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| Meeting | Planning Committee |
| Date | 19 March 2015 |
| Present | Councillors Horton, Galvin (Vice-Chair), Ayre, Burton, D'Agorne, Doughty, Firth, King, McIlveen, Funnell, Reid (Chair), Richardson, Simpson-Laing and Warters |
| Apologies | Councillors Boyce, Crisp and Looker |

54. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda. None were declared.

55. Minutes

Resolved: That the minutes of the last meeting held on 19th February 2015 be approved and signed by the Chair as a correct record subject to the following amendment:

Councillor Merrett asked that minute item 51b be amended to reflect the fact that he joined the meeting at that point.

56. Public Participation

It was reported that there had been no registrations to speak under the Councils Public Participation Scheme.

57. Plans List

Members then considered reports of the Assistant Director (Development Services, Planning and Regeneration) relating to the following planning applications, which outlined the proposals and relevant planning considerations and set out the views of the consultees and officers

**57a 2-14 George Hudson Street, York , YO1 6LP
(14/01383/FULM)**

Consideration was given to a major full application for the change of use from offices (use class B1) to student accommodation comprising of 58 self contained units with associated facilities including a shop, cycle store, managers office, communal lounge, gym and laundry. A new shop front is proposed to the entrance on the George Hudson Street elevation.

Officers circulated an update to the committee report, attached in full to the online agenda for this meeting. The main points were as follows:

- An error at paragraph 1.1 states 85 studio flats, should read 58.
- Further representations of support had been received.
- Additional noise information had been received from the applicant and as a result, the Council's Environmental Protection Unit had removed their objections to the scheme.
- The officer recommendation had now been revised following the additional noise information and in light of the Council's EPU now being satisfied. The recommendation was now as follows:
 - (i) Defer pending completion of a satisfactory Section 106 Agreement to secure the matters set out in paragraph 4.41 of the committee report
 - (ii) Grant delegated authority to Assistant Director (Development Services, Planning and Regeneration) to approve on completion of the Section 106 Agreement, and subject to conditions.

The Council's Environmental Protection Officer spoke to confirm that he was now satisfied with the scheme following additional information from the applicant on predicted maximum and low frequency noise levels in the proposed residential units, with mitigation measures in place.

The agent spoke in support of the scheme and advised that the office space in the building had been vacant for a number of years and offered larger than average units. 58 units would be created and if the site was occupied there would be economic

benefits to the city centre which was demonstrated by the letters of support for the scheme received from business owners.

A noise consultant spoke on behalf of the applicant. He advised that he had been invited to assess the scheme and had recommended glazing and insulation which would ensure residents would not be detrimentally affected by noise.

Members queried a number of points with the agent and officers in particular whether noise and pollution levels to the rear of the property were also acceptable. Officers confirmed levels were acceptable.

Members entered debate and made the following points:

- Some Members were pleased to see the recommendation had changed to approval as they considered the use to be an appropriate one which recognised that people do choose to live in the City Centre despite potential noise issues.
- Some Members raised concerns about the loss of business space in the City Centre.
- Members reiterated the importance of ensuring the level of sound mitigation is adequate .
- Some Members raised concerns about the units only being offered to students.

Resolved: (i) That the application be deferred pending completion of a satisfactory Section 106 Agreement to secure the matters set out in paragraph 4.41 of the committee report

(ii) Grant delegated authority to Assistant Director (Development Services, Planning and Regeneration) to approve on completion of the Section 106 Agreement, subject to conditions reported in the committee update.

Reason: The application was considered satisfactory with the appropriate noise insulation controls.

57b 2-14 George Hudson Street, York, YO1 6LP (14/01384/LBC).

Consideration was given to a listed building consent application for internal and external alterations in connection with change of use from offices to student accommodation.

This item was taken in conjunction with the previous agenda item for the same premises.

Resolved: That the application be approved subject to the conditions detailed in the committee report and the following amended condition 5 to reflect additional noise information and potential noise mitigation measures:

Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of such works and the works shall be carried out in accordance with the approved details.

