

Meeting	Planning Committee A
Date	1 August 2024
Present	Councillors Crawshaw (Chair), Fisher (Vice-Chair), J Burton, Cullwick, Melly, Steward, Whitcroft [until 7:54pm], Moroney, Fenton (Substitute for Cllr Ayre), Rose (Substitute for Cllr Clarke), and Vassie (Substitute for Cllr Wann)
Apologies	Councillors Ayre, Clarke, and Wann
Officers in attendance	Gareth Arnold – Development Manager Jonathan Kenyon – Principal Officer Development Management Ruhina Choudhury – Senior Lawyer

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### **111. Declarations of Interest (5:01pm)**

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda if they had not already done so in advance on the Register of Interests. None were declared.

### **112. Public Participation (5:02pm)**

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme on general matters within the remit of the Planning Committee A.

Gwen Swinburn commented on the planning application process and questioned why names and addresses were published online in relation to this, she also expressed that information within reports should not be amended once published.

The Committee noted that Councillor Pavlovic, Executive Member for Housing, Planning and Safer Communities, was investigating the issues raised with Officers.

### **113. Plans List (5:06pm)**

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

#### **2a) The Retreat, 107 Heslington Road, York YO10 5BN [22/02257/FULM]**

Members considered a major full application for conversion and redevelopment to provide 120 dwellings and ancillary communal space, including new build dwellings, the demolition of modern extensions and ancillary building and associated car parking, landscaping, and other works.

The Development Manager gave a presentation on the application and outlined that the application included a mixture of listed and unlisted buildings.

The Development Manager, and Principal Officer, Development Management, noted that roof terraces and balconies to be introduced to the South West Wing building had been proposed for suitable places and had been chosen carefully, and that development of new-build housing included 23 dwellings, including 5 houses which were larger. The listed coach house building was to be converted for some of these.

In response to questions from members, the Development Manager confirmed that:

- As Heslington Road narrowed, there would be conditions applied by Highways creating a priority system, and the main entrance to Heslington Road was outside of the site.
- There was no noticeable reduction in grass spaces across the site, and there was to be a variety of cycle storage spaces, including some shared-use cycle storage when basement storage was not possible.
- There would be no change to the public's access to the burial grounds, and public access would be possible across Thief Road and Heslington Road.
- Conditions within the plans regulated the requirement of disabled parking. The plans stipulated 30 parking spaces for visitors.

Members were provided with an update in which the Principal Officer Development Management amended the officers' recommendations by including a condition to make sure that the results from an arborical culture survey, requiring tree protection and detailing information of nesting birds during construction, were adhered to.

### Public Speakers

Geoff Beacon spoke in objection to the application and suggested that the proposed dwellings were only directed at affluent people, and he raised concerns that the application did not adhere to the Planning and Compulsory Purchase Act 2004 which placed an obligation on Local Authorities to plan for sustainable development.

Martin Ford spoke in support of the application on behalf of the Trustees of the Retreat and stated that the retreat provided mental health services, but that the buildings were too old to deliver the care that they needed to offer, and needed a new use. He reported that the Retreat had experienced financial losses, and that the sale of the land would provide security for the future of the charity.

In response to questions from members, Martin stated that the Retreat had confidence in the new development to champion the history of the charity following construction.

Richard Lawrence and James Woodmansee (the Applicant) spoke in support of the application and stated that the designs of the development had been made in consultation with Council Officers and different interest groups, and that their finances had been assessed as suitable to dealing with the upkeep of land. He highlighted that the process to get this far had been very thorough to ensure high standards for the conversion of the premises, and that they had converted historic buildings in the past.

In response to questions from members, Richard and James stated that:

- The developers wished to create a limited access heritage trail to promote the history of the site and to maintain public safety.
- The Quakers would have contractual, unlimited access to the burial grounds.
- There would be 220 external parking spaces, including wheelchair spaces. Smaller properties would have one parking space, with larger properties having 2 spaces.

- Investigations were ongoing regarding the possibility of laying conductive charging for electric vehicles (EVs).
- The installation of PV solar panels was a possibility on site where necessary and appropriate, the developers were working with Historic England in regard to this.
- There could be the possibility of upgrading some windows to improve insulation, but investigations were needed to explore this due to the historical significance of the windows in the buildings.
- Upon access to the site, the gates would open inwards to give priority to bicycles and to slow down bigger vehicles.
- The cricket pitch would remain as it is in order to maintain the history of the site, but would not be open to the public in order to maintain the tranquillity of the burial ground.

Members then asked officers a number of questions to which they responded that:

- The money available for offsite improvements needed to be spent within 15 minutes from the site.
- Section 39 of the Planning and Compulsory Purchase Act 2004 required Local Authorities to exercise the function with the objective of contributing to the achievement of sustainable development, this requirement was related to planning policy. The sustainability assessment was carried out in relation to the Local Plan and in making planning decisions officers had regard to the Development Plan. Officers considered those policies developed in accordance with the relevant legislation.
- The applicants had engaged with Historic England and there was an agreement for the demolition and restoration of the central building as much as possible.

Councillor Rose proposed an amendment to paragraph 16 of the report to include an additional condition to support the environmental performance of the listed building, this was seconded by Councillor Fisher, and it was resolved:

That delegated authority to be given to the Head of Planning and Development Services to:

- i) Determine the final detail of the planning conditions, with the inclusion of additional conditions regarding tree protection and an informative regarding nesting birds as set out in the officer's update, and an additional condition as proposed by Councillor Rose and seconded by Councillor Fisher regarding the environmental performance of the listed building.

