

COMMITTEE REPORT

Committee: East Area
Date: 14 June 2007

Ward: Huntington/New Earswick
Parish: Huntington Parish Council

Reference: 07/00664/REMM
Application at: Site Adjacent Roundabout at Junction of Malton Road Jockey Lane Huntington York
For: Reserved matters application for erection of two storey office building
By: Mr James Downes
Application Type: Major Reserved Matters Application (13w)
Target Date: 22 June 2007

1.0 PROPOSAL

1.1 This is an application for approval of reserved matters relating to siting, design, external appearance and landscaping of a two storey building on land south of Rogers Carpets, Outline planning permission for the development was granted by Outline Consent reference 98/02301/OUT granted consent 18 July 2003. This consent was renewed by consent ref. 06/01600/FUL.

1.2 The proposed building is of rectangular flat roofed form rising to 9.1 metres with roof mounted ventilation plant and photovoltaic arrays. The building is 18 metres wide with a maximum overall length of 49 metres. Access is via the west elevation and the north elevation presents as a glazed two storey circulation space. The proposals include access to 34 parking spaces and 22 cycle parking places.

1.3 The layout of the site reserves a 24 metre wide landscaping strip within which it is proposed to site a helical wind turbine standing 14 metres high.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

E1a.3 Premier Employment

2.2 Policies:

SP6 – Location Strategy
SP8 - Reducing dependence on the car
GP1 - Design
T2 - Cycle pedestrian network
T4 - Cycle parking standards
T13 -Car park standards in York CC/District C
E1A -Premier Employment Sites
GP3 - Planning against crime

3.0 CONSULTATIONS

INTERNAL

3.1 HIGHWAYS NETWORK MANAGEMENT: Comments on revised plans to follow.

3.2 CITY DEVELOPMENT: No policy objection.

Proposed employment use. Outline consent approved July 2003 (98/2301) for access, vehicle and cycle parking, park and ride facility and landscaping, erection of buildings for B1 and B2 use. Condition 12 controls occupancy of buildings on site to:

- a. uses with the Science City York sector, and other emerging knowledge based clusters, or;
- b. firms providing substantial support services to the primary uses, occupying no more than 10% of total floorspace approved; or
- c. other 'high quality' B1 uses, where this is the sequentially preferable site

As a non-premier use, and per condition 12(c) of the outline consent, the applicant is required to prove that no other suitable highly accessible sites can be found which are sequentially preferable to this out-of-centre site. As per PPS6 and SP7a, the submitted draft sequential analysis considers all available sites in light of the proposed user's stated requirements, therefore we can be satisfied that the Vangarde site is the sequentially preferable site in this case.

Other issues. Draft Local Plan policy E1a asks that scale, layout and design contribute to the creation of a high quality commercial environment. Such issues should be considered in light of the submitted design statement. The applicant has gone some way to appraising the sustainability of the site, in line with GP4a, but should supply more detail on the construction techniques employed to address, in particular, water, waste and energy efficiency. This should consider how resource use could be minimised and how renewable energy could be integrated, as a means of embracing the government's sustainability objective of addressing climate change. Small scale renewable projects can make a limited but vital contribution to energy generation, and to meeting energy needs locally, as advocated by PPS22.

3.3 ENVIRONMENTAL PROTECTION UNIT: No objections to this application to erect a two storey office building.

The site is located on a main road in an area occupied by primarily commercial and retail properties. I understand that the two storey office block will be occupied by HSBC bank and will include a small banking hall for use the public. As various pieces of plant and equipment may be installed on the premises, the Environmental Protection Unit would recommend that the following condition be attached , whereby the applicant must submit details of that plant and equipment prior to the use opening. This is to ensure a noise nuisance is not caused to occupiers of this building and nearby buildings.

In addition I would like to remind the applicant of condition 10 of the original planning application. This condition states that if the land is contaminated it must be first

remediated in full consultation with the Local planning Authority. A validation report must then be submitted for approval by the Local Planning Authority. In essence, a site investigation must be undertaken before the site developed.

The following should be included as a condition:

Noise from plant and equipment. 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 amenity of occupiers of the building and other nearby buildings.

The above condition is suggested but given the location, remote from residential buildings it is not recommended to be attached to any consent.

A recommended informative is included as informative 2

EXTERNAL

3.5 HUNTINGTON PARISH COUNCIL: No objections provided not used for retail/public banking purposes.

3.6 PUBLICITY: The application has been advertised by site notice and press notice. One public response has been received raising objection on the grounds that the proposed use is not within the uses allowed by condition 12 of the outline consent.

4.0 APPRAISAL

4.1 This is a reserved matters application relating to Siting, Design, External Appearance and Landscaping only.

4.2 This is a revised scheme to that submitted under reference 06/01671/REMM which was withdrawn to allow for a revised design to be submitted. The use of buildings on the site is restricted by virtue of condition 12 attached to the Outline Consent and it is considered that the proposed use falls within those which are allowed by that condition as the applicant has submitted a sequential site search to show that no sequentially preferable sites are currently available. Public access to the building for the use of ATMS is considered to be very minor in extent and hence to be ancillary to the (B1) bank office use rather than a separate (A2) financial services use. Occupation of the building continues to be controlled by condition 12 attached to the outline planning consent.

