

COMMITTEE REPORT

Committee: West & City Centre Area **Ward:** Micklegate
Date: 27 February 2007 **Parish:** Micklegate Planning Panel

Reference: 07/00042/FUL
Application at: 25 George Hudson Street York YO1 6JL
For: Removal of condition 6 of planning permission 04/02949/FUL
(formation of 5 retail units and 32 short stay car parking spaces)
to allow unrestricted use of the new ground floor car spaces
By: Oakgate (Newcastle) Ltd
Application Type: Full Application
Target Date: 6 March 2007

1.0 PROPOSAL

1.1 On 8 April 2005, planning permission was granted for the refurbishment of the Tanner Row multi-storey car park, including the formation of five retail units at ground floor, the re-cladding of the entire structure, and the provision of 32 short stay parking spaces at ground floor level, to the rear of the proposed retail units. Condition 6 of the planning permission states as follows:

" The additional car parking spaces hereby approved shall be for short stay purposes only, with a maximum permitted stay of 5 hours at any one time. Details of the measures to be employed to ensure that the car parking complies with this requirement shall be submitted to and agreed in writing by the Local planning Authority prior to the development being brought into use."

The reason for the condition states: "In order to prevent the creation of additional long stay commuter parking within the city centre, in accordance with Policy T16 of the City of York Deposit Draft local Plan".

1.2 The development is now virtually complete and one of the retail units is occupied by an organic food store ("Out of this World"). An application has now been submitted for the removal of condition 6, to allow the new car parking spaces to be used for long stay parking.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Central Historic Core 0038

City Boundary York City Boundary 0001

DC Area Teams Central Area 0002

Floodzone 2 Flood Zone 2 CONF

Listed Buildings Multiple (Spatial)

2.2 Policies:

CYT14

Public car parking maintained

3.0 CONSULTATIONS

3.1 INTERNAL

HIGHWAYS - It is noted that the condition referred to states: -

6. The additional car parking spaces hereby approved shall be for short stay purposes only, with a maximum permitted stay of 5 hours at any one time. Details of the measures to be employed to ensure that the car parking complies with this requirement shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being brought into use.

Reason: In order to prevent the creation of additional long stay commuter parking within the city centre, in accordance with Policy T16 of the City of York Deposit Draft Local Plan.

This condition was included partially as a result of highway concerns that the use of the car park for long term parking would result in an increase in the availability of commuter parking and hence commuter traffic; it is noted that, in correspondence attached to the application, "some 20 to 27spaces" would be contracted out to a third party for that very purpose. This merely serves to confirm that the removal of the condition will lead to an increase in commuter traffic and this application should, therefore, be refused.

ENVIRONMENTAL PROTECTION - The environmental protection unit has no objections in regards to this application. However, permitting the use of parking spaces for long stay parking at a city centre location such as George Hudson Street would go against the aims and objectives of the current transport plan. The plan supports short stay parking within the city centre for access to amenities, but looks to restrict the use of the city centre parking for uses such as commuting (which require longer stay parking). This approach helps to stabilise traffic volumes and thus air quality levels in the city.

3.2 EXTERNAL

MICKLEGATE PLANNING PANEL - No objections

ADJACENT OCCUPIERS - No replies

4.0 APPRAISAL

4.1 Key Issues

- provision of long stay commuter car parking within the city centre

4.2 The site is within the Central Historic Core conservation area. However, the proposal would not result in any changes to the already approved external appearance of the building, and it is not considered that the proposal would adversely affect the character or appearance of the conservation area. Since the original application was approved, the Draft Local Plan has been amended by the Fourth Set of Changes, which were approved for development control purposes in April 2005. Although the labelling and wording of some policies have changed, the overall objectives remain the same. Policy T14a states that no additional public parking spaces will be permitted in York City Centre unless the total provision, including the new proposal, remains at or below 5,100 (Year 2002 levels). The policy states that the target level of parking will be kept under review in relation to both economic and environmental considerations (particularly city centre traffic flows). Should parking levels fall below the target level, only proposals to create short/medium stay parking spaces will be considered; proposals for long stay parking will not be acceptable. Clearly, the proposal would result in an increase in the number of long stay commuter parking spaces within the city centre, in conflict with this policy.

