

need for planning consent. It is considered that the traffic that could be generated under this consent is unlikely to be materially different to the application proposed. Access to the site is via an existing business park area and the traffic that will be generated will not have a material impact on the surrounding highway. Adequate parking and servicing facilities have been provided within the site curtilage.

Economic Development Unit - No comments to make on this application.

City Development - No formal written comments at the time of writing the report.

3.2 External

Clifton Without Parish Council - No objections.

Clifton Moor Business Association - No objection is made, however it is felt that the change of use would increase traffic flow along an already extremely congested thoroughfare. There are already several builders merchants nearby with significant obstruction caused in Kettlestring Lane by the various pick up trucks, HGV's and other such vehicles who attend during the course of a working day.

Public Consultation - No correspondence received.

4.0 APPRAISAL

4.1 Key Issues:

- Principle of Development
- Visual Impact
- Highways

4.2 The Existing site and its History - Records indicate that the site was given outline consent in 1982 for general industry with a warehouse approved in 1985. It is thought that the warehouse currently on site relates to this approval. The site was approved for light industrial use in 1991. The site itself is approximately 0.51 ha in size with the industrial style unit located towards the south west corner of the site. The unit currently has a floor space of 1555 sq m which includes a mezzanine floor. The application form states that the site is currently vacant, its most recent use was as a light industrial processing plant relating to producing product packaging. A low-lying fence borders the site with a degree of green landscaping on the front and rear boundaries. There is a silver birch tree close to the rear of the east elevation of the unit.

4.3 The Proposal - The proposal under consideration is to change the current B1 use to a builders merchants. The physical changes to the site involve the erection of a 2.4 m high security fence around the boundary and the resurfacing of the yard which would increase the level of hard standing and reduce the amount of green landscaping. The builder's merchants occupying the site are a growing company that now operate 24 branches in the UK. The current businesses have enabled them to provide a reasonable level of detail in terms of how this site would operate.

4.4 In summary approximately 40 % of the overall site area would be used for the outdoor storage of materials. Within the unit itself part of the mezzanine floor would be removed reducing the overall floor space of the unit. This unit would then be used for the storing of materials which are not suitable for outdoor storage and for two offices and staff facilities. An additional vehicular access incorporating a roller shutter door would be installed in the east elevation of the unit in order to allow for a more efficient service in terms of material delivery and collection. The door would be located close to the existing silver birch which is proposed to be removed. The builder's merchants would be expected to employ 19 full time staff in total including 11 office staff, 4 yard workers, 3 delivery drivers, and a yard foreman. The business would be used by individuals who require a small amount of material for smaller developments through to larger builders who may require large delivery of building supplies. The site is expected to be operational between 07:00 and 18:30 Monday to Friday and 07:30 to 13:00 on Saturday with it being open to customers 07:30 to 17:30 Monday to Friday and 08:00 to 12:00 on Saturday. Details regarding deliveries and expected car movements are presented in the highways section, paragraph 4.9 of this report.

4.5 Principle of Development - It is considered that a builders merchants is a "sui generis use" and is not technically an employment use. The most recent use of the site was thought to be a B1 light industrial operation. Therefore under Policy E3b of the Local Plan the site has an employment allocation. This policy states that in order to change the use of a site away from that of an employment use (generally B1, B2, or B8 use) the proposal would have to satisfy part a) and one of parts b) to d) of the policy. A builders merchant includes a significant element of B8 use, namely the storage and distribution of building materials. A further consideration is that the type of jobs which would be created by the builders merchant, namely office workers, delivery drivers and fork lift truck drivers, and a yard foreman are consistent with a B1, B2, and B8 operation on this site. Therefore no objections are raised to the principle of this development as it is considered that the proposed use is consistent with a typical employment use. It is considered that this is the type of area where a builders merchant would typically be located due to its incompatibility with residential areas. In fact there is a builders merchants opposite the site which was approved in 1987. Furthermore there are a number of premises within the Clifton Moor business area which are not B1, B2, or B8 premises.

4.6 If Policy E3b is considered to be relevant, i.e. that the site would be losing its employment status, then it falls to be considered whether the proposal complies with part a) and ONE of parts b) to d) which are presented below:

- a) there is a sufficient supply of employment land to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms; and
- b) unacceptable environmental problems exist; or
- c) the development of the site for other appropriate uses will lead to significant benefits to the local economy; or
- d) the use is ancillary to an employment use.