(i) Indicative cross section through internal window reveal illustrating secondary glazing at 1:2

(ii) Vertical cross section through proposed front doors and glazed side lights at 1:5

(iii) Indicative cross section through raised floor and skirting at 1:2 (affects rooms to Tanner Row range only). New floors should scribe round, not cut through architraves, panelling, or other historic joinery (where present).

Reason: In the interests of the architectural and historic interest of the listed building.

Reason: The proposals are consistent with the National Planning Policy Framework advice as set out above. The development would not cause any harm.

57c Del Monte Site, Skelton Park Trading Estate, Skelton, York (14/01478/OUTM)

Consideration was given to a major outline application for a residential development for up to 60 dwellings.

The application was deferred from January's Planning Committee due to Members having concerns about the pedestrian crossing arrangements over the A19 and had been brought back to the committee following further work by the agent on the road layout.

Philip Butler spoke on behalf of Skelton Village Trust. He advised that the trust supported the scheme but advised that it is vital that residents are able to cross safely to access Skelton Village. Various agencies, including the Police had commented on the matter since the last meeting and it now appeared that an island 87m 11m wide island with narrow carriageways on either side was to be the preferred option. In his opinion a pedestrian crossing in conjunction with a speed limit reduction was the best option.

Sophie Taylor spoke as the agent on behalf of the applicant. She advised that the site had been vacant since 2012 and following no interest in the site for economic development, the application for residential use had been put forward to the Council. The site would contribute towards affordable housing targets. The application had been made in consultation with technical and legal experts.

Matthew Cleggett spoke on behalf of the applicant to advise that a technical note had been produced which advised on the suitability of various styles of crossings at the location. He advised that a signalised pedestrian crossing in this location would be dangerous.

Councillor Watt spoke on behalf of Skelton Parish Council. He advised that the Parish Council and residents support the development of the site but still have concerns regarding the A19 crossing. He referred to North Yorkshire Police's attendance at a recent Parish Council meeting at which they continued to express concerns about the lack of an appropriate crossing and asked that should the application be approved, the

crossing is looked at again before the reserved matters application comes forward.

Members queried the work undertaken since January's Planning Committee on the issue of the A19 crossing. Officers confirmed that further work had identified that the most suitable solution would be to alter the environment around the site access and Fairfield's Road junctions and enhance the existing uncontrolled pedestrian crossing facilities including:

- (a) Removal of the acceleration/deceleration lanes into Fairfield Drive which will enable the alignment of the A19 to be altered and carriageway width reduced to assist in lowering vehicle speeds. Physical measures such as these are more effective in restraining vehicle speeds than the use of/setting of unrealistic speed limits.
- (b) Narrowing of the carriageway, which reduces the crossing distance for pedestrians.
- (c) Provision of a sole crossing point, on the strongest desire line.
- (d) Providing a widened refuge island, which gives more space for pedestrians away from live traffic.

Members entered debate and made the following points:

- It was acknowledged that the housing development was welcomed by the local community and the advice of the highways officers and traffic consultant should be taken on board.
- It was unreasonable to expect the applicant to provide a bridge or underpass due to cost.
- Some Members still did not agree with the road crossing measures being proposed and considered the road to be too dangerous without a signalised crossing.
- Following discussion, members asked that Officers and the applicant look at planting that enables visibility, the width of the bus lay-by, a 40mph speed restriction, facilities for cyclists and a stage 1 audit.

Resolved: That the application be approved subject to the section 106 agreement.

Reason: The proposed A19 road layout complies with transport guidance and provides a significant change in street scene for both pedestrians and vehicles, providing a safer crossing

environment. This includes the reduction of the crossing width from 18.5m to two 3.2m crossing widths. That current guidance considers the installation of a signal controlled crossing on Shipton Road adjacent to the proposed development to be unsuitable.

The proposed development of the brownfield site for residential development is considered to be acceptable in principle. The submitted additional information is considered to demonstrate why a signalised pedestrian crossing for low level of pedestrian activity and irregular periods of use is not justified in this location, and confirms that the proposed highway network improvements are the most appropriate means of achieving a safer crossing environment . The proposal is considered acceptable subject to the completion and signing of a Section 106 agreement covering education contribution, open space, affordable housing, and highway works.

