

North Yorkshire County Council

Business and Environmental Services

Planning and Regulatory Functions Committee

15 May 2018

C2/18/00369/CCC - Planning Application for the purposes of the retention of temporary prefabricated office unit Y135 (491 sq. metres) for a further 6 years on land at County Hall Campus, Racecourse Lane, Northallerton, North Yorkshire, DL7 8AE on behalf of Corporate Director, Strategic Resources (Hambleton District) (Romanby and Broomfield Electoral Division)

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose of the report

- 1.1 To determine a planning application for the retention of temporary prefabricated office unit Y135 (491 sq. metres) for a further 6 years on land at County Hall Campus, Racecourse Lane, Northallerton, North Yorkshire, DL7 8AE on behalf of Corporate Director, Strategic Resources.
- 1.2 This application is subject to four objections having been raised in respect of this proposal on the grounds of visual impact and need for the retention of the unit and is, therefore, reported to this Committee for determination.

2.0 Background

Site Description

- 2.1 County Hall campus consists of a number of buildings which form the Headquarters of North Yorkshire County Council. The buildings forming the County Hall Campus include the Brierley Building, which is a grade II* listed building, built between 1904 and 1914 which forms the edge of the Northallerton Conservation Area as designated by Hambleton District Council. County Hall is bounded to the north by the public highway of Racecourse Lane upon which Northallerton Magistrates Court and a number of residential buildings are located. To the west of the site is Boroughbridge Road upon which the Station Hotel and Northallerton Train Station are located. The site is bounded to the south by open playing fields and to the east by a number of residential properties located on Ascot Close, Thornley Avenue, Almond Grove and Willow Road.
- 2.2 Boundary treatment of the County Hall campus is varied, including black iron fencing, hedgerows, mature trees, red brick wall and stone wall.
- 2.3 Prefabricated unit Y135 is located at the south of the main County Hall complex, adjacent to another prefabricated unit and the rear staff car park.
- 2.4 A plan showing the application site is attached to this report.

Planning History

- 2.5 The planning history relating to the proposed development site relevant to the determination of this application is as follows: -
- C2/09/00123/CCC, dated 17 February 2009 for the erection of a temporary unit to allow staff to be decanted from County Hall whilst refurbishment works are carried out, until 17 February 2012. Granted and implemented;

- C2/12/00389/CCC, dated 5 April 2012 for the retention of prefabricated office unit until 17 February 2015. Granted and implemented;
- C2/15/00361/CCC, dated 5 March 2015 for the retention of temporary prefabricated office unit No. Y135 until 17 February 2018. Granted and implemented.

2.6 The planning condition the subject of this application to extend the time limit for retention of the unit is:-

Condition 1 of Planning Permission ref. C2/15/00361/CCC:

“The permission hereby granted is valid only until 17 February 2018 and the building shall be removed from the site before that date with the ground reinstated to its condition prior to the development hereby authorised having taken place.”

Reason:-

“The building is constructed with temporary materials and the County Planning Authority wish to review the position at the end of the stated period to ensure the building has been satisfactorily maintained, presents an acceptable appearance in the interests of the visual amenities of the area, and no firm plans exist for its permanent replacement.”

2.7 There have been no compliance issues or complaints in relation to the use of this unit.

3.0 The proposal

3.1 Planning permission is sought for the retention of temporary prefabricated office unit Y135 (491 sq. metres) for a further 6 years on land at County Hall Campus, Racecourse Lane, Northallerton, North Yorkshire, DL7 8AE on behalf of the Corporate Director, Strategic Resources.

3.2 Unit Y135, also known as ‘The Village’ is situated to the south of the main office buildings and immediate west of the rear staff car park and is used as office accommodation for the County Council’s Central Services Finance Team.

