

**Parish: Northallerton**  
Ward: Northallerton South  
**10**

Committee Date : 30 May 2019  
Officer dealing : Ms Helen Ledger  
Target Date: 10 May 2019  
Date of extension of time: 3 June 2019

**19/00617/FUL**

**Reconfiguration of existing Car Park, comprising of re-marking of parking spaces, repositioning of lamp posts and installation of new LED lighting and installation of electric vehicle charging facilities.  
at Crosby Road Car Park Crosby Road Northallerton North Yorkshire  
for Mr Tom Cannon.**

## **1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The site is located in the centre of Northallerton. It is currently a long stay car park with two access/egress points. It is close to the Treadmills site and it is planned to be a parking hub to support the businesses part of this development.
- 1.2 The changes proposed alter the layout of the parking bays and add two electrical charging points in the central bank of spaces and lamp posts would be repositioned.
- 1.3 The development will result in provision of 200 car parking spaces including 8 wheelchair accessible spaces, 6 parent and toddler spaces and provision of 4 electric car charging points. The existing car park provides 232 spaces and as such the application results in 32 less spaces than currently provided.
- 1.4 The applicant states that the proposed development is intended to up-date the layout and operation of the car park allowing suitable space for different users along with circulation space, which has resulted in a reduction in the overall number of spaces provided on site.

## **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 18/01849/FUL - Erection of cinema (Use Class D2) with 3 food and beverage units at ground floor (Use Classes A3 and/or A4 and/or A5). Erection of 3 retail units (Use Class A1). Change of use and conversion of existing buildings from prison to office space (Use Class B1a), 4 residential units (Use Class C3), 2 retail units (A1) and 2 food and beverage units (Use Classes A3 and/or A4 and/or A5), including alterations and extensions. Associated public realm and landscaping including new civic square, car parking, servicing areas and new vehicular and pedestrian accesses, amended by plans and additional information received by Hambleton District Council on 22nd October 2018 - Granted 07.11.2018

## **3.0 RELEVANT PLANNING POLICIES:**

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP2 - Access  
Core Strategy Policy CP3 - Community assets  
Core Strategy Policy CP4 - Settlement hierarchy  
Core Strategy Policy CP13 - Market towns regeneration  
Core Strategy Policy CP14 - Retail and town centre development  
Core Strategy Policy CP17 - Promoting high quality design  
Development Policies DP1 - Protecting amenity

Development Policies DP3 - Site accessibility  
Development Policies DP4 - Access for all  
Development Policies DP8 - Development Limits  
Development Policies DP16 - Specific measures to assist the economy and employment  
Development Policies DP19 - Specific measures to assist market town regeneration  
Development Policies DP21 - Support for town centre shopping  
Development Policies DP32 - General design  
National Planning Policy Framework

#### **4.0 CONSULTATIONS**

- 4.1 Northallerton Town Council - Welcomes the upgrade, but regret the loss of 32 car parking spaces and the 8 disabled car parking spaces, placed at the rear entrance into the car park of Lascelles lane properties.
- 4.2 NYCC Highways Authority - No objections response
- 4.3 Site Notice posted - 25.03.2019 Expired - 15.04.2019
- 4.4 Four comments from the general public have been received, 1 objecting and 3 less explicit on their position but raising the following issues.
- Electric charging points should be located to the edge of the site as car batteries have a realistic chance of catching fire.
  - There should be a range of disabled spaces to both ends with correct yellow hatching, this should create 24 spaces, more should be provided to create 26.
  - No provision for motor cycles or peddle cycles parking spaces. There is no mention on how the residents will be dealt or the charges.
  - On the plan there are water sumps shown for the car park but what about the residents 3, 4 and 5 Crosby Road?
  - There will be 8 spaces, a slight increase on current. The hatching encroaches on private access to no 3 Crosby road.
  - Incorrect details on the application form for the locations of trees.
  - The applicant is incorrect on their statements on flooding, hours of opening and connection with the council.
  - Our main concern is the planned use of Number Plate Recognition Cameras to monitor ins and outs to the car park. We foresee difficulties where we could have up to 40 different vehicles needing to use our parking spaces at different times of the day and night.
  - The removal of the lamppost directly by our rear exit. Due to the 24-hour nature of our helpline, our volunteers enter and leave the building during the night. The lighting provided by the current lamppost forms part of the security of our building. Will the suggested replacement LED lighting reach the rear of our building or shall we need to add extra lighting (at extra cost) for the health and safety of our volunteers?
  - With the removal of the north/south 'lane' between the parked cars (which currently affords safe/direct access to our parking spaces) and changing the orientation of the spaces, please could the developers confirm that there be sufficient space for us to drive in and reverse out of our two (very tight) spaces, without potential damage to our volunteers'/car park users' cars and/or pedestrians?
  - I object - I understand that Everyman media are hoping to lease the car park for 25 years. I also understand that Everyman are applying for a liquor license for 18 hours daily, 7 days a week. Some of the residents at Lascelles, including myself, have concerns about the possibility of noise arising, due to late night drinking leaving the

