

## COMMITTEE REPORT

**Committee:** West/Centre Area  
**Date:** 16 August 2007

**Ward:** Rural West York  
**Parish:** Hessay Parish Council

**Reference:** 07/01371/FUL  
**Application at:** Tockwith Training Services Shirbutt Lane Hessay York YO26 8JT  
**For:** Erection of single storey storage building following demolition of existing (Re-submission)  
**By:** Tockwith Training Services  
**Application Type:** Full Application  
**Target Date:** 3 August 2007

### 1.0 PROPOSAL

1.1 This application seeks permission for the demolition of an existing storage building and erection of a new storage building at a HGV driver training depot, Shirbutt Lane, Hessay.

1.2 A similar application was refused at planning committee in June 2006 on the grounds that it would have an overdominant impact when viewed from the neighbouring property at Rose Lodge by reason of its height, size and proximity to the boundary. An informative was added to the refusal notice stating that if the building were to be re-sited it may be considered acceptable. This application differs from the existing building and previously refused in the following ways:

Existing building: Height to eaves: 2.4m, Height to ridge: 4.3m, Distance from boundary 2.4m

Previously refused: Height to eaves: 4.4m, Height to ridge: 5.2m, Distance from boundary 2.4m

Current application: Height to eaves: 3.6m, Height to ridge: 4.8m, Distance from boundary 3.7m

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

2.2 Policies:

CYGB1

Development within the Green Belt

CYGB11

Employment devt outside settlement limits

### **3.0 CONSULTATIONS**

#### 3.1 Internal

Highway Network Management - No objections

#### 3.2 External

Hessay Parish Council - Object on the grounds that the building would have an overdominant impact when viewed from the rear of the adjacent property at Rose Lodge by reason of height, size and proximity to the boundary.

Neighbours - One letter of objection from Rose Lodge on the grounds that the shed is already an eyesore and extending it a further 2 metres would dominate their home effecting a loss of visual amenity.

Marston Moor Internal Drainage Board - No reply received at time of writing report

### **4.0 APPRAISAL**

#### 4.1 Key Issues

- Impact upon Green Belt
- Impact upon neighbours

4.2 The relevant City of York Council Draft Deposit Local Plan Policy are GB1 and GB11. It states that permission for development will only be granted where: the scale, location and design would not detract from the open character of the Green Belt; it would not conflict with the purposes of including land within the Green Belt; and it would not prejudice the setting and special character of the City, and is for a type of development listed as appropriate development. All other forms of development are considered to be inappropriate and very special circumstances would be required to justify where the presumption against development should not apply. Policy GB11 states that planning permission will be granted for new industrial and business development outside defined settlement limits in the Green Belt and open countryside where it involves the re-use or adaption of an existing building or is for a small scale extension to an existing building and; it provides a direct benefit to the rural economy and the local residential workforce. It goes on to state that where existing companies go on to propose small scale expansion of existing buildings or curtilages rather than relocate to a larger site the circumstances of the company concerned will be assessed against any relevant impact on the local environment and amenity.

4.3 The application site previously operated as a coal depot and is currently being used as a vehicle training depot. It is located along a short cul-de-sac off the A59 in

Hessay. The application seeks permission for the replacement of an existing building on the site with a new building. The existing building is constructed of breezeblock outer walls with corrugated iron roofing. It has an overall length of 29m and a depth of 8m and an eaves height of roughly 2.4m rising to a ridge height of 4.3m. It is set in from the shared boundary with Rose Lodge by 2.4m.

4.4 The proposed building would have a smaller footprint measuring 20.3m in length by 8.9m deep. However, the eaves would be slightly higher at 3.6m and the ridge would be at 4.8m. The building has not been designed with a central ridge but rather it lies towards the front elevation of the property and has a low pitch of 10 degrees in order to reduce the impact upon the neighbours at Rose Lodge. It would be constructed 3.7m from the shared boundary. The building would be constructed of green plastisol coated profile steel walls with a grey roof. It would incorporate two roller shutter doors to the front elevation and eight rooflights to the front and rear elevations to allow natural light into the building. The applicant has stated that the building will be used for the storage of folk lift trucks and trailers as well as associated equipment, such as cones, tyres and spare parts for the vehicles. The applicant states that the building is required as they are increasing the number of trailers on the site due to legislation stating that a licence is required to tow a trailer over 3/4 of a ton. The current building is inadequate to store the trailers and it is not safe to leave them outside during the evening due to potential theft.

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4.5 Concerns have been raised by the Parish Council and immediate neighbour on the grounds of the impact caused as a result of the increase in height. The proposed building would side onto the neighbours existing flat roof garage, which has a height of 2.2m. As such the new building would project above the garage by 1.4m to eaves (at a distance of 3.7m away) before sloping away from the boundary to the ridge. The new building would lie directly to the north of the neighbour and as such would not result in any direct overshadowing. The building would be at a distance of, in the region of, 14m from the central point of the rear elevation of the neighbours property and as such it is considered that it would not be overdominant to the extent to warrant a refusal.

4.6 With regard to policy it is considered that the building is necessary for the continued operation of the business within this location. Although higher than the existing building it is considered that it would not have a materially greater impact upon the openness of the green belt due to the presence of surrounding buildings and natural screening to the site. In addition the building has a smaller footprint and as such reduces the amount of development within the site. Although not an extension to an existing building it follows the general principle of policy GB11 by

retaining existing business within the rural economy and does not conflict with the aims of the green belt.

## 5.0 CONCLUSION

5.1 It is considered that the concerns expressed by Members at committee have been alleviated. The building has been redesigned to incorporate lower eaves than previous and with a lower ridge set further from the shared boundary. The building has been moved 1.3m further away from the shared boundary reducing the impact further. Furthermore, the majority of the building would side onto the flat roofed garage and would be located to the north of the neighbour resulting in no direct loss of light. Whilst the building is located within the green belt it is considered that the relevant policies have been met. Officers recommend approval.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 TIME2 Devt to start within 3 years

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

Drawing Number 765.1 received 8th June 2007

Drawing Number 765.2 received 8th June 2007

Drawing Number 765.3 received 8th June 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.

3 NOISE7 Restricted hours of construction

4 As the discharge from the proposed development is to an existing controlled system it should be shown, to the satisfaction of the Local Planning Authority that the system can accept the additional discharge without increasing the resulting drainage rate to the receiving watercourse.

Reason: To ensure that surface water from the site is positively drained and that the downstream and upstream riparian owners are not adversely affected

5 The suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 and to the satisfaction of the Local Planning Authority.

Reason: To ensure that surface water from the site is positively drained and that the downstream and upstream riparian owners are not adversely affected

- 6 If the suitability of soakaways is not proven under the provisions of condition 5 the development shall not begin until details of surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

- 7 HT1 .....4.8m.....

## **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 purpose of including the land within the greenbelt, impact upon the character of the area and impact upon residential amenity. As such the proposal complies with Policy E2 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GB1 and GB11 of the City of York Local Plan Deposit Draft.

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