

COMMITTEE REPORT

Committee: East Area
Date: 10 January 2008

Ward: Huntington/New Earswick
Parish: Huntington Parish Council

Reference: 07/02606/FULM
Application at: The Estate Office Monks Cross Drive Huntington York YO32 9GZ
For: Construction of new three storey office after removal of existing single storey office
By: Smith And Ball
Application Type: Major Full Application (13 weeks)
Target Date: 1 February 2008

1.0 PROPOSAL

1.1 This is a revised planning application for the erection of an office building on land at Monks Cross Drive currently occupied by a single storey building which functions as the site office. The site lies between retail buildings and offices.

1.2 The scheme as originally approved is an 8.2m high two storey structure with an overall floor area of 818 sq.m (planning ref. no. 07/00364/FUL). The revised scheme shows the overall floor area would be increased by 252sq.m to 1,070sq.m. This is to be achieved by creating an additional floor. As such the proposed three storey office block would measure 10.2m high.

1.3 In relation to the adjoining buildings, the office block to the north of the application site (known as "Arabesque House") is a two storey structure with an overall height of 8.0m. To the south of the application site lies a large 10.0m high retail warehouse currently occupied by Argos. There would be a 16.0m gap between the proposal and Arabesque House; it would be 11.0m away from Argos.

1.4 The site frontage includes a landscaped area within which it is proposed to provide 10 car parking spaces. Five additional car parking spaces have been proposed to the side of the building, and 14 covered cycle parking spaces would be located to the front of the building beside the main entrance. The site area is 0.142 ha.

1.5 The existing mound facing Monks Cross Drive forms part of the landscaped features within the site. It is located in a prominent position with a concentration of tall and mature trees. The plan submitted shows the existing mound would be retained.

RELEVANT PLANNING HISTORY

1.6 07/00364/FUL: Construction of new 2 storey office after removal of existing single storey office (resubmission). Permission was granted on 28.3.2007.

1.7 06/02630/FUL: Construction of new 2 storey office after removal of existing single storey office. This application was withdrawn on 26.1.2007.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYGP1
Design

CYSP8
Reducing dependence on the car

CYGP3
Planning against crime

CYGP4A
Sustainability

CYGP9
Landscaping

CYT4
Cycle parking standards

CYE4
Employment devt on unallocated land

CYSP7A
The sequential approach to development

CYNE1
Trees, woodlands, hedgerows

3.0 CONSULTATIONS

INTERNAL

3.1 City Development Unit consulted. Response received 7 December 2007. The following comments were made:

-This application is to expand/redevelop an existing office in an out of centre location and not within the City Centre. Therefore in accordance with Planning Policy Statement no.6 (2005) "Planning for Town Centres" a sequential test to demonstrate that there are no more central sites for the development is required.

- It should also demonstrate that there is a need for the development, that the development is of an appropriate scale, that there are no unacceptable impacts on existing centres, and that the location is accessible.

3.2 Urban Design and Conservation consulted. Response received 16 November 2007. The following comments were made:

- No objections as the scheme does not appear to alter the previously proposed external areas.
- However the loss of existing planting remains a concern.
- The details submitted with the application purport to retain the existing mound. There will however be a slight cutting back of the bottom of the mound adjacent to the proposed car park, resulting in the loss of some trees including a reasonably large pine.
- It would not be acceptable to introduce a path along the eastern edge of the new car park, which would eat into the mound even further.
- A landscaping condition and a condition to protect the existing planting shown to be retained have been recommended.

3.3 Environmental Protection Unit consulted. Response received 26 November 2007. The unit have no objections subject to a condition to address possible contamination and a standard demolition and construction informative.

3.4 Highway Network Management. Response received 30 November 2007. The following comments were made:

- No objections were raised to the previous application from a highways perspective subject to standard highway conditions.
- This application is an extension of only 250sqm to an already approved scheme, as such there are considered to be no sustainable highway objections to the application.
- It is recommended that the amount of cycle parking should increase from the 14 spaces shown up to a minimum of 18.
- Conditions recommended.

EXTERNAL

3.5 Neighbours consulted and site notice posted. Expires 5 December 2007. No response received.

3.6 Huntington Parish Council consulted. Response received 27 November 2007. The Council objected due to the following reasons:

- the development has severely inadequate parking facilities for the proposed size of the development,
- the site is already heavily congested, and has not been expanded in any way to provide for the increase in usage of the said site.

3.7 Foss Internal Drainage Board consulted. Response received 19 November 2007. No objections subject to condition.

4.0 APPRAISAL

4.1 The main issues to be considered are as follows:

- i. Employment Development on Unallocated Sites
- ii. Sequential Approach to development
- iii. Design and External Appearance
- iv. Landscaping
- v. Sustainability and Parking Standards
- vi. Other considerations

EMPLOYMENT DEVELOPMENT ON UNALLOCATED SITES

4.2 This application relates to an office redevelopment/expansion, although the application site has not been allocated for such use. Nevertheless in accordance with policy E4 of the City of York Draft Local Plan there is no objection in principle to office development which involves the redevelopment of existing buildings within the built up area of the city, provided that the scale and design is appropriate to the locality.