- ii) Refer the application to the Secretary of State for Communities and Local Application Government under the requirements of Section 77 of the Town and Country Planning Act 1990, and should the application not be called in by the Secretary of State, then APPROVE the application subject to planning conditions and completion of a s106 legal agreement to secure the items listed below.
- Affordable housing: Off-site contribution equivalent to three dwellings of £1,446,802 - in respect of tree protection and informative on nesting birds.
  - Education - Contributions towards school places £875,412.
  - Sustainable travel - £48,000 to be committed towards implementation of the travel plan. To include a budget of £24,000 towards car club membership and drive time for first occupants.
  - Off-site-Sports - £70,077 towards facilities within a 15-minute walk of the site.
  - Healthcare - To fund expansions to capacity at either Park View or Tang Hall Lane surgery or an alternative specified facility within a 1.5km distance of the site) - £112,826.
  - Retreat Gardens - A scheme to provide for limited public access to the grounds and provision for ongoing maintenance of the grounds.
  - Monitoring Fee - £7,800.

**114. The Retreat, 107 Heslington Road, York YO10 5BN  
[22/02258/LBC]**

Members considered a Listed Building Consent application for internal and external alterations to include conversion and redevelopment of the site to provide dwellings and ancillary communal space, demolition of modern extensions and ancillary buildings, with associated landscaping works. It was resolved:

That delegated authority to be given to the Head of Planning and Development Services to:

- i) Determine the final detail of the planning conditions and planning obligations below.
- ii) Refer the application to the Secretary of State for Communities and Local Application Government under the requirements of Section 77 of the Town and Country Planning Act 1990, and should the application not be called in by the Secretary of State, then APPROVE the application subject to planning conditions.

[The meeting adjourned from 7:44pm until 7:54pm]

### **115. Development Site Hospital Fields Road And Ordnance Lane. York [24/00221/FULM]**

Members considered a Major Full Application for the Demolition of existing buildings, alterations to 'The Married Quarters Building' and erection of new buildings to provide 101 residential dwellings (Use Class C3), 139 sqm of commercial, business and service floorspace (Use Class E) and 150 sqm of community floorspace (Use Class F1/F2) with associated open space, landscaping, access, parking and ancillary development.

The Development Manager gave a presentation on the application, and it was reported that: Block 6 of the application had been omitted, and that access for bin lorries had been improved in order to allow bin lorry access throughout the development.

In response to questions from members, the Development Manager confirmed that bin lorries would need to drive through the gates along the roads one by one, and gated areas could act as turning points.

Members were provided with an update in which the Principal Officer Development Management advised that changes to the recommendations had been made following legal advice, it was proposed that references to money from conditions: 4, 21, and 23 be removed. It was also proposed that condition 14 be amended in so far that they are redrafted to align with advice received from Ecology Officers, and that condition 22 be amended to correct admin errors in the original wording that was used.

#### Public Speakers

Denise Craghill spoke in support of the application and stated that this application was proposed to go beyond low energy use buildings, and made low-carbon living possible. She advised that the highest number of new build dwellings as possible should be affordable homes.

Councillor Whitcroft, councillor for Fishergate Ward, spoke in support of this application and stated that the proposed dwellings would support nearby local services, and that having 80%-100% of the homes affordable was a step in the right direction for City of York Council.

The Chair exercised his discretion to allow Geoff Beacon to speak as Mr. Beacon had not been included on the registered speakers list due to an administrative error. He spoke in support of the application and stated that efforts to control car parking would result in lower car use, and support decarbonisation.

Sophie Round, Housing Delivery Programme Manager, spoke in support of the application on behalf of City of York Council (the Applicant). She stated that this application was an amended proposal to an application that had already been approved. She advised that people were prioritised above cars in this application and that more than 300 cycle spaces were included within the proposal.

In response to questions from members, Sophie confirmed that:

- Investigations were ongoing to decide if a micro residents' parking scheme would work on this scale.
- Bollards would deter drivers from proceeding up the road to places they could not access.
- Results from community consultation showed there was a lack of community centres in the area, and investigations were ongoing to consider how these could operate.
- The development would be a mixture of affordable and shared ownership homes.
- As the development would not be on an adopted highway, there would be more leeway in allocating accessible spaces and blue badges.
- Low carbon and low car ownership was a priority for the development.

Members then asked officers a number of questions to which they responded that:

- The application was made prior to the introduction of legislation to require 10% Biodiversity Net Gain, and as such this requirement was not applicable.
- There was no space to include sports provision on the development, and as such this had to be delivered off-site.
- Further investigations would be needed to implement more on-street charging spaces for EVs.

Councillor Vassie proposed to accept the officers' recommendations and the amendments included within the officers' update, this was seconded by Councillor Steward, and it was resolved:

That delegated authority to be given to the Head of Planning and Development Services to:

- i) Determine the final detail of the planning conditions and planning obligations, with the inclusion of the amendments proposed by Councillor Vassie and seconded by Councillor Steward below:
  - That references to money from conditions: 4, 21, and 23 be removed.
  - That condition 14 be redrafted to align with advice received from Ecology Officers.
  - That condition 22 be amended to correct admin errors in the original wording that was used in the report.
- ii) Refer the application to the Secretary of State for Communities and Local Application Government under the requirements of Section 77 of the Town and Country Planning Act 1990, and should the application not be called in by the Secretary of State, then APPROVE the application subject to planning conditions.

Cllr J Crawshaw, Chair

[The meeting started at 4.58 pm and finished at 9.17 pm].