

Meeting	Planning Committee B
Date	10 October 2023
Present	Councillors B Burton (Chair), Clarke, Fenton, Melly, Orrell, Vassie, Warters, Steels-Walshaw (Substitute for Cllr Baxter) and Cuthbertson (Substitute for Cllr Hollyer)
Apologies	Councillors Baxter and Hollyer
Officers Present	Gareth Arnold, Development Manager Erik Matthews, Development Management Officer Sandra Branigan, Senior Solicitor

31. Declarations of Interest (4.33 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

The Chair noted, in relation to item 4b (36 Dane Avenue, York) that he had previously worked for the council development team.

32. Minutes (4.34 pm)

Resolved: That the minutes of the last meeting held on 13 September 2023 were approved and then signed as a correct record.

33. Public Participation (4.34 pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

34. Plans List (4.35 pm)

Members considered a schedule of reports of the Development Manager, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

**35. 100 Main Street, Fulford, York, YO10 4PS [23/01234/FUL]
(4.35 pm)**

The Development Manager recommended that Item 4a be deferred so that officers could obtain an updated bat survey.

Members voted unanimously to defer the item.

Resolved: That the application be deferred.

Reason: To allow officers to seek an updated bat survey or statement from the applicant's ecologist.

36. 36 Dane Avenue, York [23/01349/OUT] (4.39 pm)

Members considered an outline application from City of York Council (CYC), for 2no. dwellings including details of access, layout and scale (site of former 36 and 38 Dane Avenue).

The Development Manager gave a presentation on the plans and provided an update that included the consultation response from the Ecology Officer and amendments to conditions 12, 13 and 15 to reflect the ecology response.

In response to questions from Members on the plans, it was reported that the benchmark for building regulations in the local plan was the 2013 regulations.

There were no public speakers for the item, however, the CYC Community and Self-build Officer was available to answer questions. He responded as follows:

- The houses were demolished in 2020. It was not considered cost-effective for CYC to rebuild and the plot was therefore identified as a self-build site and would contribute to the self-build targets.
- The contract of sale and the deed of transfer would build in dates for completion of the build. CYC would have step in rights if the dates were missed. It has not been necessary to use these rights previously.

The Development Manager then responded to Members questions and explained that:

- Reserved matters for design and appearance would be submitted at a later date, and amendments could be sought at that point if necessary.

- The application had to be considered in terms of planning, and not what the site could also have been used for.
- The informative gave advice to developers on biodiversity and condition 15, as amended, specified nest boxes for birds. The condition could be amended to specify swift bricks, if required.

In addition, officers noted that a condition should be added to provide one covered cycle space per bedroom.

Following debate, Cllr Fenton proposed the officer recommendation to approve the application. This was seconded by Cllr Melly. On being put to a vote, with eight in favour and 1 against, it was;

Resolved: That the application be approved, subject to the amendments to conditions 12, 13 and 15 and the inclusion of a cycle parking condition as outlined above.

Reason: The outline proposals to create 2no. replacement dwellings is considered to be appropriate in terms of siting, height and access in line with the requirements of the NPPF and the aforementioned City of York Draft Local Plan (2018) policies.

[5.04 pm to 5.08 pm, there was a brief adjournment]

37. York Racecourse, Racecourse Road, Knavesmire, York YO23 1EJ [23/01421/FULM] (5.08 pm)

Members considered a major full application by York Racecourse Knavesmire LLP for the erection of a Pavilion, canopy with covered seating area, single storey extensions to Bustardthorpe stand with associated landscaping and infrastructure following demolition of existing buildings and structures.

The Development Manager gave a presentation of the plans and the Development Management Officer provided an update which included details of the updated consultation responses and recommendations for additional conditions and amendments to conditions 2, 4 and 12. It was confirmed that the officer recommendation to approve the application had not changed.

It was reported that the applicant had requested the solar panels to be sited on the slate roof.

Public Speaker

William Derby, the Chief Executive of York Racecourse, spoke in support of the application. He outlined the reasons for the application and explained that the plans were designed to improve the overall quality of the customer experience as well as the working conditions for staff.

In response to questions from Members, he stated that the areas of slate roof provided sufficient space for the solar energy system and that solar roof slates had been discounted as they were less efficient. He advised that the business employed around 300 full time staff, with up to 1500 employed on race days. He also advised that the racecourse had a borehole which was a sustainable water source. Finally he confirmed that the plan for cycle parking was feasible and in addition to the existing provision.

Following debate, Cllr Fenton moved the officer recommendation to approve the application subject to the amended conditions and additional conditions contained within the update. This was seconded by Cllr Warters.

Members voted unanimously in favour and it was;

Resolved: That the application be approved, as outlined above.

Reason: The proposal seeks planning permission to remove the present ad hoc arrangement of brick sheds and kiosks at the southern end of the Enclosure. At the same time the facilities provided by the Bustardthorpe Stand would be upgraded to standard matching that of the facilities at the northern end of the site. The site is not considered to be within the Green Belt. The proposal is considered to be acceptable in terms of its impact upon the Terry's /Racecourse Conservation Area and the setting of neighbouring Listed Buildings. It would secure the requirements of Sections 66 and 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act by securing the preservation and enhancement of the Conservation Area and securing the setting of the Listed racecourse clock tower and County Stand further to the north. whilst securing the long-term future of an important investor in the wider City economy.

Cllr B Burton, Chair

[The meeting started at 4.32 pm and finished at 5.34 pm].