

COMMITTEE REPORT

Date: 7 July 2011 **Ward:** Skelton, Rawcliffe, Clifton Without

Team: Major and **Parish:** Clifton Without Parish Commercial Team Council

Reference: 11/00592/FULM

Application at: York Cricket And Rugby Union Football Club Shipton Road Clifton York YO30 5RE

For: Variation of condition 2 of planning permission 08/01930/FULM for a new club house building to allow minor amendments to increase the floorspace of phase two (members bar)

By: York Cricket And Rugby Union Football Club

Application Type: Major Full Application (13 weeks)

Target Date: 6 July 2011

Recommendation: Approve

1.0 PROPOSAL

1.1 In October 2008, planning permission was granted for the erection of a two storey clubhouse, incorporating changing rooms and a members bar, at York Cricket and Rugby Union Football Club on Shipton Road (Planning Ref. No. 08/01930/FULM). The first phase of the development which included the changing rooms and clubroom has been completed and is in use. The second phase, which was proposed to include the members' bar and meeting rooms, has not yet commenced.

1.2 This application seeks planning permission for an amendment to the approved second phase of development. Externally the amendments consist of an increase in footprint of approximately 45 sqm to 193 sqm. The increase in building size results in a need for larger window openings. There is no increase in height and the overall design is consistent with the previously approved plans.

1.3 The whole of the application site is within the Green Belt.

1.4 This application is being referred to Committee, as it is an amendment to an application, which was previously approved by Planning Committee. A site visit is to be carried out so that members can fully appreciate the comments received from a local resident.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYGB1
Development within the Green Belt

CYHE3
Conservation Areas

CYGB13
Sports facilities outside settlements

CYGP1
Design

CYGP4A
Sustainability

3.0 CONSULTATIONS

INTERNAL

3.1 Drainage - The development is in Flood Zone 1 and should not suffer from river flooding. No objections to the proposal, all drainage works shall be carried out in accordance with previously approved drainage details.

3.2 Landscape - No objections, tree planting should be revised to suit.

3.3 Highway Network Management - No objections, the increase in ground floor area is minimal and is not considered to have a material impact on the traffic generation or parking arrangements previously agreed.

3.4 Environmental Protection Unit - No objections.

EXTERNAL

3.5 Clifton Without Parish Council - No objections.

3.6 Environment Agency - No objections.

3.7 Third Parties - One letter received from a resident at 30 Shipton Road. The following points were raised:

- the amended plans are not a minor amendment; it is a significant and major alteration to the plans approved in 2008. The building is to be extended by 2.7m, two storeys high and with an additional window at the front on both the ground and first floor level. The reason given for the amendment is 'to increase the floorspace of the members bar' but the proposed extension is two storeys high. The application represents planning creep in the Green Belt. Views from 30 Shipton Road as well as light and privacy would be further diminished by the proposed amendment. Trees should be planted on the site boundary to screen the development and any signage should be low key and turned off at night, this is a residential conservation area.

4.0 APPRAISAL

4.1 The key issue is whether the proposed amendments have a significantly adverse impact on:

- the openness of the Green Belt;
- the character and appearance of the Conservation Area;
- neighbouring amenity; and
- car parking.

4.2 The application site is within the Green Belt. National planning advice in relation to development within the Green Belt is contained within Planning Policy Guidance Note 2 "Green Belts" (PPG2). Essential facilities for outdoor sport and recreation are listed in PPG2 as appropriate within the Green Belt. The creation of a clubhouse, which meets the needs of the sports club, is considered to be an essential facility for outdoor sport and recreation. This was accepted within the approved application 08/01930/FULM, which this application seeks to vary.

4.3 The main purpose of Green Belt allocation is to protect and maintain openness. The proposed amendments include an increase in the footprint of built development. The increase in footprint is the result of small additions to the north, east, and west elevations, and the overall bulk, massing and scale of the building have not changed significantly. The proposed increase in footprint is 45 sqm, which represents only around 7% of the overall footprint of the clubhouse, and it is not considered that this level of change would significantly impact on the openness of the Green Belt.

4.4 The application site is not within a Conservation Area. However, Shipton Road and the houses opposite are within Clifton (Malton Way/Shipton Road) Conservation Area 19. Houses to the south are within Clifton Conservation Area 2. It is not considered that the minor amendments to the previously approved clubhouse would have any significant impact on the character and appearance of the area.

4.5 Internally a number of changes are proposed. These consist of the removal of meeting rooms in order to create a larger members bar. The proposal increases the capacity of the member's bar and therefore could result in more activity and visitors to the clubhouse. The clubhouse is set back around 30m from Shipton Road, which is a busy thoroughfare, with the nearest residential unit from the proposed members bar being over 40m away. The dwellings on the opposite side of Shipton Road are approximately 55m away. It is not considered that the potential modest increase in occupation of the members' bar or the increase in windows on the front elevation would have any significant impact on neighbouring amenity.

4.6 The proposed amendments result in the loss of two car parking spaces compared to the previously approved development. The Club have stated that they do not foresee this as a problem and have confirmed that further informal car parking space is available on the club site should any special occasions require it. The Club are confident that the number of car parking spaces proposed is sufficient for their needs and national planning policy with PPG13 'Transport' states that Local Planning Authorities should not ask developers to provide more car parking spaces than they themselves require. The club is well established and the level of demand for car parking is already known. Highways officers have raised no objections to the proposals.

5.0 CONCLUSION

5.1 It is considered that the proposed amendments are acceptable and accord with local and national planning policy.

COMMITTEE TO VISIT

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 no 2624/03 (PL) Rev C - site layout plan received by CYC on 23/03/11

Drawing no 2624/02 (PL) Rev B - elevations received by CYC on 23/03/11

Drawing no 2624/01 (PL) Rev B - floor plans received by CYC on 23/03/11

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.