3.3 The unit measures 51.1 metres in length, 9.6 metres in width and 3.3 metres in height. The unit is constructed of plastic coated steel panel walls with textured dark brown finish (BS08B29); white UPVC windows and painted wood doors finished to match the main building colour; the roof consists of plastic coated steel panels coloured light grey.

3.4 The applicant has stated in their supporting information that whilst the property strategy for the County Hall campus (including a detailed review of East Block) is defined and agreed, Temporary Unit Y135 will continue to provide office accommodation for the Central Services Finance Team. The building will potentially also be utilised as decant accommodation to support any alteration and refurbishment work to be carried out to the buildings on the campus. Any programme of works as a result of the agreed property strategy are likely to be long term (5-10 years) and it is therefore essential that Temporary Unit Y135 is retained for the County Council’s programme of development on the County Hall campus.

3.5 Wording for proposed condition as varied:

Condition:

1. The permission hereby granted is valid only until the 17 February 2024 and the buildings shall be removed from the site before that date with the ground reinstated to its condition prior to the development hereby authorised having taken place.

Reason:

1. The buildings are constructed with temporary materials and the County Planning Authority wish to review the position at the end of the stated period to ensure the building has been satisfactorily maintained, presents an acceptable appearance in the interests of the visual amenities of the area, and no firm plans exist for its permanent replacement.

4.0 Consultations

- 4.1 The consultee responses summarised within this section of the report relate to responses to consultation undertaken on the 15 February 2018.
- 4.2 **Hambleton District Council (Planning)** – responded on 13 March 2018 confirming they did not wish to make any observations.
- 4.3 **Romanby Parish Council** – did not respond.

Notifications

- 4.4 **County Cllr. David Blades** – was notified of the application on 15 February 2018.

5.0 Advertisement and representations

- 5.1 This application has been advertised by means of two Site Notices posted on 05/03/2018 (responses to which expired on 28 Mar 2018). The Site Notices were posted in the following locations:
 - County Hall entrance; and
 - On a fence adjacent the unit.
- 5.2 Neighbour Notification letters were sent on 15 February 2018 and the period in which to make representations expired on 8 March 2018. The following properties received a neighbour notification letter:
 - 21 Almond Grove, Northallerton, DL7 8RQ;
 - 24 Almond Grove, Northallerton, DL7 8RQ;
 - 25 Willow Road, Northallerton, DL7 8RX; and
 - 26 Willow Road, Northallerton, DL7 8RX
- 5.3 A total of three letters of representation have been received raising objections on the grounds of:-
 - Visual impact of the unit on nearby residential properties; and
 - Need for the retention of the unit.
- 5.4 The objection letters also made reference to non-material considerations on the grounds of County Hall staff parking on nearby streets, stating that the location of unit could be utilised as car parking.

6.0 Planning policy and guidance

National Planning Policy

- 6.1 The policy relevant to the determination of this particular planning application provided at the national level is contained within the National Planning Policy Framework (NPPF) (published March 2012).

National Planning Policy Framework (NPPF)

- 6.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.

- 6.3 The overriding theme of Government policy in the NPPF is to apply a presumption in favour of sustainable development. For decision-making this means approving development proposals that accord with the development plan without delay (if plans are up-to-date and consistent with the NPPF). The Government has set down its intention with respect to sustainable development stating its approach as *“making the necessary decisions now to realise our vision of stimulating economic growth and tackling the deficit, maximising wellbeing and protecting our environment, without negatively impacting on the ability of future generations to do the same”*. The Government defines sustainable development as that which fulfils the following three roles:
- **An economic role** – development should contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation;
 - **A social role** – development supporting strong, vibrant and healthy communities; and,
 - **An environmental role** – development that contributes to protecting and enhancing the natural, built and historic environment and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.
- 6.4 The NPPF advises that when making decisions, development proposals should be approved that accord with the Development Plan and when the Development Plan is absent, silent or relevant policies are out of date, permission should be granted unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this framework indicate development should be restricted.
- 6.5 This national policy seeks to ensure that there are positive improvements in people’s quality of life including improving the conditions in which people live, work, travel and take leisure.
- 6.6 Paragraph 17 regarding core planning principles within NPPF sets out the core planning principles which should underpin planning decisions. With this in mind the relevant core principles for this proposed development are as follows:
- planning authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants or users of a development; and,
 - planning authorities are required to ensure that they ‘take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs’.
- 6.7 Paragraphs 56-58 within Section 7 (Requiring Good Design) of the NPPF states that ‘good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people’. It also states that planning policies and decision should aim to ‘ensure that developments:
- will function well and add well to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;

- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping’.

Indeed Paragraph 64 states that ‘permission should be refused for development of poor design’.

- 6.8 Paragraph 60 states that ‘Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness’ and Paragraph 61 states that ‘although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment’.
- 6.9 Paragraph 131 within Section 12 (‘Conserving and enhancing the historic environment’) of the NPPF states that “In determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness”.
- 6.10 Paragraph 132 within Section 12 (Conserving and enhancing the historic environment) of the NPPF states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional”.
- 6.11 Paragraph 133 within Section 12 (Conserving and enhancing the historic environment) of the NPPF states “Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and

- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use”.

6.12 Paragraph 134 within Section 12 (Conserving and enhancing the historic environment) of the NPPF states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

6.13 Paragraph 136 within Section 12 (Conserving and enhancing the historic environment) of the NPPF states “Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred”.

6.14 The National Planning Guidance considered relevant to the determination of this application is that contained in National Planning Practice Guidance (March 2014).

National Planning Practice Guidance (PPG) (2014)

6.15 On 6 March 2014 the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (PPG) web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled. The NPPG supports the national policy contained within the NPPF. The guidance relevant to the determination of this application is contained within the following sections: -

Conserving and enhancing the historic environment

6.16 This states authorities should set out their Local Plan with a positive strategy for the conservation and enjoyment of the historic environment. Heritage assets may be affected by direct physical change or by change in their setting; therefore it is important to assess the significance of a heritage asset and the contribution to its setting. Furthermore all heritage assets settings may have more significance than the extent of their curtilage. The guidance also requires authorities to consider the implications of cumulative change and whether a development materially detracts from the asset.

Design

6.17 Good quality design is an integral part of sustainable development with reference to the importance of it being functional, in that it relates well to its surrounding environment, and is designed so that it delivers its intended purpose whilst maintaining a distinctive character. It though must also “*reflect an areas function, history, culture and its potential need for change*”. Ensuring a development can:

- *deliver a wide range of planning objectives.*
- *enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on wellbeing.*
- *address the need for different uses sympathetically.*

6.18 Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations. Good design responds in a practical and creative way to both the function and identity of a place. It puts land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use – over the long as well as the short term.

The Development Plan

- 6.19 Notwithstanding that the abovementioned national planning policy is a significant material consideration, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In this instance, therefore, the Development Plan consists of policies contained within a number of planning documents. These documents include:
- any extant planning policies contained within Plan(s) adopted by the County and District (or Borough) Councils 'saved' under direction of the Secretary of State; and,
 - any planning policies contained within Development Plan Documents adopted under the Local Development Framework regime.
- 6.20 The Development Plan for the determination of this particular application comprises the extant policies of the Hambleton District Council Core Strategy (2007).
- 6.21 The Hambleton District Council Core Strategy (adopted 2007) which within it contains a development policies document (adopted February 2008) has particular relevance in the determination of this application and the policies most relevant include:
- Policy DP1, Protecting Amenity;
 - Policy DP32, General Design.
- 6.22 Policy DP1 advises that 'all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), odours and daylight'. This Policy is consistent with the NPPF's objectives of a presumption in favour of sustainable development, as outlined in the 'Core Planning Principles' detailed in paragraph 17 of the Framework. It also emphasises the importance of achieving a high quality of design to ensure a good standard of amenity for all existing and future occupants. Therefore, considerable weight should be given to this Policy in the determination of this planning application.
- 6.23 Policy DP32 of the Hambleton District Development Policies Document (2008) states that development proposals must respect local character and distinctiveness by enhancing its positive attributes whilst mitigating its negative aspects. The NPPF (2012), Paragraph 57 states 'it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes'. It is therefore considered that policy DP32 does conform to the NPPF and considerable weight should also be given to this policy in the determination of this planning application.