cinema, urinating in the car park which I am led to believe is already a problem and litter

## **5.0 ANALYSIS**

5.1 The main issues to consider are i) the impacts on residential amenity; ii) the impact on design and layout; iii) highway safety and drainage and; iv) heritage matters.

5.2 The principle of development has already been established. This is an existing car park within development limits and thus complies with policy CP4.

### Residential amenity

5.3 It is noted that the car park is surrounded on three sides by existing residential development. Lascelles Court, a retirement housing complex, is located to the east and the terraced or semi-detached housing located along Lascelles Lane and Crosby Road all directly border the site. Of the terraces and semis several have vehicular access across the car park into their properties and many also make use of the car park to gain pedestrian access into their rear gardens. No 7 Crosby Road is occupied by The Samaritans, a charity that provides support to the public late into the evening. The site also adjoins the Fire Station to the south.

### Design and Layout

5.4 Matters arising through the consultation have been addressed by the applicant which includes a submission of the revised plan to improve the vehicular access to the adjoining properties. The day time use of the car park will remain the same, being chiefly used by people coming to work, although usage may increase slightly from workers based within the new office building (the refitted Women's wing of the Prison). The main change will be in the evenings with people using the Treadmills site to use the cinema and/or visit the restaurants on the adjoining site. The alterations are otherwise very minimal and will have no impact on the character or appearance of the area.

### Highways safety and drainage

5.5 The car park layout has changed and has the addition of new electric charging points. The applicant has proposed changes to allow better access to adjoining dwellings across the car park and still allow for sufficient space to meet the new needs identified from the adjacent Treadmills development.

5.6 It is understood the drainage system was designed to modern standards and installed in 2005-2006. The Electric Vehicle Charging Points are installed in a properly considered position, away from boundaries in clear sight to prevent a vandalism risk. Cycle parking is provided for within the main Treadmills development, and the developer asserts that to provide cycle parking within a tarmacked area with a concentration of car traffic is not preferable. Accessible parking provision proposed has been considered and provides a good level of safe, fully compliant parking bays.

5.7 It is considered that the proposed development will have no detrimental impact in terms of road safety.

### Heritage Matters

5.8 The proposed development has the potential to impact the setting of the Grade II Listed Prison Buildings.

- 5.9 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving any listed building affected by the proposal or its setting or any features of special architectural or historic interest which it possesses.
- 5.10 Local Development Framework Core Policy CP1 states that development that would significantly harm the natural or built environment, or that would generate an adverse traffic impact, will not be permitted. Proposals will be supported if they promote and encourage or protect and enhance: (amongst other things) the historic and cultural features of acknowledged importance.
- 5.11 In assessing the impact of the proposal on the built heritage any harm caused to heritage assets must be given great weight and importance in the determination of the application as set out in paragraph 193 of the NPPF.
- 5.12 Paragraph 193 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.13 Paragraph 196 states that 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, where appropriate, securing its optimum viable use.
- 5.14 The proposed development is relatively minimal in scale and form and is not considered to impact on the setting of the nearby listed buildings. It is considered that the development will have a neutral impact and is in accordance with relevant Local Development Framework policies and the tests set out in the NPPF.

#### Planning balance

- 5.16 The proposed alterations to the car park are relatively minimal and will have no detrimental impact on the character or appearance of the area, the amenity of local residents or road safety. The proposed development will have no detrimental impact on the setting of the nearby listed buildings and the development will help to support the implementation of redevelopment of the prison site.

### **6.0 RECOMMENDATION:**

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) and/or details received by Hambleton District Council on unless otherwise agreed in writing by the Local Planning Authority.

The reasons are:-

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policy(ies) .