the 'entrance' route to the three plots. Therefore it should be a striking feature rather than an incidental domestic style pond.

The southwest corner of block 6B is only just over 2m from the edge of the footpath. The stepping out element of the building to mark the corner is thus not reinforced by the landscape. In total I feel that the buildings are slightly too big for the plot, resulting in a dissatisfactory landscape solution, which, given the ever increasing uniform mass of Monks Cross, is important to get right.

This plan will not satisfy the requirement to provide a landscape scheme as requested under policy GP9. I would like to see the following changes/additions implemented:

There needs to be far more trees throughout the site, using a range of species and stock sizes, to include mostly native species around the perimeter such as Oak, Pine, Birch, Ash, Field Maple, Holly and Hawthorn and also to include a small proportion of fast growing Willow and Alder for instant impact. These should be in dense groups rather than the sparse lines that are illustrated, arranged so that the groups frame the buildings as viewed from Monks Cross Drive. A similar large group should be located at the end of the car park cul-de sac (south east of unit A).

The parking courtyard presents a massive space in which a large tree canopy can flourish. Therefore I would like to see the occasional specimen tree incorporated into the scheme, utilising species such as *Platanus x hispanicus*, *Fagus sylvatica/purpurea*, *Quercus* spp. *Fraxinus* var.

This has to be high impact planting to give the buildings a better than basic setting with an eye on its long term value as well as immediate effect.

The path running north-south through the scheme should have single species tree planting at least on one side of the pavement, along all three sections to highlight the route and give it some meaning.

I feel it would be best if the evergreen hedge to the central seating area was tight up against the car park boundary such that users of the space would benefit the most from the planting within it (unless the planting to the rear of the proposed hedge is taller than the hedge).

Whilst I realise there is already a row of trees along the abutting boundary of the Norwich union plot, I think there is scope to include more tree planting along this verge. The trees are slow to grow, not all will survive and short-term impact is required; trees can be thinned later. Therefore I would like to see some additional native species (possibly feathereds) planted along this boundary.

3.4 COUNTRYSIDE OFFICER: The effect of the development on Great Crested Newts, if it went ahead unhindered is minimal. The delay caused [in requiring further survey work] therefore could well be considered unreasonable and not in the 'spirit' of the legislation. This is particularly the case when, even if newts were found, we would not be considering retention on site because of the isolation that such a population would suffer. We would therefore be looking at mitigation in any event. In this particular case, because of the past survey indicating the restricted nature of the population, the sub optimal nature of the habitat and the likelihood of requiring off site works even if present, I concur with the view that suitable conditions could be attached that would better serve the interests of any Great Crested Newt population. Such conditions would include the need for a survey and suitable site management mitigation to reduce the likelihood of any newts being affected. It should also include for the provision of compensatory aquatic habitat in the vicinity of the development although not on site. This habitat should be established in a location which will not be compromised by future development and will equally serve a wider area and enhance the overall connectivity of the disparate newt population in the area. I am happy to advice on such conditions. I accept that this is a pragmatic approach that is open to interpretation, however, the 'special' characteristics of the site are such as to justify this assessment and should not set precedents for other sites except where the circumstances are similar.

EXTERNAL

3.5 FOSS INTERNAL DRAINAGE BOARD: The site lies within the Board's District within an area that suffers from problems in relation to the discharge of surface

water. It is stated within the application that the proposed method of surface water discharge is to "main drains via storage tank". We assume that the "main drains" that are mentioned are those that serve the "Monks Cross" development and discharge into Pigeon Cote Dyke via a storage system and pumping station. If the water authority can confirm that the site can be discharged via this existing flood storage facility without increasing flood risk then the Board has no objection to the proposals. If the water authority cannot confirm that this is the case then the Board lodges an objection to the proposals until the applicant can provide a suitable method of surface water disposal without increasing the flood risk.

To summarise, the Board recommends that any approval granted to the proposed development includes the following considerations:

The Applicant states that surface water will be discharged to public sewer. If the relevant Water Company or its Agents cannot confirm that there is adequate spare capacity in the existing flow regulation system, the Applicant should be requested to re-submit amended proposals showing how it is proposed to drain the Site. The Applicant should also provide details on the potential effect that the proposed discharge may have on the receiving watercourse.