7.0 Planning considerations

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In light of the abovementioned policies the main considerations in this instance are the principle of development, need, design and visual impact, the impact upon local character of the area and residential amenity, impact upon the listed building and the existing conditions.

Principle of the proposed development

- 7.2 The unit has been maintained in a good physical condition and is fully utilised as office accommodation on the County Hall campus. This is in line with Paragraph 17 of the National Planning Policy Framework through delivering sufficient business services to meet the local needs. Therefore the proposal is considered acceptable in principle subject to other matters.

Need

- 7.3 In terms of the existing office accommodation provision, it is noted that the objections have been received from members of the public with regard to the need for the further retention of this unit. As explained in section 3 of this report, the applicant has stated in their supporting information that whilst the property strategy for the County Hall campus (including a detailed review of East Block) is defined and agreed, Temporary Unit Y135 will continue to provide office accommodation for the Central Services Finance Team. The building will potentially also be utilised as decant accommodation to support any alteration and refurbishment work to be carried out to the buildings on the campus. Any programme of works as a result of the agreed property strategy are likely to be long term (5-10 years) and it is *“therefore essential that Temporary Unit Y135 is retained for the County Council’s programme of development on the County Hall campus”*.

Design and visual impact

- 7.4 Objections received make reference to the unit as being an ‘eyesore’. It is noted that the design of the unit is of limited architectural merit however the unit is not considered to be of poor design and is currently regarded as being of good condition and not visually detracting from the County Hall site. The unit is well integrated within the wider County Hall site, with the rear car park located immediately east and the main buildings located immediately north. The nearest residential properties to the unit are located approximately 40 metres to the east on Almond Grove and Willow Road and are north and south facing, and do not directly overlook the unit.

- 7.5 Therefore it is considered in accordance with Paragraph 59 of the National Planning Policy Framework (2012) which states that development should respond to the local character of the area, in terms of it being of a design which optimises the use of the site.

Impact upon local character of the area, listed building and residential amenity

- 7.6 As above, it is noted that the design and external appearance of the unit is of limited architectural merit, however it is considered to be in-keeping with the existing units located in the adjacent vicinity. Furthermore, whilst the unit would be visible from the residential properties at the end of Almond Grove and Willow Road, due to the separation distance that exists, the presence of the staff car park in-between and due to the presence of a 2 metre high timber close boarded fence along the site boundary, the impact upon local amenity is not considered to be detrimental.
- 7.7 There have been no alterations to the general layout of the County Hall site since the grant of planning permission C2/15/00361/CCC, dated 5 March 2015, nor has there been any discernible alteration to the sites boundary treatment, which remains the same. It is considered that the retention of this unit would not create any conditions that would effect, or result in any environmental impacts that would impact upon the character of the area.
- 7.8 Despite a number of years having passed since the unit was installed at the site, the condition of the unit remains satisfactory having continued to have been well maintained. As such, due to the condition of the unit continuing to be satisfactory, there being no alteration in the nature of the surrounding County Hall Campus, or to the boundary treatment that exists to the nearest residential properties, the retention of the unit for a further 6 year period is considered to be acceptable. This is considered to be in compliance with the principles of good design as outlined within the NPPF, the Planning Practice Guidance and ‘saved’ Policy DP32 of the Hambleton District Council Core Strategy, which seek to ensure that developments will not detract from the appearance of the local area, adding weight in support of this application.

