

## COMMITTEE REPORT

**Committee:** East Area  
**Date:** 10 January 2008

**Ward:** Osbaldwick  
**Parish:** Osbaldwick Parish Council

**Reference:** 07/02801/FULM  
**Application at:** Brooklands Outgang Lane Osbaldwick York YO19 5UP  
**For:** Change of use of former coachworks to educational training facility (Use D1)  
**By:** York College  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 26 February 2008

### 1.0 PROPOSAL

1.1 The application site is located within Osbaldwick Industrial Estate, and is accessed off Outgang Lane. The site area is 0.27 hectare. The application site itself is shown under the Local Plan Proposals Map to be unallocated ('white land') within settlement limits. It is not within a Green Belt.

1.2 The site contains a vacant 1,375sq.m industrial building, formerly occupied by Pocklington Coachworks. The building has been vacant for approximately 4 years. The site also contains associated car parking and internal turning areas. Adjoining the site there is a mixture of light/general industrial units, storage buildings, and bulky goods retail units,.

1.3 This is a change of use planning application to convert the existing use to Class D1 training facility for a temporary period of 5 years. It is proposed to provide construction training facilities with a strong emphasis on plumbing, brickwork, plastering, electrical installations and carpentry training. Consent has been sought for a temporary period of five years. No alterations are planned for the external elevations of the building other than repainting (which does not require planning permission). Members may recall that planning permission was granted to the same applicant in November 2007 for the use of the former Wickes building at Lysander Close (Clifton Moor Industrial Estate) as a construction training facility. However, due to circumstances beyond their control, the applicant was unable to compete on the lease arrangements with the landlord. For this reason, the applicant urgently requires an alternative facility to secure the successful delivery of construction training.

1.4 The application sites contain in total 3 separate car parking areas. The existing forecourt to the front of the building would contain 18 existing and 2 additional parking bays; 12 spaces would be provided within an area of land to the east of the industrial building. Further to the east contains a strip of land, which would be capable of parking 12 vehicles. Hence there would be in total 44 vehicle parking spaces and 15 cycle parking spaces serving the proposed D1 use.

### 1.5 RELEVANT PLANNING HISTORY

1.6 00/02933/FUL: Erection of two storey extension to existing industrial unit. Permission was granted on 15.2.2001.

1.7 02/02415/FUL: External alterations and formation of first floor. Permission was granted on 23.9.2002.

## **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Contaminated Land

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

Floodzone 3 Flood Zone 3

2.2 Policies:

CYGP15  
Protection from flooding

CYGP3  
Planning against crime

CYE3B  
Existing and Proposed Employment Sites

CYGP11  
Accessibility

CYT4  
Cycle parking standards

CYGP4A  
Sustainability

## **3.0 CONSULTATIONS**

INTERNAL:

3.1 Highways (Network Management):

- Outgang Lane is the spine road for an industrial estate and as such is subject to many daily HGV movements. Many aspects of this road have suffered as a consequence resulting particularly to damage to the verges and footways due not only to HGV movements but inconsiderate parking. It is therefore considered important that any vehicles associated with this development are accommodated within the site so as not to interfere with existing traffic movements. The level of existing HGV movements should not be greatly affected as only one HGV per week is anticipated as a consequence of this development.

- A total of 44 parking spaces are to be provided in three blocks; 20 to the front and 12 to the rear adjacent to the main building plus a further 12 in an adjoining plot. 4 spaces within the frontage block are designated disabled but only two (nos 4&5) fully comply with the disability requirements of having 1.2m additional strips along both sides of the bays. The additional 1.2m strip to the rear is considered optional as the bays are in a single flight with little likelihood of being obstructed to the rear by other vehicles. This flight of parking bays appears, however, to extend into an existing manoeuvring area and it would seem more practical to rearrange them against the boundary fence. This may also have the benefit of making more space available for both manoeuvring on-site and additional parking near the gated entrance should the need arise.
- 15 cycle storage spaces are included in the application but no details are shown. The cycle storage should be both covered and secure. Having regard to the likely ages of the students then it is also recommended that covered motor scooter/cycle spaces also be provided, at a suggested rate similar to cycles
- The site is approximately 200m from the No6 bus route at a frequency of nominally 10min intervals. An East Yorkshire route to Stamford Bridge also runs along Murton Lane but at a nominal frequency of only 5 per day. The site is therefore considered convenient for public transport.
- The number of students is estimated at between 5 and 150 daily with an "average" figure of approximately 100. It is further contended that as the students would be mostly in the age range of 16 to 18 years old then the probability of car ownership would be "well under 50%". It is considered that this figure is reasonable.

