

COMMITTEE REPORT

Date: 6 December 2012 **Ward:** Skelton, Rawcliffe, Clifton Without
Team: Major and Commercial Team **Parish:** Clifton Without Parish Council

Reference: 12/02873/FULM
Application at: Audi York Centurion Way York YO30 4WW
For: Erection of car showroom and car deck following demolition of existing building
By: Mr Mark Taylor
Application Type: Major Full Application (13 weeks)
Target Date: 7 December 2012
Recommendation: Approve

1.0 PROPOSAL

1.1 Audi York comprises a single storey profile steel clad unit dating to the 1980s lying in close proximity to a number of other car dealerships at the eastern edge of the Clifton Moor Business Park. Planning permission ref: 12/00613/FULM has previously been given for the re-development of the site to provide expanded sales and office space and to facilitate the re-location of servicing and maintenance functions to the adjacent DHL site. Planning permission is now sought in respect of a revised scheme with a slightly amended location for the sales and office functions, and a two storey decked parking area to the south for staff and visitor parking and to display the used car element of the sales operation. Since submission the application details have been amended and clarified to address highway concerns in respect of the levels of staff and visitor parking together with servicing arrangements.

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:

CYS13
Car Showrooms

CYGP1
Design

CGP15A
Development and Flood Risk

3.0 CONSULTATIONS

INTERNAL:-

3.1 Environmental Protection Unit raise no objection to the proposal.

3.2 Highway Network Management express some concern in respect of the proposed arrangements for servicing and parking for site staff.

3.3 Structures and Drainage Engineering Consultancy object to the proposal on the grounds that insufficient information has been submitted to enable any impact upon the local surface water drainage pattern to be properly addressed.

3.4 Design, Conservation and Sustainable Development were consulted on 14th September 2012. No response has been forthcoming.

EXTERNAL:-

3.5 Clifton (Without) Parish Council raise no objection to the proposal.

4.0 APPRAISAL

4.1 KEY CONSIDERATIONS INCLUDE:-

- * Impact upon the visual amenity of the wider street scene;
- * Impact upon the safe and free flow of traffic along the adjoining highway;
- * Impact upon the wider local economy;
- * Impact on a site of archaeological importance ;
- * Impact upon the local pattern of surface water drainage;
- * Sustainability.

THE STATUS OF THE DRAFT LOCAL PLAN:-

4.2 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations in arriving at planning decisions although it is considered that their weight is limited except when in accordance with the National Planning Policy Framework.

IMPACT UPON THE VISUAL AMENITY OF THE STREET SCENE:-

4.3 Policy GP1 of the York Development Control Local Plan expects new development proposals to respect or enhance the local environment and be of a density, layout, scale, mass and design that are compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials. The existing Audi dealership comprises two elements, a flat roofed block work and curtain wall clad shed used for servicing and vehicle maintenance and a glazed show room building with a metallic mono-pitched roof. As with the previously approved proposal the demolition of the existing complex of buildings is envisaged together with their replacement with a silver curtain wall clad and patent glazed structure over a slightly larger foot print than existing. A two storey concrete parking deck would be provided to the south of the show room building which would retain the same pattern of scale and massing as the remainder of the proposal. The complex would be closely related to the frontage of the south side of Clifton Moorgate and would be clearly visible in long and short distance views from the north and north east. The adjoining pattern of built development comprises a series of industrial type sheds and large retail units including a number of car dealerships. Whilst there is no clear palette of materials there is a uniform pattern of scale and massing along Clifton Moorgate, which the proposal as revised would respect. This would be reflected by the scheme as revised and as such it is not considered that there would be any detrimental impact upon the visual amenity of the wider street scene.

IMPACT UPON THE SAFE AND FREE FLOW OF TRAFFIC ALONG THE ADJACENT HIGHWAY:-

4.4 Concern has been expressed in respect of the impact of the proposal upon the safe and free flow of traffic along the adjacent highway (Centurion Way) with the possibility of cars being brought in being unloaded within the carriageway and staff cars being parked outside of the site. The applicant has confirmed that adequate arrangements are in place in terms of staff parking over the site and that cars being delivered to the site can be adequately catered for within the site without causing material harm to users of the adjacent highway. The proposal is therefore considered to be acceptable in this respect.

IMPACT UPON THE WIDER LOCAL ECONOMY:-

4.5 The eastern sector of the Clifton Moor Business Park contains a variety of uses centred around the wholesale distribution and motor trade uses. The current proposal is seen as being required to accommodate an expansion and re-configuration of the existing Audi dealership with all ancillary functions transferred to a nearby site.

The proposal would enable the existing business to continue in place on the site whilst at the same time responding to its current trading needs in line with Central Government Planning Policy outlined in the National Planning Policy Framework. Policy S13 of the Draft Local Plan does set out a requirement that proposals for car dealerships be conditioned to withdraw their Permitted Development Rights to become a Class A1 Retail Unit. It is considered that such a requirement would be appropriate in the current circumstances as the site is not suitable for conventional retailing.

