
MEETING	PLANNING COMMITTEE
DATE	25 MARCH 2010
PRESENT	COUNCILLORS R WATSON (CHAIR), D'AGORNE, FIRTH, FUNNELL, HORTON, HYMAN, MOORE, MORLEY, PIERCE, POTTER (VICE-CHAIR), REID, SIMPSON-LAING, B WATSON, WISEMAN, AYRE (SUB FOR CLLR JAMIESON-BALL) AND GILLIES (SUB FOR CLLR HUDSON)
APOLOGIES	COUNCILLORS HUDSON AND JAMIESON-BALL

39. INSPECTION OF SITES

The following site was inspected before the meeting:

Site	Reason for Visit	Members Attended
Proposed site for Poppleton Bar Park and Ride, Northfield Lane, Upper Poppleton, York (09/02294/FULM)	To enable Members to view the site and its relationship to the A59, the Green Belt and adjacent properties.	Councillors Horton, Hyman, Morley, Reid, B Watson, R Watson and Wiseman.

40. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interest they might have in the business on the agenda.

Councillor Gillies declared a personal non prejudicial interest in relation to Plans list item 4a (Proposed Site for Poppleton Bar Park and Ride, Northfield Lane, Upper Poppleton, York) as two of the speakers were known to him and he had previous knowledge of the proposals through his Ward work and as he had attending Parish Council meetings.

Councillor Moore declared a personal non prejudicial interest in relation to Plans list item 4a (Proposed Site for Poppleton Bar Park and Ride, Northfield Lane, Upper Poppleton, York) in relation to matters relating to Clifton Moor, as one of the speakers was known to him as they were both Directors of the Clifton Moor Business Association.

Councillor Reid declared a personal non prejudicial interest in relation to Plans list item 4a (Proposed Site for Poppleton Bar Park and Ride, Northfield Lane, Upper Poppleton, York) as the Executive Member who had promoted the bid for the Access to York schemes. She stated that legal advice had confirmed that as no particular site had been earmarked at the time of the bid that she had no prejudicial interest to declare.

41. MINUTES

The Chair reported that Network Management had stated that there were still some technical details to sort out in relation to the Section 106 agreement related to the planning application for the Terrys Factory site on Bishopthorpe Road. In view of this it had been suggested that approval of the minutes of the 3 February 2010 meeting of the Planning Committee be deferred until the April meeting to allow Officers to confirm the details and amend the minutes accordingly.

Also in relation to these minutes Cllr D'Agorne referred to his reference to the need for provision to be made for cycle movements across Bishopthorpe Road and for its inclusion in the minutes. Cllr D'Agorne was asked to liaise with Officers in relation to the inclusion of this information.

- RESOLVED:
- i) That further consideration of the minutes of the 3 February 2010 meeting of the Committee be deferred to allow Officers to include full details of the Section 106 agreement.
 - ii) That the minutes of the meeting of the Committee held on 17 February 2010, be approved and signed by the Chair as a correct record.

42. PUBLIC PARTICIPATION

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

43. PLANS LIST

Members considered a report of the Assistant Director (Planning and Sustainable Development) relating to the following planning application, outlining the proposals and relevant planning considerations and setting out the views of consultees and Officers.

43a Proposed Site for Poppleton Bar Park and Ride, Northfield Lane, Upper Poppleton, York (09/02294/FULM)

Members considered a major full application, submitted by Mr Paul Thackray, for the construction of a park and ride facility with up to 1250 car parking spaces, associated access, passenger terminal building, wind turbine and landscaped bund.

Officers circulated the following updates and plans at the meeting:

- **Revised Landscaping Conditions**

Condition 5 should be amended to read:-No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed landscape scheme (including details for the living roof of the terminal building) which shall include the species, species mixes, density (spacing) and position of trees, shrubs and other plants, means of protection from rabbits, seeding mix and sowing rate. This scheme shall be implemented within a period of six months of substantive

completion of phase 1 of the development. Any trees or plants which within a period of five years from the implementation of the landscape scheme, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority otherwise agrees in writing.

Reason: So the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site, since the landscape scheme is central to the amenity of the development and to secure compliance with Policy GB1 of the York Development Control Local Plan.