It is therefore considered that the likelihood of the incidence of highway damage as a consequence of on-road/footway/verge parking can be reduced if the above measures are employed. It is noted, however, that at the main new college a policy of charging to use the car parks has resulted in localised all-day parking in predominantly residential streets much to the annoyance of local residents; it is therefore suggested that any on-site parking be freely available to all staff, pupils and visitors.

No highway objections are raised subject to conditions relating to the following:

- full details to be submitted of car, cycle, motorcycle and disabled parking and turning on the site. The facilities so approved shall be provided within three calendar months of the buildings being first occupied and shall be thereafter maintained
- all areas used by vehicles to be surfaced, sealed and positively drained.
- Travel Plan to be submitted and approved.

3.2 City Development Unit consulted. Response received 19 December 2007. The following comments were made:

- As the proposed use is neither commercial nor residential, the applicant need not submit a sustainability statement.
- The applicant's intention to construct internal classrooms which enable more efficient use of energy is supported.
- The site is well served by public transport access, as bus route no.6 runs along Osbaldwick Link Road/Osbaldwick Lane at 10 minute intervals during peak hours.
- A full BREEAM assessment would not be required in policy terms.

-As the proposal seeks to change the use of an employment site, in accordance with policy E3b the applicant is expected to explain how long the site has been vacant and the level of occupier interest for an alternative employment use, to submit a statement on the supply of alternative employment land in York, and to describe why the site is no longer suitable for employment use.

-No objections in principle.

3.3 Environmental Protection Unit consulted. Response received 19 December 2007. No objections subject to conditions.

3.4 Sustainability officer consulted. Response received 19 December 2007 - BREEAM assessment is not required for a temporary change of use application.

EXTERNAL:

3.5 Osbaldwick Parish Council. No response received 24 December 2007.

3.6 Neighbours consulted and press advertised: No response received 2 January 2008.

3.7 Safer York Partnership consulted. Response received 19 December 2007. The following comments were made:

- the existing fencing and border boundaries are recommended to be upgraded,
- ground floor windows should be fitted with window opening restrictors,
- all vulnerable ground floor windows and doors are recommended to be security-tested,
- the security of this development should be further enhanced by discouraging casual intrusion authorised persons or non-members,
- the following should be considered: Proximity Access Control systems (PAC), a door entry phone systems with electronic lock release, or a combination of these.
- entrances should be well lit, both internally and externally,
- a well designed and carefully installed CCTV system is recommended,
- appropriate lighting around the site should be provided,
- no objections subject to a secured by design condition.

#### **4.0 APPRAISAL**

4.1 The main issues to be considered are as follows:

- i. Loss of employment land
- ii. Sustainability
- iii. Parking standards and Highway safety
- iv. Environmental Protection
- v. Flood Risk

#### **LOSS OF EMPLOYMENT LAND**

This application seeks consent to change the use of an existing employment land to Class D1 Education use. Therefore policy E3b of the City of York Draft Local Plan 2005 applies. This policy states planning permission for other uses will only be given

if the proposed use would fulfil the criteria set out in this policy, one of which is that the development would lead to significant benefits to the local economy.

The purpose of this application is to provide construction training facility with a strong emphasis on brickwork training. According to the applicant, the very rapid and significant growth in the demand for construction training in recent years has resulted in a need for the College, as the major construction trainer in the area, to ensure that a supply of skilled labour continues to be provided to serve the local construction projects.

Due to the nature of the construction training programmes proposed, the most appropriate type of accommodation to facilitate such training would be an industrial unit. The applicant states that the very rapid growth in the demand for construction training over the last 2 to 3 years has meant that the projections of the space requirements for this activity at the time the new college was planned were an underestimate. Given that the proposed facility has not been provided for on the new college site, and bearing in mind that it is extremely unlikely that such a facility could be provided within an existing school or college site, on balance it is considered that the loss of employment land in this instance is acceptable, by virtue of the benefits it would have on the local economy and local employment opportunities.

In addition, apart from the insertion of stud partition walls at one end of the building to form classroom, canteen and office facilities, the vast majority of the building would not be altered either internally or externally, thus it could be returned to its former use with relative ease.

## SUSTAINABILITY

It is considered that the proposal has taken into account the principles of sustainable development as set out in policy GP4a of the City of York Draft Local Plan 2005. The proposal would involve the re-use of an existing vacant building rather than erecting a new building for the same purpose but only for a temporary period of 5 years. The site is accessible by modes other than private vehicles. In particular, the site is well served by the purple line bus route, providing regular service to and from York city centre. Furthermore, the College operates a Green Travel Plan, which actively encourages car sharing, the use of public transport and encourages the use of bicycles. 15 secure cycle parking spaces will be provided.