2 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.

3 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 7.2 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.

4 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with details, which have been previously submitted to and approved in writing by the Local Planning Authority.

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

5 Prior to the development commencing details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

6 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

7 No part of the site shall come into use until the turning areas have been provided in accordance with the approved plans. Thereafter the turning areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: To enable vehicles to enter and leave the site in a forward gear thereby ensuring the safe and free passage of traffic on the public highway.

8 Prior to the development commencing details of the measures to be employed to prevent the egress of mud, water and other detritus onto the public highway, and details of the measures to be employed to remove any such substance from the public highway shall be submitted

to and approved in writing by the Local Planning Authority. Such measures as shall have been approved shall be employed and adhered to at all times during construction works.

Reason: To prevent the egress of water and loose material creating a hazard on the public highway.

9 Prior to the commencement of the works hereby permitted, a detailed method of works statement shall be submitted to and agreed in writing by the Local Planning Authority. This statement shall include the precautions to be taken to ensure the safety of the general public, the method of securing the site, the access to the site, the parking of construction vehicles within the site, the route taken by vehicles transporting the demolition waste from and construction materials to the site and the hours of operations.

Reason: To ensure that the works are carried out in a safe manner and with minimum disruption and inconvenience to the users of the adjacent public highways

10 The details of any means of enclosure erected between the car park and the sports pitches shall be submitted to and agreed in writing by the Local Planning Authority prior to its erection. Any subsequent alterations to this enclosure shall also be agreed in writing by the Local Planning Authority prior to the changes being implemented.

Reason. In order to preserve views across the fields from Shipton Road in the interests of visual amenity and the preservation of the openness of the Green belt.

11 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits, which must be recorded during the construction programme.

12 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 the Local Planning Authority agrees alternatives in writing.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

13 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through an interceptor.

Reason. To prevent pollution of the water environment.

14 Finished floor levels shall be set at no lower than 11.90metres AOD.

Reason: To minimise the impact of flooding.

15 Development shall not commence until details of the method of surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. The details shall incorporate a discharge rate limited to 29 litres per second during a 1 in a 100yr + 20% flood event. The development shall not be occupied until the drainage works have been carried out in accordance with the approved details.

Reason: In order to ensure that the site is properly drained.

16 No development shall take place until details have been submitted to and approved in writing by the Council of the measures to be provided within the design of the building to accommodate bats. The development shall be carried out in complete accordance with the approved details.

Reason: In order to enhance biodiversity in the surrounding area, in accordance with Central Government advice within Planning Policy Statement 9: "Biological Diversity and Geological Conservation".

17 All demolition and construction works and ancillary operations, including loading or unloading on the site and 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 amenities of adjacent residents.

18 Details of any external lighting either within the site or on the approved building shall be submitted to and agreed in writing by the Local Planning Authority prior to its implementation. Such a scheme shall include details of the position, design and level of illumination of the lights and the scheme shall only be implemented in strict accordance with this approval.

Reason. To reduce harm from light pollution to a minimum In the interests of local residential amenity and in the interests of visual amenity with regard to the character, appearance and openness of the Green Belt.

19 The use hereby permitted shall be confined to the following hours:

Monday to Wednesday	08:30 to 23:30
Thursday to Saturday	08:30 to 01:30
Sundays and Bank Holidays	08:30 to 23:00

With additional hours on the following Bank Holidays

08:30 to 02:00 on New Years Eve

08:30 to 01:00 on Good Friday, Easter Monday, Boxing Day, New Years Dave

Reason: To protect the amenity of the locality from noise generated by the use hereby approved.

20 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 sound levels (LA_{max}(f)) and average sound levels (LA_{eq}), 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 amenity of the locality from noise generated by the use hereby approved.

21 All electronically amplified music emitted from the premises shall be played or reproduced through loudspeakers and a noise limitation device. The device, the levels set and the installation shall be approved in writing by the local planning authority before the use hereby approved commences. Thereafter the approved levels, equipment, installation and position and type of loudspeakers shall be maintained in accordance with the planning approval; at no time shall they be modified without the written approval of the local planning authority

Reason: To protect the amenity of the locality from noise generated by the use hereby approved.

22 Prior to the use hereby approved coming into use, the local planning authority shall identify a position on the public highway where music from the within the premises shall be inaudible at all times except with the written approval of the local planning authority. The use hereby approved shall not commence until the positions where music is inaudible have been approved in writing by the local planning authority. The local planning authority may review this condition and the location at where noise must be inaudible at any time

Reason: To protect the amenity of the locality from noise generated by the use hereby approved.

23 All windows, doors and other openings in the building structure shall be kept closed at all times when a function is being held at the premises where amplified music is being played.

Reason: Reason: To protect the amenity of the locality from noise generated by the use hereby approved.

24 Prior to the commencement of development, the developer shall

submit for the written approval of the Local Planning Authority a preliminary BREEAM Design and Procurement stage assessment for the development. This shall indicate that a minimum Level 'Very Good' rating will be achieved under the appropriate code. This shall be followed by the submission of a BREEAM Post Construction Review and a Certificate for this review shall then be submitted to the Local Planning Authority after completion and before first occupation of the building. Both assessments shall confirm the minimum 'Very Good' rating indicated in the preliminary BREEAM Design and Procurement assessment.

Reason: In order to achieve a sustainable development

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 openness of the Green Belt;
- the character and appearance of the Conservation Area;
- neighbouring amenity; and
- car parking.

As such the proposal complies with Policies GB1, GB13, GP1, GP4a and HE3 of the City of York Development Control Local Plan.

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