Little information has been submitted which attempts to address part a) of Policy E3b. An analysis of existing employment land has not been submitted in either quantitative or qualitative terms. Neither has it been shown that this site is no longer

suitable or desirable for B1, B2, or B8 use. However, it is considered that through the creation 19 full time jobs the proposal is in compliance with part c) of Policy E3b.

4.7 Visual Impact - Policy GP1 of the Local Plan states that proposal should respect the local environment, be of a layout, scale, mass and design which is compatible with neighbouring buildings and the character of the area. The proposed change of use would undeniably significantly alter the physical appearance of the site. At present there is a larger open car park with a small boundary fence around the boundary. If planning permission is granted the amount of hard standing would increase at the expense of part of the green landscaping strip at the rear. The hard standing would be partially used for building material storage and a 2.4 m high fence would be erected around the site for the security of these materials. The site would appear more stark in appearance with a greater intensity of use of the land. However, the site is located in an area which is generally business/industrial based with no residential development in the immediate vicinity. It is considered that this type of location is where one would expect a builders merchants to be located. Some detailing could be conditioned, such as the type of boundary fence used and the height of material storage, in order to maintain some control over its visual appearance if considered necessary. On all four sides of the site are industrial and office developments with a further builders merchants to the north. Therefore, it is considered that a builders merchants would not look out of place in this area or harm the general character of the area. The site would be illuminated during hours of darkness. These details are not shown on the plans and could be conditioned to ensure the lights are both efficient and minimise light pollution in the area.

4.8 Due to the proposed intensification of the use of this site it is important to ensure that good quality green landscaping is used around the site boundary in order to soften the overall visual impact. This is particularly important in the south west corner of the site where a office building borders the site boundary. If all of the green landscaping is removed from this area it would leave a rather bleak outlook from the rear of this building. The current plan shows very little green landscaping around the site with the majority of existing green landscaping removed. However, it has been agreed verbally with the agent that additional landscaping is required. A new plan has not been received at the time of writing the report but it is anticipated that this will have been submitted prior to committee. It is anticipated that the new plan will show a hedge to the northern and southern boundaries and additional tree planting and a wider landscaping strip to the south.

4.9 Highways/Traffic - It is anticipated that there would be approximately 12 major deliveries to the customer per day, these would be in a 26 or 17.5 tonne lorry or in a 2.5 tonne wagon depending on the size of the delivery. Approximately 50 customers would be expected to arrive per day to collect materials. In terms of the delivery of materials to the site for storage and sale there would be on average 1 articulated lorry and a further 4 deliveries by large van or lorry per day. 18 car parking bays would be provided for staff and customers with 2 covered bicycle stands erected which are able to securely hold 3 bicycles each. The Highways Team determined that the proposed level of traffic would not materially affect the surrounding highway network given that the area is a busy business park area. Adequate parking, servicing and turning facilities have been included within the scheme in accordance with local standards which should ensure that any highway conflicts are minimised.

5.0 CONCLUSION

5.1 It is considered that the proposal would not cause significant harm to the operation and visual appearance of the area subject to suitable conditioning of the site.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Revised Plan (Number as yet unknown)

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 LAND2 Retention of trees shown on plans

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 hedges. 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 Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing and shall be erected in accordance with these approved plans.

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

6 Prior to the commencement of the development, details of any external lighting to be used on the site shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the position of the lighting columns, their height, and their levels of luminance. The lighting shall be installed in accordance with these approved details and thereafter maintained

Reason: In the interests of the visual amenities of the area and to reduce waste from light pollution.

7 Details of the layout of the site, including the location for the outside storage area of building materials and supplies and their maximum storage height above the existing ground level, shall be submitted to the Local Planning Authority for approval prior to development commencing. The site shall operate in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

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

8 HWAY18 Cycle parking details to be agreed

9 HWAY19 Car and cycle parking laid out

10 No gate shall be fitted so as to open outwards over the adjacent public highway.

Reason: To prevent obstruction to other highway users.

11 HWAY35 Servicing within the site

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 impact on the character and operation of the area. As such the proposal complies with Policy GP1 of the City of York Draft Local Plan.

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