

1.7 3/27/158D: Erection of single storey extension to retail warehouse and 2 storey office/entrance extension, construction of storage compound. Permission was granted in 1991.

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:

CYGP11
Accessibility

CYT4
Cycle parking standards

CYGP4A
Sustainability

3.0 CONSULTATIONS

INTERNAL:

3.1 Highway network management: Response received 27 September 2007 - No objections as the existing public transport routes serve this location and car parking and cycle storage are provided.

3.2 City Development Unit consulted. Response received 23 October 2007. The following comments were made:

- Clifton Moor is not allocated as a district retail centre and therefore, there are no policies which protect the existing retail uses.

-The main policy issue that would need to be considered for this change of use proposal would be the sustainability of the site/development in terms of accessibility of the site by means other than the car; use of renewable resources; high quality design; provision of storage and collection of refuse and recycling.

- Local Plan policy GP4a sets out the criteria that need to be considered.

3.3 Environmental Protection Unit consulted. Response received 25 October 2007. No objections subject to condition and informative.

EXTERNAL:

3.4 Clifton Without Parish Council. Response received 12 October 2007. No objections.

3.5 Rawcliffe Parish Council: No response received 15 October 2007.

3.6 Neighbours consulted: No response received 15 October 2007

3.7 Clifton Business Association consulted: No response received 15 October 2007.

4.0 APPRAISAL

4.1 The main issues to be considered are as follows:

- i. Loss of an existing retail use
- ii. Sustainability
- iii. Highway safety
- iv. Environmental Protection

LOSS OF AN EXISTING RETAIL USE

4.2 Due to the location of the existing Class A1 retail store, which is not within an area allocated as district retail centre, the existing retail use in this location is not subject to protection. Furthermore, although the site is within an industrial estate and its surrounded by light/general industrial and commercial uses, the site has not been allocated as defined employment sites. Overall, there are no policy objections to the principle of the proposed change of use to Class D1 use.

SUSTAINABILITY

4.3 In accordance with policy GP4a of the City of York Draft Local Plan 2005 a Sustainability Statement has been provided which states the followings:

i. Transport - The site is served by two public bus routes. It has existing parking for 100 cars and no new spaces will be added. The College operates a Green Travel Plan which actively encourages car sharing, the use of public transport and encourages the use of bicycles. 20 secure cycle parking spaces will be provided. The site is well served with pavements to encourage pedestrian access. The site will also provide disabled parking spaces.

ii. Contribute toward meeting the social needs of communities - The prime purpose of the site is to provide training for local young people, adults and unemployed. The site will be used for teaching brickwork, providing training for this construction trade for York and North Yorkshire. Other construction trades will also be taught at the site from time to time.

iii. Re-use existing building - the scheme would bring into productive use a site which is currently unoccupied for a number of years. The external elevations will not be changed, but will be repainted. Further repairs and planned maintenance will be carried out to maintain the appearance of the building and this will enhance the neighbourhood.

iv. Complement the economic use of surrounding buildings - The building is located in an area occupied by a number of suppliers to the construction industry. The use of this building for construction training is in keeping with its surroundings. Wherever possible the college will source construction materials locally.

v. Ensuring energy efficient construction of internal classrooms within the main building - The classrooms will be enclosed and fully insulated, minimising the amount of heating required and will be built to meet current Building Regulation standards.

vi. Minimise pollution and maximise the use of renewable resource - Appropriate disposal methods have already been in use on the Old Tadcaster Road site of York College for many years. Most materials used in brickwork training are recycled and used again. For example, lime mortar is used, so that the brickwork models built by the learners, can be knocked down and the bricks re-used. The college actively recycles a number of products in line with the college environmental policy, e.g. cardboard, plastic bottles.

4.4 Having taken into account the above, It is contended that the proposed use of the site for training purposes would meet the principles of sustainable development as set out in policy GP4a of the City of York Draft Local Plan 2005. No objections were raised by Highway Network Management as adequate car parking and cycle storage provisions would be provided.

HIGHWAY SAFETY:

4.5 The existing entrances into the site from Lysander Close will remain unchanged. Furthermore, no new entrances have been proposed, and that the large turning area for vehicles' manoeuvring would remain unaltered. Compared to the previous DIY retail use, the proposed D1 use is unlikely to create more vehicle movements and is unlikely to attract more heavy goods vehicles and users visiting the site per day. No objections were raised by Highway Network Management. Hence it is unlikely that the proposed scheme would cause undue harm to highway safety.

ENVIRONMENTAL PROTECTION:

4.6 The site is proposed to be used for teaching brickwork and providing training for this construction trade for local young people, adults and unemployed. Due to the nature of the proposed training programmes, there is a potential that noise could emanate from the premises, harming the amenity of occupants from nearby buildings. Nevertheless, this can be addressed by an appropriate noise level restriction condition. In addition, provision does exist within current legislation such as the Environmental Protection Act 1990 to deal with statutory nuisances. No objections were raised by Environmental Protection Unit subject to conditions and informative.

4.7 Having taken the above into account, it is considered that the proposed development accords with Planning Policy Statement No.1 "Delivering Sustainable Development", policy SOC2 'Education' of the Regional Spatial Strategy for Yorkshire and the Humber (2004) and the 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 Development start within three years

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

Plan no.1, Plan no.2, Plan no.3, Plan no.4, Plan no.5, Plan no.6, Plan no.7 and Plan no.8 as received by the City of York Council on 17 September 2007 and 24 October 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 Prior to the occupation of the site for Class D1 use, details of any training activities that will take place outside the building shall be submitted to and approved in writing by the local planning authority. Once approved the area outside the building shall be used for the approved activities only unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the amenities of adjoining occupants.

4 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.

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 loss of an existing retail use, sustainability, highway safety and environmental protection. As such the proposal complies with Policies GP4a, T4 and GP11 of the City of York Local Plan Deposit Draft.

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