3.6 HUNTINGTON PARISH COUNCIL: No objection in principle but the following concerns are raised. i) inadequate parking, ii) inadequate disabled parking, iii) impact on surrounding transport system including Jockey Lane, and iv) poor design, although compatible with neighbouring buildings the proposed building is 'influenced by the adjacent Norwich Union Building' and will not enhance the area.

3.7 PUBLICITY: The application has been advertised by site notice that expired on 3 January 2007 and a press notice: No public comment has been received.

4.0 APPRAISAL

4.1 The site is allocated in the Draft City of York local Plan (policy E1a) as a premier employment site, this designation extending across a wider area including currently undeveloped areas to the north of Monks Cross. An application for outline planning consent for that area (ref. 03/02829/OUT) was refused consent by the Secretary of State following call in. Policy E3 of the Regional Spatial Strategy (RSS) supports the designation of 12 Premium sites in the region within the size range of 15-40 hectares. However, given the decision on the land north of Monks Cross the Draft Local Plan designation is effectively reduced to an area much smaller than that which is supported the RSS and is also fragmented. For this reason no objection is raised to the application regarding the premier employment designation in the Local Plan and the application is considered to be properly tested against the policies for B1 uses (i.e. the sequential test for location as set out in PPS6 and reflected by policy S7a of the Draft City of York Local Plan).

4.2 The applicant has submitted a sequential test to demonstrate no locationally preferable sites (city centre and edge of centre) suitable for the size and characteristics of the development proposed are available within a reasonable timescale. The proposed B1 development of the application site, which is within the

urban area and bounded on all side by developed land and designated for development in the Draft Local Plan, is therefore considered acceptable in principle in accordance with the aims of PPS6 and policy S7a of the Draft City of York Local Plan.

TRANSPORT

4.3 Access to the site is of an adequate standard and the transport implications of development of the site have been considered in the adoption of the Monks Cross Transport Masterplan. A contribution of £33,600 towards the Monks Cross Transport Masterplan has been agreed by the applicant. Condition 11 and Informative 3 are recommended to be attached to any consent to secure this payment. The layout proposed provides adequately for car parking and cycle parking on the site and for access thereto. Cycle parking is located where it can be directly overlooked from windows and a shower is provided in each unit. As such the proposals are considered to accord with Policies SP8, T13 and T4 of the Draft City of York Local Plan and the aims of PPS1 and PPG13.

DRAINAGE

4.4 The comments of the Foss Internal Drainage Board are noted. Condition 8 which requires approval of a detailed drainage scheme is recommended to be attached to any consent so as the issues raised can be satisfactorily addressed.

AMENITY.

4.5 Pigeoncote Farm stands adjacent to the site to the west and whilst currently not used as a residential building the amenity of possible future residential occupiers is raised by the Environmental Protection Unit. The use hereby proposed is B1 and as such defined as a use that is acceptable as a neighbour use to residential uses. For this reason it is not considered reasonable or necessary to restrict the hours of operation of the B1 use.

The key issues are considered to be the Design and Landscaping, and Ecology.

DESIGN AND LANDSCAPING

4.6 The site lies immediately north of the Monks Cross Shopping Park and adjacent to the three storey Norwich Union Building. To the north is a two storey office development and north beyond that open countryside. Pigeoncote farm and the cement works adjoin the site boundary to the west. The site has been cleared with few features of note remaining. An electricity substation stands on the site and two ponds have recently been formed.

4.7 The scale and massing of the proposed buildings, by dropping to two storeys on the northern side of the site relate well in scale to neighbouring buildings. Given the height of existing development to the east and south the scale of proposed three storey elements fronting Monks Cross Drive are considered acceptable.

4.9 The development provides a landscaped path through the site, and through the central amenity space, to the bus stop on Monks Cross Drive on the southern edge of the site. Whilst the scheme incorporates a high proportion of built development and hard standing to green space the scheme is not dissimilar in this respect to other office developments in the area. Given this and the emphasis on in planning guidance making best use of land it is not considered that the low level of soft landscaping in itself is a sufficient reason to refuse this application. The implementation of a landscape scheme including tall tree species will soften longer range views of the site. The layout of the site incorporates spaces for landscape planting a detailed scheme of which can be secured by condition. The Landscape Architects comments regards planting are noted.

4.10 The detailed design of the building reflects function and incorporates design features on a more human scale than the neighbouring Norwich Union building. The design addresses the two prominent corners on Monks Cross Drive with glazed corner sections and the frontage block is split in two sections with the eastern part being splayed to open views towards the Norwich Union site where the building is set further back from the road.