7.9 The unit is located within the main County Hall campus, and is therefore within the setting of the grade II* listed building. The unit however, is located to the rear of the 'South block' building on the County Hall campus which does not form part of the listed status. It is considered therefore, that due to the location of the unit this does not impact upon the setting of the listed building.

7.10 For the reasons detailed above, it is considered that the proposed development will not have a detrimental impact upon the character of the site or the surrounding area. Therefore, the proposed development is considered to be in-compliance with the principles of the NPPF, Planning Practice Guidance and 'saved' Policy DP32 of the Hambleton District Council Core Strategy.

Existing Conditions

7.11 All existing conditions attached to planning permission reference C2/15/00361/CCC, dated the 5 March 2015 shall remain, albeit updated to reflect the extension of time proposed by this application.

7.12 There are no compliance issues with the extant conditions and it is confirmed that, to date no complaints relating to the site have been received by the County Council's Monitoring and Compliance Officer.

8.0 Conclusion

8.1 There are no material planning considerations to warrant the refusal of this application for the retention of temporary prefabricated office unit Y135 (491 sq. metres) for a further 6 years.

8.2 For the reasons mentioned above, it is therefore considered that, the proposed development is compliant with the policies which comprise the Development Plan currently in force for the area and all other relevant material considerations.

9.0 Recommendation

9.1 For the following reason(s):

- the principle of the proposal improves the amenity of the site;
- the proposal has limited to no impact on the residential amenity of the surrounding local area;
- the proposal does not have a serious impact upon on the adjacent listed building and
- the proposal is in accordance with NPPF (2012), PPG 2014 and is compliant with policies DP1 and DP32 of the Hambleton Core Strategy (adopted 2007).

It is recommended that **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

Conditions

1. The permission hereby granted is valid only until the 17 February 2024 and the building shall be removed from the site before that date with the ground reinstated to its condition prior to the development hereby authorised having taken place.
2. The units hereby authorised shall be maintained in a good state of repair for the duration of the planning permission.

Reasons

1. The buildings are constructed with temporary materials and the County Planning Authority wish to review the position at the end of the stated period to ensure the building has been satisfactorily maintained, presents an acceptable appearance in the interests of the visual amenities of the area, and no firm plans exist for its permanent replacement.

<u>Ref.</u>	<u>Date</u>	<u>Title</u>
-	Feb 2018	Location Plan
-	12 February 2018	Design & Access Statement

2. To safeguard the character of the site in the interest of visual amenity.

Statement of Compliance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose not to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