A further condition proposed in relation to the landscaping of phase 2 with the following wording:- No development comprising any element of phase 2 of the proposal hereby approved as outlined in application drawing ref:- CBHAEM500/02 F shall be commenced until a detailed landscape scheme in respect of phase 2 has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include full details of species, species mixes, density (spacing), and position of trees, shrubs and other plants, means of protection from rabbits, seeding mix and sowing rate. The scheme shall be implemented within a period of six months of substantive completion of phase 2 of the development. Any trees or plants which within a period of five years from the implementation of the landscape scheme, 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 the Local Planning Authority otherwise agrees in writing.

Reason: So the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site, since the landscape scheme is central to the amenity of the development and to secure compliance with Policy GB1 of the York Development Control Local Plan.

- The wording of **Condition 22** should be amended to read:- Notwithstanding the application details hereby approved full details of the proposed wind turbine apparatus including height, colouring, design, location and mode of connection to the National Grid shall be submitted to and approved in writing by the Local Planning Authority before work on site commences. The development shall thenceforth be undertaken in strict accordance with the details thereby approved. All such wind turbine apparatus shall be retained and shall remain operational for the lifetime of the development unless the Local Planning Authority otherwise agrees in writing.

Reason To ensure that the development is undertaken in accordance with sustainable principles and to secure compliance with Policy GP5 of the York Development Control Local Plan

- **Additional Condition 23:** “ A strip of land 9 metres wide adjacent to the watercourse forming the western boundary of the site shall be kept clear of all new buildings and structures (including gates, walls, fences, and trees) unless agreed otherwise in writing by the Local

Planning Authority. Ground levels must not be artificially raised within the maintenance strip thereby created.

Reason: To secure safe and efficient drainage to the nearby watercourse.

- Phase 1 layout plan of the site, including highway and landscaping proposals.

Representations were received from a resident of Dikelands Lane who expressed concern at the proposed siting of the Park and Ride, which he felt, would fundamentally change the rural area. He questioned the justification for the scheme following consultation and the high level of opposition from local residents. He understood that since this scheme had first been proposed no survey of Park and Ride use had been undertaken to provide justification for the scheme. He referred to Officers reference to the small number of objections received however he stated residents had been under the impression that their views collected, at the pre planning stage, would have been taken into account. He therefore felt that Officers had failed to justify the need for the site and he requested the Committee to take account of both residents and Parish Council objections.

Representations were received from a resident of Station Road who spoke in relation to the impact on the area and to consultation with residents. He referred to the significant levels of traffic that would enter the site and to the phasing of the traffic lights on Station Road which he felt would have a detrimental impact on queuing traffic on the A59. He went onto refer to problems relating to residents who had registered objections to the scheme being notified of the Planning meeting when they had previously been told that they would be kept informed. He stated that for all these reasons he requested the Committee to reject the application.

Representations were also made by a resident of Burlands Lane who pointed out that, as far as he was aware, this was the only Park and Ride site in York which had an avoidance route available through an adjacent residential area. He pointed out that the proposals would increase congestion on the A59 to the Outer Ring Road and he felt the siting was wrong and for those reasons he asked Members to refuse the application.

The applicants confirmed that the Park and Ride site would be constructed in two phases with 600 spaces in the initial phase and the addition of a further 650 spaces at a later date for which funding was being sought. She also confirmed that major improvements were to be undertaken to the roundabout junction layout at the A59/A1237 and at the access to the site and Station Road. She stated that the principle of a Park and Ride site on the A59 corridor had been established some time ago and she detail the proposals for landscaping of the site. She also pointed out that it was felt the proposals would enhance the city and that the site would offer a more sustainable transport choice to visitors and residents.