57d Naburn Lock Caravan Park, Naburn, York (14/02806/FULM)

Consideration was given to a major full application by Peter and Catherine Wilkinson for the change of use of land for touring caravans with associated amenity building, gas compound and bin store.

Officers provided an update to the committee report, full details of which are attached to the online agenda for this meeting, the main details were as follows:

- Since the Committee Report was prepared the applicant has submitted a detailed statement in respect of the Green Belt and setting of a Listed Building concerns.
- Very special circumstances were given by the applicant as being able to satisfy the presumption in favour of sustainable economic development contained within the National Planning Policy Framework.
- Further information regarding the impact of the proposed development upon the listed Naburn Banqueting House.

The building is specifically designed to be viewed from the river frontage.

- The issue of the impact of brightly coloured river boats passing the site was considered transitory and of minimal impact.
- Since the Committee Report was written 16 letters of support including one from the Commercial Manager of Visit York along with a 33 signature petition in support of the proposal had been submitted.

The applicant's agent, Thorfinn Caithness, spoke on behalf of the applicant. He advised that the application was being made to extend a well managed rural family business. The field in question was currently used for 28 calendar days for caravan rallies under permitted rights but permission was now being sought to house 20 formal touring caravan pitches on the site. Currently several rallies concentrated between April and September involving 50-60 caravans were being held so there were already caravans regularly using the field. The application presented the opportunity to secure economic gain within the Green Belt and reduce the number of caravans using the site with better controls. High quality landscaping would be used to minimise any impact on the surrounding area. In relation to Naburn Banqueting House, the priority was to secure a use for the house and the development of the caravan park would assist in securing its future by bringing business to the site. Additional planting would limit views and Visit York supported the application as there is a demand for touring caravan pitches within the York area.

Following a brief discussion, Members considered that very special circumstances for development within the Green Belt had not been demonstrated.

Resolved: That the application be refused.

Reason: The proposal lies within the general extent of the Green Belt as set out in the saved RSS policies YH9C and Y1C. The application has therefore been considered against the policies in the Framework at Section 9 relating to development in the Green Belt. The proposal constitutes inappropriate development within the Green Belt and is therefore by definition harmful to the openness of the Green Belt.

contrary to paragraphs 89 and 90 of the National Planning Policy Framework and Policy GB1 of the York Development Control Local Plan(4th Set Changes 2005). The other comprising viability of the existing caravan site enterprise and the presumption in favour of sustainable economic development outside of the Green Belt do not amount to very special circumstances that would clearly outweigh the harm and any other harm to the Green Belt

The proposal by virtue of its alien, engineered appearance and use of inappropriate landscaping would cause significant detrimental harm to the setting of Naburn Banqueting House, a Grade II Listed building contrary to Section 66 of the 1990 Planning (Listed Buildings and Conservation Areas) Act , paragraph 132 of the National Planning Policy Framework and Policy HE4 of the York Development Control Local Plan(2005 4th Set of Changes).

57e Naburn Lock Caravan Park, Naburn, York (14/02807/FULM)

Consideration was given to a major full application by Peter and Catherine Wilkinson for the variation of condition 6 of permitted applications 8/06/59P/PA and 8/06/59L/PA to allow all year round use of touring caravans and tents.

Officers provided a brief update to the committee report to advise that since the Committee Report was written, 16 letters of support including one from the Commercial Manager of Visit York and a 33 signature petition had been received drawing attention to the lack of touring caravan pitches available during the winter months in the area whilst events around Christmas are being held in York.

The applicant's agent, Thorfinn Caithness, spoke in support of the application. He advised that currently the park is closed for a number of months per year and the application was being made to bring the opening times in line with other nearby sites which are open year round. He referred to the good management of

the site and the many letters of support for year round opening which had been received since the application had been made.

Members queried a number of points as follows:

- Whether the applicant would be willing to look at evergreen planting to reduce the impact of the site on the surrounding area during the winter months. It was confirmed this could be done.
- Confirmation that there would be no static caravans. It was confirmed the site was only for use by touring caravans.

Members entered debate and considered that by extending the opening times, there would be no additional harm to the Green Belt.

Resolved: That the application be approved subject to the following conditions:

- (i) The number of caravans on the site shall not exceed 100 and none shall be static caravans.