The proposal would promote social inclusion and would deliver other social benefits by maintaining existing participation, retention and achievement levels in education. The development would maintain existing vocational learning provision and maintain existing links with local employers to increase future employment prospects and meet local skills and training requirements. This in turn would help to create more sustainable communities.

## PARKING STANDARDS AND HIGHWAY SAFETY

Attention is drawn to the comments of Highways (Network Management) in the consultations section of this report. No highway objections have been raised to the principle of the proposal. Minor amendments have been requested to the proposed car and cycle parking arrangements, which can be secured by condition. In addition,

it is also recommended that the building is occupied in accordance with the aims, measures and outcomes of a "Green Travel Plan" that has been submitted to and approved by the Local Planning Authority. The College already operates a Green Travel Plan which actively encourages car sharing, the use of public transport and encourages the use of bicycles, and this could be applied relatively easily to the application site.

#### ENVIRONMENTAL PROTECTION:

The site is proposed to be used for teaching brickwork and providing training for this construction trade for local young people, adults and unemployed. Due to the nature of the proposed training programmes, there is a potential that noise could emanate from the premises, harming the amenity of occupants from the nearby caravan site in particular. Nevertheless, this can be addressed by an appropriate noise level restriction condition and hours of operation condition. In addition, provision does exist within current legislation such as the Environmental Protection Act 1990 to deal with statutory nuisances. No objections were raised by Environmental Protection Unit subject to conditions.

#### FLOOD RISK

The application site is within Flood Zone 3, which means the land has a 1 in 100 or greater annual probability of river flooding. Nevertheless it is not considered in this instance that a Flood Risk Assessment is required, as the proposed change of use would not result in a more vulnerable use than the existing use.

Having taken the above into account, it is considered that the proposed development accords with Planning Policy Statement No.1 "Delivering Sustainable Development", policy SOC2 'Education' of the Regional Spatial Strategy for Yorkshire and the Humber (2004) and the policies set out in the City of York Local Plan. Hence, this application is recommended for approval.

#### 5.0 CONCLUSION

For the above reasons this application is recommended for approval.

#### 6.0 RECOMMENDATION: Approve

1 This use shall cease by 26 February 2013 unless prior to that date the consent of the Local Planning Authority has been obtained to extend the period of the permission.

Reason: So that the Local Planning Authority may assess the impact of this use upon the surrounding area.

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

yc3, yc4, yc5, yc6, yc7, yc1Rev A and yc2 Rev A as received by the City of York Council on 27 November 2007 and on 20 December 2007

or any plans or details subsequently agreed in writing by the Local Planning Authority as 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 Prior to the development coming into use full details shall be submitted to and agreed in writing by the LPA of the car, cycle, motorcycle and disabled parking and turning on the site. The facilities so approved shall be provided within three calendar months of the buildings being first occupied and thereafter maintained free of any obstruction that would prevent their intended use.

Reason: To ensure all vehicles associated with the development can be accommodated within the site and clear of the public highway in the interests of highway safety

4 Within three months of the development first coming into use all areas used by vehicles shall be surfaced sealed and positively drained within the site in accordance with details submitted to and agreed in writing by the Local Planning Authority of the surfacing and drainage treatments.

Reason: To prevent the egress of water and loose material onto the public highway

5 The site shall hereafter be occupied in accordance with the aims, measures and outcomes of a Travel Plan that shall be submitted to and approved in writing by the LPA within six months of the date of this permission.

Reason: To ensure the development complies with Central Government advice contained in Planning Policy Guidance Note 13 -"Transport" and with Policy T13a of the City of York Local Deposit Draft Local Plan, and to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other modes of transport to and from the site, together with provision of parking on site for these users.

6 Prior to the occupation of the site for Class D1 use, details of the activities within the area outside the building other than vehicle parking and vehicle manoeuvring shall be submitted to and approved in writing by the local planning authority. Once approved the area outside the building shall be used for the approved activities only unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the amenities of adjoining occupants and local residents.

7 Unless otherwise agreed in writing by the Local Planning Authority, the hours of operation of the site shall be confined to the following hours:

Monday to Friday 8:30 - 21:30

Saturday 8:30 - 18:00

Not at all on Sundays and Bank Holidays.

Reason: To protect the amenity of neighbouring occupants.

## **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 the loss of employment land, sustainability, parking standards and highway safety, environmental protection and Flood Risk. As such the proposal complies with Policies E3b, GP4a, T4, GP15a, GP3 and GP11 of the City of York Local Plan Deposit Draft.

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