SEQUENTIAL APPROACH TO DEVELOPMENT

4.3 Central Government advice in Planning Policy Statement no.6 "Planning for Town Centres" (PPS6) requires a sequential assessment to be submitted for office developments in an out of centre location. The purpose of the assessment is to demonstrate that there are no other more central sites available for the development before the consideration of an out of centre location. PPS6 also requires the applicant to demonstrate that there is a need for the development, that the development is of an appropriate scale, that there are no unacceptable impacts on existing centres, and that the proposed location is accessible.

4.4 In accordance with policy E4 of the Regional Spatial Strategy for Yorkshire and the Humber (2004), Policy SP7a (criterion c) of the City of York Draft Local Plan 2005 further states that planning permission will be granted for office development with a net floor space of over 400sq.m in an out of centre location, where it can be demonstrated that York City Centre and Edge of City Centre sites have been assessed and are incapable of meeting the development requirements of the proposal.

4.5 This application has been considered bearing in mind that the principle of an office development in this location has already been established by virtue of the previous planning approval (07/00364/FUL). The main purpose of this application is to increase the floorspace by an additional 252sq.m to 1,070sq.m. Hence the floor area under consideration is the additional 252sq.m, not the 818sq.m that has already been approved. Due to the extent of the additional increase (which falls under the threshold of 400sq.m (net)), in accordance with policy SP7a of the City of York Draft Local Plan 2005, it is not considered that a sequential assessment and an impact assessment are required.

DESIGN AND EXTERNAL APPEARANCE

4.6 The proposed building is separated from Arabesque House by 16 metres and from the blank side wall of Argos by 11 metres. The building is L shaped in plan with

a leg of the L standing 2m forward of the adjacent Arabesque House. There is however no established or visually important building line. The design of the building breaks up its massing through the use of materials and articulating building elements. The height of the building is considered to sit well alongside two storey offices to the north and a large retail warehouse to the south. As such the proposals are considered to accord with the aims of PPS1 and Draft Local Plan Policies GP1 and E4.

LANDSCAPING

4.7 The existing landscaped mound to the site frontage would provide partial but effective screening for the proposed development from public view. Furthermore, due to its prominence from Monks Cross Drive the existing mound contributes significantly to the visual appearance of the area. As such its proposed retention is welcomed. By virtue of the siting and configuration of the proposed car park there would be a slight cut back of the bottom of the mound. However, due to the small scale of the reduction it is unlikely that the proposed work would unacceptably harm the visual appearance of the locality. There are no trees within the application site which are subject to Tree Preservation Order. Nevertheless due to their important values to the general landscape and amenity of the area a condition to protect the existing planting shown to be retained is recommended. In order to soften the existing landscape further a standard landscaping condition is also recommended. For the purpose of protecting the existing mound from any possible further development a condition requiring its retention at all times is considered necessary.

SUSTAINABILITY AND PARKING STANDARDS:

4.8 Policy GP4a "Sustainability" of the City of York Draft Local Plan 2005 sets out a list of criteria development should take into account. In the case of this development, the site is within walking distance from existing bus stops on Monks Cross Drive. It is also within walking distance from the shopping centre. The footpath and cycle networks, accessed directly from the site, connect to the main facilities in the Monks Cross area, including bus connections and the Park and Ride site, and the strategic cycle network serving the north east part of the city. Having taken the above into account, it is considered that access into the site can be gained by means other than private vehicles.

4.9 Planning Policy Guidance no.13: Transport (published 2001) stresses the importance of discouraging users of new development from driving to the site by limiting the availability of parking in order to restrict vehicle movements. Furthermore, Appendix E of the City of York Draft Local Plan 2005 stated that each development proposal is assessed "using the maximum standard as a starting point". Having considered the above national and local planning policies, together with the consideration that access into the site can be gained by means other than private vehicles, it is considered that the number of vehicle parking spaces proposed is acceptable. Furthermore, the limited number of parking spaces within the application site would restrict vehicle movements, which in turn would help to minimise further traffic congestions at Monks Cross.

4.10 With regard to cycle storage, the originally submitted application indicated that 14 covered cycle storage would be provided on site. However, Appendix E of the City of York Draft Local Plan 2005 sets out a minimum standard of 1 cycle space per 60 sq.m of office space. Hence, for an office development with a floor space of 1,070sq.m a minimum of 18 cycle spaces should be provided ($1,070\text{sq.m} \times 1 / 60\text{sq.m} = 17.8$ spaces) and not the 14 originally shown. A revised site layout plan has subsequently been submitted to rectify the shortfall.

4.11 The principle of sustainable development has been incorporated as part of the scheme. These include the use of heat reflecting glass to control solar gain and to ensure that any heat loss through window areas will be compensated for in the rest of the building fabric. This will be achieved by the appointment of a specialist consultant. In addition, careful choice of external light fittings will be employed to ensure that light pollution will be kept to a minimum. In order to demonstrate how these measures are to be incorporated into the building a condition requiring the above details to be submitted to and approved in writing by the local planning authority has been recommended.

