

COMMITTEE REPORT

Committee: East Area
Ward: Skelton, Rawcliffe, Clifton Without
Date: 26 July 2007
Parish: Clifton Without Parish Council

Reference: 07/01233/FUL
Application at: Ikon And Diva Night Club Stirling Road York YO30 4XY
For: Alterations to existing elevations including new store entrance lobby and reconfiguration of existing car park to include service vehicle access
By: Henry Boot Developments
Application Type: Full Application
Target Date: 6 August 2007

1.0 PROPOSAL

1.1 The application site is located to the east of Clifton Moor Retail Park, and is accessed off Stirling Road. The site area measures 0.86 hectares. The application site itself is shown under the Local Plan Proposals Map to be unallocated 'whiteland', within settlement limits. It is not Green Belt.

1.2 The site contains a vacant red brick and roof tile building, formerly occupied by the 'Ikon and Diva' nightclub, with associated servicing, and car parking up to the frontage with Stirling Road. The existing car park area provides 109 car parking spaces for the site, including parking for private hire taxis. To the north of the site is Clifton Moor Local Area Police Office. To the north is also found land (the 'Henry Boot' site) with permission for a 2323 sq m non food retail unit (planning ref: 05/00013/REM). The land to the east of the site has permission for a ROKO civil service sports complex (ref: 06/02857/FULM), which has not been implemented at present.

1.3 This application seeks planning consent to carry out external alterations to the building and to reconfigure the existing car park to include service vehicle access. The proposed external alterations would include creating new entrances and increasing the height of existing entrance. In addition, a number of existing openings and entrances would be blocked. The existing roof canopy on the west elevation would be removed. This would be the main entrance into the building. A 14.0m wide glazed entrance is proposed in the west elevation facing the parking area. The overall height of the main entrance including the cladding panels would measure 7.4m.

1.4 There is currently an existing highway access in the south west corner of the application site linking Stirling Road with the car park area. This access will be retained. The proposed scheme would also include the formation of a second vehicle access from Stirling Road. This would be provided for goods and staff vehicles as well as users of the car parking area adjoins the site to the north (05/00013/REM). This would also be the only access linking Clifton Moor Local Area Police Office with Stirling Road as new barrier would be in place to segregate customers' car park from car park and turning area for staff and delivery vehicles.

1.5 The revised plan shows within the application site there would be in total 84 parking bays designated for customers, 6 parking bays for staff and 3 parking bays for police station. In terms of cycle parking, 24 spaces would be provided. The existing parking for private hire taxis, taxi pick up/drop off area and two coach spaces would be removed.

1.6 RELEVANT PLANNING HISTORY

1.7 05/01546/FULM: Change of use from nightclub (sui-generis) to retail bulky goods (Class A1). This application was withdrawn on 22.9.2005.

1.8 05/02323/FULM: Change of use from nightclub (sui-generis) to retail bulky goods (Class A1) (resubmission). Permission granted on 27.1.2006.

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

CYGP4A
Sustainability

CYGP9
Landscaping

CYGP11
Accessibility

CYT4
Cycle parking standards

3.0 CONSULTATIONS

INTERNAL:

3.1 Highway network management: Response received 22 June 2007 - No objections subject to condition.

EXTERNAL:

3.2 Clifton Without Planning Panel: No response received 6 July 2007.

3.3 Rawcliffe Parish Council: Response received 10 July 2007. No objections. The Council supports the proposed increase in parking spaces from 81 to 84.

3.4 Clifton Moor Business Association: No response received 6 July 2007

3.5 Neighbours consulted: No response received 6 July 2007

4.0 APPRAISAL

4.1 The main issues to be considered are as follows:

- i. Design
- ii. Landscaping
- iii. Sustainability and cycle parking standards
- iv. Highway safety
- v. Accessibility

Design:

4.2 The former nightclub and the car parking area associated with the nightclub has been vacant for a number of years. Furthermore, the most prominent elevation of the building (west elevation) is currently a blank brick wall with almost no architectural features. Although part of the building is well screened by trees and hedges along the site boundary, due to its overall scale and its positioning the west elevation of the building in particular has a significant impact on the overall appearance of the area.

4.3 It is considered that the proposed installation of a large glazed entrance in the centre of the west elevation with vertical cladding panels above would contribute significantly not just to the architectural appearance of the building, but also to the visual amenity of the area.

4.4 The proposed alterations to the building, together with the reconfiguration of the existing car parking and vehicle access layouts would allow the site to be adapted more easily in the future by a prospective user for retail purposes, such that the work proposed would allow the site to be brought back to a more viable use.

Landscaping:

4.5 The Soft Landscape Plan submitted shows more trees and hedgerow will be planted within the site which would help to screen part of the site from public view. By condition the existing hedge along the site boundary will be protected.

Sustainability and Cycle parking standards:

4.6 The purpose of the proposed scheme is to allow the site to adapt more easily for retail purposes following the approval of the previous change of use application (planning ref. no. 05/02323/FULM). Hence the work proposed would increase the prospect of reusing an existing building, which would in turn be more sustainable

than replacing the existing building or erecting a new building for the same purpose elsewhere.

4.7 The scheme proposed would increase the number of cycle spaces within the site from 0 to 24 serving, according to the information provided 25 staff and 150 customers. In accordance with the Cycle parking standards set out in the City of York Draft Local Plan more cycle spaces should be provided. In addition, all cycle spaces should be covered. These are secured by condition.

Highway Safety:

4.8 The Highway Network Management has raised no highway concern regarding the proposed parking and access layouts. Hence subject to the relevant highway condition it is considered that the proposals would not detrimentally affect highway safety.

Accessibility:

4.9 In accordance with the standards set out in policy GP11 of the City of York Draft Local Plan 2005 the proposed pedestrian approach route would provide a clear and legible route to the building entrance, free from obstruction and with complete separation between the pedestrian and vehicles approaching the building. Furthermore disabled bays and drop off zones proposed would be sited in close proximity to the main entrance.

4.10 Having taken the above into account, it is considered that the proposed development accords with Planning Policy Statement No.1 "Delivering Sustainable Development" and 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 TIME2

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

3630 2100 rev A, 3630 A2011 F, 3630 A0011 B, 3630 A4001 and 3630 A4011 rev C as received by the City of York Council on 21 May 2007, 4 July 2007 and on 6 July 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 The landscaping scheme hereby approved (reference number 3630A/010507/PltschedA in conjunction with drawing number 3630 2100 rev A) 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.

- 4 None of the existing trees within the application site shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased shall be replaced with trees of such size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: The Local Planning Authority considers it important to safeguard these trees in a positive manner so as to secure their continued well being.

- 5 Details of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area.

6 VISQ8

- 7 Prior to the development commencing details of external lighting including details of the level of illumination shall be submitted to and approved in writing by the Local Planning Authority. Once approved the development hereby permitted shall be carried out in full accordance with the details submitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise any adverse affects for neighbouring properties and the appearance of the locality.

- 8 Notwithstanding the information obtained on the approved plans, 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.

- 9 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of motor 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.

7.0 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 design, landscaping, sustainability, highway safety and accessibility. As such the proposal complies with Policies GP1, GP4a and GP9, GP11 and T4 of the City of York Local Plan Deposit Draft.

Contact details:

Author: Billy Wong Development Control Officer

Tel No: 01904 552750