4.5 This policy accords with Central Government advice in Planning Policy Guidance Note 13 ("Transport") (PPG13), one of the objectives of which is to reduce the need to travel, especially by car. Paragraph 49 states: "The availability of car parking has a major influence on the means of transport people choose for their journeys. Some studies suggest that levels of car parking can be more significant than levels of public transport provision in determining means of travel (particularly for the journey to work) even for locations very well served by public transport."

4.6 In support of the application, the applicants` agent has stated the following:

- the additional parking spaces are at ground floor level, and cannot be integrated into the existing 255 public parking spaces in the multi storey car park. Access and egress to the additional spaces is separate.
- a rapid rise roller shutter door has been fitted to maintain the integrity and security of the ground floor servicing and parking area.
- Tanner Row car park has held "Safer Car Park" Award status for 4 years and during this time has enjoyed a crime free record.
- the existing car park is staffed between 6am and midnight and provides facilities for shoppers, including disabled and parent/child dedicated spaces, toilets, passenger lift and CCTV.
- to comply with condition 6 would require the security shutter to be kept open during operating hours, compromising the security and safety of the individual shop units and car park users.
- the entire parking area would no longer operate to the specification and standards required to achieve Safer Parking status.

- as a private property and investment company, we are unable to enforce a maximum 5 hour stay.
- we are unable to issue fixed penalty fines, we can merely charge for the length of stay.
- we have recently received a written request from Northern Rail who are seeking approx 20 - 27 spaces for staff who already park in York and expect the same if they move to new premises in Rougier Street.

4.7 It is accepted that security issues may arise if, in order to comply with condition 6, the car park has to be left open during operating hours. However, this has to be balanced against the policy of reducing peak hour car trips within the city, which are a major cause of congestion and environmental pollution. Indeed, Policy T16 of the Local Plan seeks to reduce the level of private commuter parking spaces in or adjacent to York City Centre through negotiation with site owners as redevelopment proposals come forward. Recent examples of the successful implementation of this policy include the Pullman bus depot (redevelopment for student accommodation) and Ogleforth (redevelopment for residential purposes). If approved, the proposal would offset some of the environmental benefits arising from the development of these private long stay car parks.

4.8 The existing multi-storey car park is staffed between 6am and midnight, and it is considered that some of the concerns regarding security could be addressed by extending this arrangement to the new car parking spaces, in addition to other measures such as high level lighting, CCTV cameras and appropriate barrier/ticketing controls. It is considered that the proposal would conflict with Policy T14a of the Draft Local Plan and with Central Government advice in PPG13, and would be likely to increase the level of car borne commuter trips into the city, increasing levels of traffic congestion and pollution. Within this central location, it is considered that more sustainable means of travel are available to commuters, and should be encouraged, such as walking, cycling, train or "park and ride". Indeed, Policy T14a states that even if parking levels fall below the "target" level, only proposals to create short/medium stay parking spaces will be considered; proposals for long stay parking will not be acceptable. It is considered, therefore, that the proposal conflicts with this policy and refusal of the application is recommended.

5.0 CONCLUSION

5.1 The proposal is considered to conflict with Policy T14a of the Draft local Plan, and with Central Government advice in Planning Policy Guidance Note 13, which seek to reduce the number of car borne journeys, particularly by commuters. It is considered that alternative, more sustainable means of travel by public transport are readily available in this location, and should be encouraged as an alternative to the private car.

6.0 RECOMMENDATION: Refuse

- 1 The proposal would result in an increase in the level of private commuter car parking within York City Centre, thus increasing the level of car borne journeys into the City Centre and exacerbating the existing problems of traffic congestion and pollution. Thus it is considered that the proposal would conflict

with the provisions of policy T14a of the City of York Draft Local Plan, which states as follows:

"No additional public parking spaces will be permitted in York City Centre unless the total provision, including the new proposal, remains at or below 5,100 (Year 2002 levels). The target level of parking will be kept under review in relation to both economic and environmental considerations (particularly city centre traffic flows). Should parking levels fall below the target level, only proposals to create short/medium stay parking spaces will be considered; proposals for long stay parking will not be acceptable."

2 It is considered that the proposal would conflict with Central Government advice in Planning Policy Guidance Note 13 ("Transport"), the key objectives of which are to:

- promote more sustainable transport choices for both people and for moving freight;
- promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and
- reduce the need to travel, especially by car.

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