Reason: In order to safeguard the open character of the Green Belt.

- (ii) Within 28 days of the date of this permission a detailed landscaping scheme which shall illustrate the number, species, height and position of trees, shrubs and other planting shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented within the first planting season following the date of this permission. Any trees or plants which within a period of five years from the date of this permission 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 alternative are agreed in writing by the Local Planning Authority.

**57f Teaching Building, Spring Lane, Heslington, York
(15/00040/FULM)**

Consideration was given to a major full application by the University of York for the construction of a three storey teaching building (use class D1) following the demolition of existing building.

Officers provided an update to advise that since the committee report was prepared, a response had been received from the Council's Environmental Protection Unit raising no objection to the proposal but recommending conditions relating to the construction period, full details are attached to the online agenda for this meeting.

Graham Holbeck spoke in support as the agent on behalf of the applicant. He advised that the existing building had previously been a staff housing block and as the site was a previously developed area, the application would not encroach on any open space. He stated that there is an urgent need for additional teaching space at the campus and during 2013/14 the University was operating at maximum capacity. It is intended that the building will be in place for the 2016/17 academic year. It was proposed that 13 trees would be removed to facilitate construction but replacement planting at a ratio of 3:1 would be undertaken. Cycle spaces would be provided at the main entrance.

Members queried a number of points as follows:

- A Member queried the scale of the proposed building and how the University is appearing to be moving away from its original character. The agent confirmed that many existing buildings are not in a good enough condition to renovate and while it is the intention to keep within the 20% original development footprint including car parks, there will be a need for some new buildings in order to meet current demands.
- The cycle parking provision. It was confirmed that the University would monitor the use of spaces and take action if it was considered more were required.

- In response to questions about the BREEAM rating, the agent confirmed the University always aims for a minimum of BREEAM very good.

Members entered debate and supported the application with the assurance that the landscaping would include larger species of trees

Resolved: That the application be approved subject to the conditions outlined in the committee report.

Reason: The proposed pattern of scale and massing would match that of the residential block to the south west and the chosen palette of materials would closely match that of the refurbished Chemistry Department to the east of University Road. The proposal includes a significant area of compensatory planting notably to the west to soften the boundary with Springs Wood and to the south east to replace the trees previously lost. The proposal as a whole is felt to be acceptable in sustainability and flood risk terms.

57g York Grain Stores (15/00121/REMM)

Consideration was given to a major reserved matters application by Redrow Homes (Yorkshire Ltd) and Water Lane Ltd for the approval of appearance landscaping, layout and scale for 215 dwellings following the grant of outline permission 11/00860/OUTM.

Officers provided a brief update to the committee report to advise that since the committee report was prepared Highway Network Management had submitted a consultation response to the proposal confirming that the amended highway layout is acceptable.

Hannah Andrew spoke as the agent in support of the application. She advised that the applicant had worked with the council to ensure the development meets a high standard. New

open space had been incorporated including investment in children's play equipment. Improvements had also been made to cycle paths, bus stops and highway layout.

Members asked a number of questions as follows:

- Sustainable design aspects. It was confirmed that the development would meet Code for Sustainable Homes Level 3 y although the Inspector's decision didn't require any measures in relation to the performance of the buildings. A number of measures are being put in place by the applicant to demonstrate a willingness to incorporate sustainability measures.
- Wildlife assessment and likely impact upon wildlife. The agent confirmed that an ecology assessment had been undertaken. Hedgerows would be retained as much as possible but as the site is largely brownfield any impact on wildlife would be minimal.

Members entered debate and some members raised concerns about the arrangements relating to site management and the proposed imposition of a service charge upon residents.

Resolved: That the application be approved subject to the Section 106 agreement.

Reason: The proposals are felt to be acceptable in terms of their relationship to the surrounding pattern of development and are consistent with emerging policy in respect of density and dwelling mix. The highway layout has been amended since submission to deal with concerns and the development is now felt to be acceptable, subject to satisfactory completion of a Section 106 Agreement to secure a commuted sum payment for off-site open space provision in lieu of the acknowledged shortfall in on-site open space provision.

Cllr Reid, Chair

[The meeting started at 4.30 pm and finished at 8.00 pm].