4.11 As such the proposals are considered to accord with the Policies GP1 of the Draft City of York Local Plan and the aims of PPS1. Provided that recommended condition 10 is attached to any consent to secure a detailed landscaping scheme it is considered that the proposals accord with Policy GP9 of the Draft City of York Local Plan.

ECOLOGY

4.12 The comments of the Countryside Officer are noted. Survey and assessment work carried out indicate that there is a very high possibility that Great Crested Newts will be present on this site. However any population that was found would be isolated and hence off-site rather than on-site mitigation would be desirable. Hence, under the peculiar circumstances of this case, a condition requiring further detailed survey work to inform an off-site mitigation strategy (including the creation of compensatory aquatic habitat) is considered to acceptably address the issues raised by the potential presence of this protected species identified by the survey work carried out thus far. As such the proposals are considered to accord with Policies NE2, NE6 and NE7 of the Draft City of York Local Plan and the aims of PPS1 and PPS9.

5.0 CONCLUSION

5.1 It is considered that the proposal, subject to the conditions listed below, would not cause undue harm to interests of acknowledged importance, with particular reference to protect species, the operation of the transport network, residential amenity, the character and appearance of the area or the proper drainage of the area. As such the proposal complies with Policies GP1, GP4A, T4, T13, SP8, GP9, SP9, NE2, NE6, NE7, E1A and E4 of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG4, PPS6, PPS9, PPG13, PPG24 and PPS25 and is hence recommended for approval subject to the conditions listed below.

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing Number A746.2006.PL.02 revision A Received 21 November 2006
Drawing Number A746.2006.PL.03 revision A Received 21 November 2006
Drawing Number A746.2006.PL.04 Received 21 November 2006
Drawing Number A746.2006.PL.05 Received 21 November 2006
Drawing Number LL01 received 8 December 2006

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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 the proposed materials specified on the approved drawings and in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

- 4 HWAY18 Cycle parking details to be agreed
- 5 HWAY19 Car and cycle parking laid out
- 6 The site shall hereafter be occupied in accordance with the aims, measures and outcomes of a Travel Plan which shall be submitted to and approved in writing by the LPA.

Reason: To ensure the development complies with advice contained in PPG13(Transport) and in policy T20 of the City of York Local Plan, and to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site together with parking on site for these users.

- 7 Any contamination detected during site works 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 on site.

reason: To protect the health and safety of workers on site, future occupiers of the site and the integrity of any proposed underground services

- 8 Details of systems for foul and surface water drainage shall be submitted to and approved in writing by the local planning authority. The approved drainage systems

shall be implemented on site before the buildings hereby approved are first brought into use.

Reason: In the interests of the proper and sustainable drainage of the site.

- 9 No development shall commence on site until a scheme of mitigation for the effects of the development on great crested newts has been submitted to and approved in writing by the local planning authority. The scheme of mitigation shall include a timetable for the implementation of the mitigation measures. The scheme of mitigation shall be informed by the results of a full great crested newt survey carried out during April and May following the most recent survey guidelines (English Nature Great Crested Newt Mitigation Guidelines).

Reason: In the interests of nature conservation and the protection of the habitat and population of a Protected Species.

- 10 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. This scheme shall be implemented within a period of six months of the occupation of the development. Any trees or plants which within a period of five years from the occupation 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.

- 11 No development shall commence unless and until a scheme to ensure the provision of adequate transport improvement and mitigation measures has been submitted to and approved by the local planning authority.

Reason: To protect the safe and proper operation of the highway network.

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 protect species, the operation of the transport network, residential amenity, the character and appearance of the area or the proper drainage of the area. As such the proposal complies with Policies GP1, GP4A, T4, T13, SP8, GP9, SP9, NE2, NE6, NE7, E1A and E4 of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG4, PPS6, PPS9, PPG13, PPG24 and PPS25.

2. Demolition and Construction Informative:

- i) 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".

ii) 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.

iii) 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.

iv) 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.

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

vi) There shall be no bonfires on the site.

3. TRANSPORT MEASURES INFORMATIVE:

The provisions condition 11 could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, The obligation should provide for a financial contribution calculated at £33,600. The basis for this calculation is contained within adopted Monks Cross Transport masterplan. No development can take place on this site until the condition ahs been has been discharged and you are reminded of the Local Planning Authority's enforcement powers in this regard.

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