Members then questioned and referred to a number of aspects of the scheme, representations made at the meeting and the site visit including:

- Affect on the residential amenity of Burlands Lane resident and the landscaping proposals;
- Details of the consultation undertaken in relation to the various sites;
- Consultation responses in relation to the Planning report;
- % difference in Park and Ride usage between those sited in/outside the ring road and details of roundabout modelling;
- How soon would the second phase of the scheme be required?
- Request for the evidence which placed this as the preferred site for a Park and Ride to serve the A59 corridor
- Further details in respect of the traffic management proposals;
- Local concerns regarding exacerbation of queuing traffic problems in the area;
- Height of wind turbine in relation to single storey terminal building and proposals for future renewables on site;
- Need for bus priority on route to ensure Park and Ride use as opposed to cars;
- Details of the arrangements for cyclists not using the facilities to travel through these junctions;
- Proposals for overhead line running through the site;
- Landscaping proposals for Phase 1;
- Noise levels during construction and hours of work;
- Funding details of Phase 1 and 2;
- Consultation with local bus operators;
- Wording in Planning Policy Guidance 2 in relation to the Green Belt and Park and Ride sites;
- May be need to shield 'dark sky' compliant columns adjacent to residential properties to avoid nuisance.

Certain Members expressed support for the principle of a Park and Ride site but had concerns at the proposed location.

Councillor Pierce moved deferral of the application pending receipt of further evidence to support this application in the Green Belt, which was seconded by Cllr D'Agorne. On being put to the vote this motion was lost.

Members then requested the amendment of the landscaping conditions to refer to "Any trees or plants which within perpetuity from the implementation of the landscape scheme die..." rather than within five years to ensure that the site screening was retained. They also requested amendment of Condition 14 relating to hours of construction to revert to standard Condition Noise 7.

Officers pointed out that any conditions imposed should be necessary and proportionate and required for a good reason. They felt that the inclusion of 'in perpetuity' in this condition was unnecessary, especially as it was unlikely that this would meet the tests for any subsequent challenge. Officers went on to point out that the extension in hours of work had been proposed as it was felt that existing traffic noise, with the close proximity of the A59/Ring Road, would mitigate any loss of amenity for residential properties in the vicinity.

Cllr Moore then moved and Cllr B Watson seconded amendment of the landscaping condition to refer to 'in perpetuity' and the reversion of the hours of work condition to Noise 7 and on being put to the vote this was carried.

RESOLVED: That the application be approved subject to the conditions listed in the report and the following additional and amended conditions:

Amended Conditions:

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed landscape scheme (including details for the living roof of the terminal building) which shall include the species, species mixes, density (spacing), and position of trees, shrubs and other plants, means of protection from rabbits, seeding mix and sowing rate. This scheme shall be implemented within a period of six months of substantive completion of phase 1 of the development. Any trees or plants which within perpetuity from the implementation of the landscape scheme, 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 the Local Planning Authority otherwise agrees in writing.

14. The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

22. Notwithstanding the application details hereby approved full details of the proposed wind turbine apparatus including height, colouring, design, location and mode of connection to the National Grid shall be submitted to and approved in writing by the Local Planning Authority before work on site commences. The development shall thenceforth be undertaken in strict accordance with the details thereby approved. All such wind turbine apparatus shall be retained and shall remain operational for the lifetime of the development unless the Local Planning Authority otherwise agrees in writing.

Additional Conditions:

23. A strip of land 9 metres wide adjacent to the watercourse forming the western boundary of the site shall be kept clear of all new buildings and structures (including gates, walls, fences, and trees) unless agreed otherwise in writing by the Local Planning Authority. Ground levels must not be artificially raised within the maintenance strip thereby created.

24. No development comprising any element of phase 2 of the proposal hereby approved as outlined in application drawing ref:- CBHAEM500/02 F shall be commenced until a detailed landscape scheme in respect of phase 2 has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include full details of species, species mixes, density (spacing), and position of trees, shrubs and other plants, means of protection from rabbits, seeding mix and sowing rate. The scheme shall be implemented within a period of six months of substantive

completion of phase 2 of the development. Any trees or plants which within perpetuity from the implementation of the landscape scheme, 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 the Local Planning Authority otherwise agrees in writing.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the open character and purposes of designation of the York Green Belt, appropriateness of the location of the proposal, impact upon highway safety and the free flow of traffic along the A59 and adjoining roads, impact upon noise and light pollution in the surrounding landscape, impact upon the rural ambience of the surrounding area, impact upon the residential amenity of properties in Station Road and Northfield Lane, Upper Poppleton and the appropriateness of the chosen means of renewable energy generation. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GB1, SP8, GP1, GP3, GP4a), GP9 and T6 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

R WATSON, Chair

[The meeting started at 4.30 pm and finished at 6.35 pm].

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