4.3 A Travel Plan and a Design Statement incorporating a Sustainability Statement have also been submitted. The details of the Travel Plan are acceptable and the Sustainability Statement is considered to accord with the requirements of the adopted design brief. The applicant has confirmed a willingness to achieve a BREEAM rating of at least 'very good'.

4.4 Concerns have been raised regards the absence of drainage proposals at the time of this application. However this is not a planning application and is just concerned with the approval of the matters listed in 4.1 above. Matters relating to drainage are required to be approved in accordance with condition 7 of the outline consent. That condition requires that these details are approved before any development takes place on site. Details of a site wide drainage scheme have been approved following consultation with the relevant internal and external bodies.

4.5 A condition requiring approval of plant and machinery noise emissions has been recommended by the Environmental Protection Unit, however, given the remoteness of the site from residential property this is considered unnecessary.

4.6 The key issues are considered to be the appearance of the proposed development, the layout of the site and proposed landscaping

LANDSCAPING

4.7 The layout of the site allows sufficient space along the eastern boundary frontage with Jockey Lane to allow the landscape aspirations of the Planning and Design Brief of December 2004 to be realised. The layout of the site provides 24 metres depth for landscaping and includes siting of a wind turbine. The detailed planting scheme (showing species, number, height, position and density of planting) can be secured under condition 4 of the outline planning permission. A condition requiring submission of landscape planting details is recommended to be attached for the avoidance of doubt.

LAYOUT/ACCESS

4.8 The outline planning consent considered all highways issues and requirements as set out in the Monks Cross Masterplan. Funding using the member approved Masterplan was secured and will be paid in accordance with the S106 Agreement.

4.9 The proposed layout allows for the safe manoeuvring of vehicles and space for the provision of cycle parking and pedestrian access arrangements in accordance with CYC standards. Adequate space is provided for the storage of cycles in an area subject of good natural surveillance close to the entrance of the building and the detailed design of covered secure cycle storage can be secured by condition. The cycle storage building would be required to be sympathetic to the main building in design. Showers should be provided within the unit.

DESIGN SITING AND EXTERNAL APPEARANCE

4.10 The building is two storey and runs parallel to the north boundary of the site and is sited immediately due south of the new access road from Jockey Lane. From

beyond the site the principle elevation visible will be the east end which stand on the junction with the new roads and face Jockey Lane. The design of the prominent south east corner of the building will be glimpsed between Rodgers Carpets and the previously approved Building A. The design is sympathetic to that of the approved Building A whilst incorporating sufficient variation of form to avoid a regimented appearance being established on the site. The building elements are well articulated to provide visual interest and break up the bulk of the building. The design of the circulation space on the north elevation will provide visual interest and the design successfully incorporates plant in to the design of the building, though roof mounted plant is still a feature. the prominence of green technologies such as the roof mounted photo-voltaic arrays and wind turbine will raise the profile of such technologies. As such the design, siting and external appearance is considered to accord with the aims of approved planning and design brief paragraphs 12.18 to 12.41

4.11 The proposed materials are considered suitable for a building in this location and to be in accordance with the materials palette set out in paragraph 12.10 of the approved planning and design brief. The proposals include corporate branding through inclusion of occupants name and corporate colour scheme in the fabric of the building. This is supported in principle and is preferable to excessive standalone signage. These details will need to be carefully detailed however and hence specific reference is included in this instance in the otherwise standard condition controlling use of external materials.

5.0 CONCLUSION

5.1 It is considered that the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the visual amenity of the area and highway safety. As such the proposals are considered to comply with Policies SP8, GP1, T2, T4, T13, E1A, and GP3 of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG4, PPS6 and PPG13. For the reasons given above it is recommended that the application be approved.

6.0 RECOMMENDATION: Approve

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

Drawing Number 607912 SD ASK 201 received 4 June 2007
Drawing Number 607912 SD ASK 117 received 30 April 2007
Drawing Number 607912 SD ASK 116 received 30 April 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.

- 2 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials and colours to be used on all external building surfaces 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 HWAY18

4 LAND1

- 5 Any contaminated material detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

Reason: To protect human health and the wider environment.

- 6 The developer shall aim to achieve a BREEAM "very good" or "excellent" assessment standard for the development. Unless otherwise agreed in writing by the Council within 1 month of the date of the commencement of construction of the development the developer shall submit in writing for the approval of the Local Planning Authority a BREEAM design assessment demonstrating the progress of the BREEAM assessment, the percentage score expected to be achieved and which standard this relates to. Where this does not meet at least a 'very good' standard then the developer must demonstrate what changes will be made to the development to achieve at least 'very good' standard.

Reason. To ensure that the development is sustainable and accords with Policy GP4A of the draft City of York Local Plan.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the visual amenity of the area and highway safety. As such the proposals are considered to comply with Policies SP8, GP1, T2, T4, T13, E1A, and GP3 of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG4, PPS6 and PPG13.

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

1. 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.	

2. 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".

3. 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.

4. 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.

5. 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.

6. There shall be no bonfires on the site.

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