OTHER CONSIDERATIONS:

4.12 Highway safety: Highway (Network Management) has been consulted and consider that the proposed parking and access arrangements, together with the proposed increase of 252 sq.m floor space to the original scheme, would not create conditions prejudicial to highway safety. Standard highways conditions have been recommended should planning permission be granted for the proposal. These include compliance with a Travel Plan submitted with the application.

4.13 Environmental Protection: Environmental Protection Unit have no objections to this application. However, as there could be potential contamination issues within the site a watching brief condition has been recommended.

4.14 Having taken the above into account, it is considered that the proposed development accords with the national planning policies and the policies set out in Regional Spatial Strategy (2004) and the City of York Draft Local Plan (2005). Hence, this application is recommended for approval.

5.0 CONCLUSION

By virtue of the above this application is recommended for approval.

6.0 RECOMMENDATION: Approve

1 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:

Drawing Number A785.2006.3/11 Rev C received 20 December 2007

Drawing Number A785.2006.3/14 received 1 November 2007

Drawing Number A785.2006.3/18 received 1 November 2007

Drawing Number A785.2006.3/13 received 1 November 2007

Drawing Number A785.2006.3/17 received 1 November 2007
Drawing Number A785.2006.3/12 received 1 November 2007
Sustainability Statement received 1 November 2007

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.

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| 2 | TIME2 | Development start within three years |
| 3 | VISQ8 | Samples of exterior materials to be app |
| 4 | HWAY10 | Vehicular areas surfaced, details reqd |
| 5 | HWAY18 | Cycle parking details to be agreed |
| 6 | HWAY19 | Car and cycle parking laid out |
| 7 | HWAY21 | Internal turning areas to be provided |
| 8 | HWAY31 | No mud on highway during construction |

9 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside of the site boundary when in use, shall be submitted to the local planning authority for approval. These details shall include maximum ($L_{Amax(f)}$) and average sound levels (L_{Aeq}), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To protect the appearance of the building, amenity of occupiers of the proposed premises and those of nearby buildings.

10 If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

Reason: To protect the amenity of neighbouring occupants and the wider environment.

11 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 completion of the development. 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.

12 Before the commencement of development including site clearance, demolition, building, or other operations, including the importing of materials and any excavations, a method statement regarding protection measures for the existing planting shown to be retained shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing to be shown on a plan around the base of the existing mound; phasing of works; arrangements for loading/off-loading; parking arrangements for site vehicles; locations for storage of materials; location of site cabin and marketing cabin as appropriate. The protective fencing line shall be adhered to at all times during development to create an exclusion zone. None of the following activities shall take place within the exclusion zone: excavation, raising of levels, storage of any materials or top soil, lighting of fires, mechanical cultivation, parking or manoeuvring of vehicles; there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new trenches, pipe runs for services or drains. The fencing shall remain secured in position throughout the construction process including the implementation of landscaping works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure protection of existing trees and planting before, during and after development which are fundamental to the amenity of the area and development.

13 The existing landscaped mound as shown on the approved plans shall be retained at all times and shall not be removed without prior written consent of the Local Planning Authority.

Reason: The existing landscaped mound is considered to make a significant contribution to the amenities of this area.

14 Details of how the following measures are to be incorporated into the building shall be submitted to, and approved in writing, by the Local Planning Authority and the approved details implemented on site before the building hereby approved in first brought into use.

- measures to reduce solar gain
- means of ventilation and heating
- use of recycled materials in construction
- measures to make efficient use of water (including rainwater harvesting)

- use of low or zero carbon energy sources
- details of refuse and recycling storage

Reason: In the interests of sustainable development.

15 The building hereby approved shall only be occupied in accordance with the Travel Plan received 1 November 2007 or with an amended Travel Plan that has been submitted to and approved in writing by the Local Planning Authority.

Any amended Travel Plan should be based on the Council's 3 - phase strategy with regard to:-

i/ The responsibility of the developer for cycle parking/storage, provision of lockers and showers for use by cyclists and funding mitigation measures for unauthorised parking within the site.

ii/ The responsibility of the site manager or a dedicated manager of each building or groups of buildings for target setting for non - car transport, annual monitoring and provision of IT/teleconferencing facilities.

iii/ The responsibility of individual tenants/purchasers/occupiers for the appointment of a travel co-ordinator, the promotion of cycling, walking, use of park and ride and public transport, providing a car share database, providing interest free loans for cycles and/or bus passes, providing LPG pool cars, encouraging home working/flexi hours, provision of company cycles and making payments to employees for cycle mileage.

Reason: To ensure that employees are encouraged to travel by sustainable modes.

16 All demolition and construction works and ancillary operations, including deliveries to and despatch 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 neighbouring occupants.

17 DRAIN1 Drainage details to be agreed

18 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 10.2 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved

development does not have an adverse impact on the character of the surrounding area.

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 employment development, sequential approach to development, design and external appearance, landscaping, sustainability, highway safety and environmental protection. As such the proposal complies with Policies SP8, GP1, GP3, GP4A, GP9, T4, E4, SP7a and NE1 of the City of York Local Plan Deposit Draft.

2. 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, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

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.

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