DAVID BOWE
Corporate Director, Business and Environmental Services

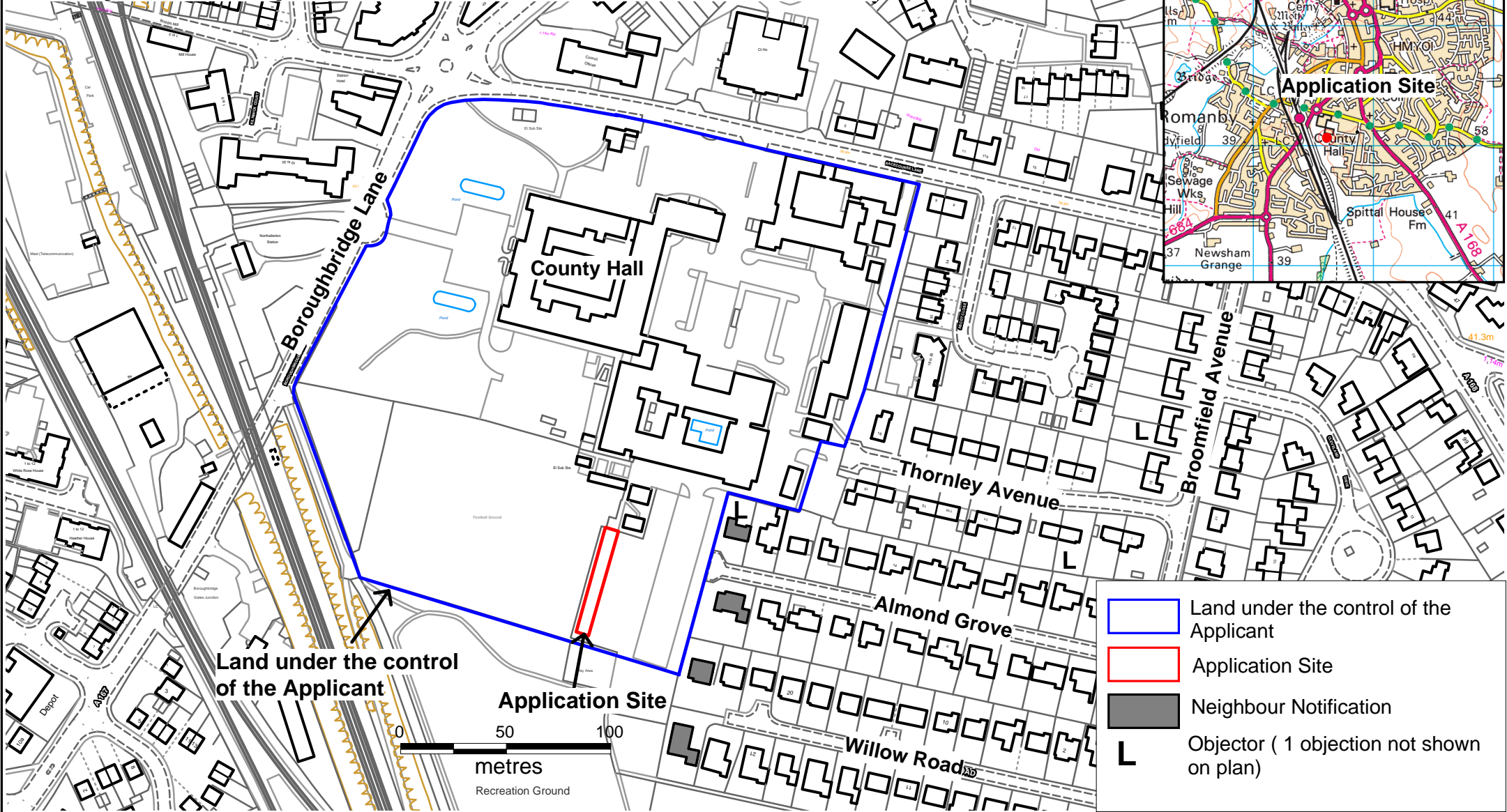
Author of report: Amy Taylor

Background Documents to this Report:

1. Planning Application Ref Number: C2/15/00361/CCC, dated 5 March 2015 (NY/2018/0042/73A) registered as valid on 12 February 2018. Application documents can be found on the County Council's Online Planning Register by using the following web link: <https://onlineplanningregister.northyorks.gov.uk/register/>
2. Consultation responses received.
3. Representations received.

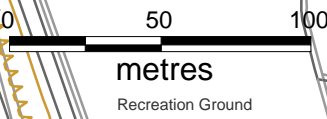
Appendix A – Site Location, constraints and representations





County Hall Campus, Racecourse Lane, Northallerton,



Land under the control of the Applicant

Application Site



-  Land under the control of the Applicant
-  Application Site
-  Neighbour Notification
-  Objector (1 objection not shown on plan)

Application No : C2/18/00369/CCC

Title:retention of temporary prefabricated office unit Y135 (491 sq. metres) for a further 6 years at County Hall Campus, Racecourse Lane, Northallerton, North Yorkshire, DL7 8AE



Business & Environmental Services,
North Yorkshire County Council
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Scale : 1:2,500
Date : May 2018
Filename : County Hall

Compilation & Analysis : AT/JB