

COMMITTEE REPORT

Committee: East Area
Date: 13 August 2009

Ward: Osbaldwick
Parish: Murton Parish Council

Reference: 09/00856/FUL
Application at: Jubilee Mills Murton Lane Murton York YO19 5UT
For: Erection of grain store
By: Mr I Thompson
Application Type: Full Application
Target Date: 27 July 2009

1.0 PROPOSAL

1.1 Proposed Development

The application seeks planning permission to erect a grain store at the site of Thompsons Animal Feed Contractors, Jubilee Mill, Murton Lane, York. The grain store is proposed to be approximately 40 metres long by 30 metres wide. The building would have a pitched roof with a ridge height of 13 metres and an eaves height of 9 metres. The walls would be a mixture of brickwork/blockwork with panelling for the upper walls and roof to reflect other buildings on the site.

1.2 Application Site

The Thompsons' site covers an area approximately 130m by 130m. This includes offices, car parking, a factory outlet and production areas. The grain store is proposed on one of the few remaining undeveloped areas of the site. It would be located in the south west section of the site and is flanked by hedgerows to the south and east. Beyond this is agricultural land.

1.3 Planning History

Records indicate planning permission was granted to use the land for industrial use in 1977. The bulk of the buildings related to the animal feed use were granted consent in 1984. There was originally a planning restriction in respect to the operating times of the weighbridge, however, an application was later submitted that removed this.

1.4 Land Use Allocations

The site as a whole is in employment use with much of the adjoining non-industrial land classified as Greenbelt. The application site is allocated for general industrial use (Class B2) and storage/distribution (Class B8) in the Draft Local Plan.

1.5 A site visit has been recommended. This has been requested by an adjacent resident and would enable Members to properly assess the scale of the development and gauge the relationship between the application site and the nearest properties.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYGP4A
Sustainability

CYGP9
Landscaping

CYGP15
Protection from flooding

CYE3B
Existing and Proposed Employment Sites

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections.

Environmental Services - No objections.

York Consultancy - Awaited.

3.2 External

Parish Council - None received.

Internal Drainage Board - No objections subject to controls on surface water run-off rates and the use of sustainable drainage methods.

Environment Agency - Awaited.

Neighbour Representatives

1 letter has been received from the occupier of a house approximately 180 metres to the east. Concerns have been expressed in respect to additional noise and light pollution. It was stated that more trees need to be planted around the site and that Members should visit the site. (case officer response - these issues are addressed in the appraisal).

4.0 APPRAISAL

4.1 The key issues in assessing the proposal are:

- Policy Context
- Transport
- Impact on Visual Amenity
- Impact on Residential Amenity.
- Drainage and Flood Risk
- Sustainability
- Transport

4.2 Policy Context

The site is allocated in the City Of York Local Plan for employment Use. The proposal is in line with this allocation.

4.3 Transport

The proposed grain store will allow the site to run more efficiently and allow the frequency of lorry movements related to the transport of grains and foodstuffs to be reduced as lorries will be able to transport fuller loads. No objections to the proposal have been received from the Council's Highway Network Management officers.

4.4 Impact on Visual Amenity

The proposed store is functional in design and its appearance relates to other buildings on the site. The site as a whole is clearly industrial in nature and the Local Plan allocation of the application site for employment use indicates that this is seen as acceptable. The ridge of the proposed building would be 13m above ground level. The height of the building is considered to be the minimum required to allow lorries to enter the building and unload grain through raising their rear loaders. The ridge of the store would be around 3 metres lower than the taller buildings on the site which are located immediately to the north.

Within the local context it is considered that the proposed building is acceptable. The main views of the store would be from a southerly and easterly direction including from Stamford Bridge Road (A166). To help soften the outline of the building it is considered that it would be reasonable to seek additional tree planting around the southern and eastern boundaries of the site. The applicant has confirmed that he agrees to a condition requiring this to be implemented following construction.

4.5 Impact on Residential Amenity

The proposed warehouse would be largely screened from nearby employment uses by existing buildings on the site. The closest dwelling to the proposed warehouse is 'Wayside' approximately 70 metres to the west. No objections have been received from the occupier of this property. It is considered that the distance is adequate to avoid the warehouse appearing oppressive. Given that it is proposed for storage purposes it is not considered that any additional noise above the existing usage of the site will be significant.

A letter of objection has been received from the occupier of The Poplars. This is a house approximately 180 metres to the east. It is considered reasonable to address concerns in respect to additional planting. However, it is not considered that the proposal will lead to additional light pollution concerns. Concerns in respect to light and noise pollution were raised with the Council's Environmental protection Officers. They have not raised any objections to the proposals.

4.6 Drainage and Flood Risk

The site is located in an area of low flood risk, however, to accord with the Council's Flood Risk assessment and Policy GP15a it is essential that the run-off rate of the site post development is below the existing Greenfield rate to avoid increasing flood risk elsewhere in the city and wider area. The applicants have stated that they agree to create on-site storage to reduce run-off rates to below those that exist at present and pursue sustainable drainage methods where applicable. This will be covered by condition.

4.7 Sustainability

The proposed store will allow the site to run more efficiently and reduce its carbon footprint. The building itself is not heated and will be lit during the daytime largely through natural light. The increased size of grain storage bins that will be achieved through the development will mean that storage areas will be better related to the capacity of in-coming and out going lorries. This will enable the number of vehicle journeys to be reduced.

5.0 CONCLUSION

5.1 The proposed development is in accordance with its Local Plan allocation for employment use. By its nature the store is relatively large, however, the scale equates to other buildings on the site and is slightly lower than the tallest adjoining buildings. New additional planting will in time help soften the visual impact of the new building and the site as a whole. It is not considered that the building will generate additional noise or traffic movement. The proposed new storage space will allow the site to run more efficiently with opportunities to reduce lorry movements and energy use.

5.2 For the reasons outlined above it is recommended that the application be approved.

COMMITTEE TO VISIT

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:-

Revised plan T02/932/01 received by the Local Planning Authority on 26 June 2009 and drawing TO2/932/02 received by the Local Planning Authority on 12 May 2009.

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 Notwithstanding any proposed materials specified on the approved drawings or 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 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 to be planted along the southern and eastern boundary of the site. 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.

5 No development approved by this permission shall commence until a scheme for sustainable drainage and/or the on-site storage of surface water is agreed in writing with the Local Planning Authority. The scheme shall reduce surface run off rates to 70 % of the existing calculated rate and be implemented in its entirety prior to the first occupation of the development and shall be maintained thereafter.

Reason: To prevent increased risk of flooding.

6 Unless otherwise agreed in writing with the Local Planning Authority the proposed building shall only be used for the storage of grain and other foodstuffs and

shall not be used for other industrial purposes.

Reason: Any proposal to use the building for other potentially more intensive purposes should be judged on its individual merits

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 impact on highway safety, noise and light pollution of nearby land and buildings, flood risk to the wider area and the appearance of the building within its context as an allocated industrial site. As such the proposal complies with Policies GP1, GP4a, GP9, GP15a and E3b of the City of York Development Control Local Plan and Central Government advice contained within Planning Policy Statement 1("Delivering Sustainable Development")

2. Contaminated Land

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 scheme remediation 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.

3. 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 noted and acted upon. Failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(i) 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.	

(ii) 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".

(iii) 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.

(iv) 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.

(v) 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.

(vi) There shall be no bonfires on the site

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