IMPACT UPON A SITE OF ARCHAEOLOGICAL IMPORTANCE:-

4.9 Some 130 metres to the south east of the site lies a Roman encampment which is a Scheduled Ancient Monument. In terms of its impact upon the buried archaeology the distance is such as to ensure that any impact would be negligible. In terms of any impact upon the setting of the Ancient Monument the location of intervening development to the south would ensure that any impact would once again be negligible.

IMPACT UPON THE LOCAL PATTERN OF SURFACE WATER DISPOSAL:-

4.10 Concern has been expressed in respect of the level of information submitted in respect of surface water drainage. The application site lies within Flood Zone 1 and is therefore deemed to be at the lowest risk of flooding. Furthermore the site as currently laid out is substantially hard surfaced. The proposed development whilst adding to the floor area of the complex would not have a material impact upon the area of hard surface and therefore run-off over and above the existing situation. It is therefore considered that surface water drainage could be addressed by an appropriate condition on any permission.

SUSTAINABILITY:

4.11. The application details outline the means proposed to lessen the environmental impact of the scheme by making the building as energy efficient as possible. No indication has however been given in respect of renewable energy generation at the site although details of other similar schemes incorporating energy generation by solar array were submitted as supporting information. It is therefore recommended that any permission be conditioned to require submission of a detailed scheme for 10% renewable energy generation for prior approval.

5.0 CONCLUSION

5.1 Audi York comprises a substantial single storey industrial type shed lying towards the eastern edge of the Clifton Moor Business Park incorporating a vehicle repair and maintenance area together with a glazed car show room fronting on to Clifton Moorgate.

Planning permission(ref:- 12/00613/FULM) has previously been given for the erection of a replacement show room building on the cleared site of the complex with the maintenance and service functions being relocated to a nearby site. The current revised proposal envisages the construction of a glass and curtain wall structure to a branded style associated with the company with a two storey parking deck for staff, visitor and used car parking directly to the south. The adjoining buildings along Clifton Moorgate comprise a range of shed type structures with a pattern of scale and massing similar to that proposed. It is considered that the proposal is acceptable in design terms and that highway concerns can be adequately resolved. The scheme is therefore considered to be acceptable in planning terms and approval is therefore recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

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

Drawing Refs:- A1A0074A(PL) 01010C; A(PL)01-100 A; A(PL)01-101 A; A(PL)01-102; A(PL)01-103; A(PL)01-200 A. Date Stamped 21st August 2012.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 VISQ10 Details of External services to be app -

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, shrubs and other planting. 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 DRAIN1 Drainage details to be agreed -

6 The premises shall be used for a car dealership with associated facilities and for no other purpose, including any other purpose in Class A1 in the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.

Reason: So that the Local Planning Authority may re-assess alternative uses which, without this condition, may have been carried on without planning permission by virtue of Article 3 of the Town and Country Planning (Use Classes) Order 1987.

7 VISQ4 Boundary details to be supplied -

8 HWAY31 No mud on highway during construction -

9 No building work shall take place until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate how the development will provide, from on-site renewable energy 10% of the development's predicted energy demand. The development shall be carried out in strict accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of the development. The development shall thereafter be maintained to at least the required level of generation.

Reason: - In the interests of achieving sustainable development in accordance with the requirements of Policy GP4a) of the City of York Development Control Local Plan and the Adopted Interim Planning Statement "Sustainable Design and Construction".

10 The development hereby approved shall be constructed to a BREEAM standard of "very good". A Post Construction assessment by a licensed BREEAM assessor shall be carried out and a copy of the certificate shall be submitted to the Local Planning Authority prior to the occupation of the building. Should the development fail to achieve a "very good" BREEAM rating a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a "very good rating". The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: - In the interests of achieving sustainable development in accordance with the requirements of Policy GP4a) of the York Development Control Local Plan and the Adopted Interim Planning Statement "Sustainable Design and Construction".

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 impact upon the visual amenity of the wider street scene, impact upon the safety and convenience of local highway users, impact upon the wider local economy, impact upon a site of archaeological importance, impact upon the local pattern of surface water drainage, and sustainability. As such the proposal complies with Policies S13, GP1, GP15 (a), GP4a)and HE10 of the City of York Development Control Local Plan.

2. CONTROL OF POLLUTION ACT 1974:-

The developer's attention is 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 adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) 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.

(b)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".

(c) 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.

(d) 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.

(e) 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.

(f) There shall be no bonfires on the site

3. UNEXPECTED CONTAMINATION:-

If as part of the development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the Authority's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme 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 Authority may consider taking action under Part IIa) of the Environmental Protection Act 1990.

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