

MEETING	PLANNING COMMITTEE
DATE	22 FEBRUARY 2007
PRESENT	COUNCILLORS R WATSON (CHAIR), BARTLETT, CUTHBERTSON, HORTON, HYMAN, JAMIESON-BALL, MACDONALD, MOORE, REID, SIMPSON-LAING, SMALLWOOD, I WAUDBY, D'AGORNE (SUBSTITUTE) AND B WATSON (SUBSTITUTE)
APOLOGIES	COUNCILLORS BLANCHARD, HILL AND WILDE

49. SITE VISITS

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
Hungate Development Site, Hungate, York	Due to objections received and for Members to familiarise themselves with the site	Cllrs R Watson, Bartlett, D'Agorne, Horton, Hyman, Jamieson-Ball, Macdonald and B Watson
Proposed Manor Church of England School Site	Due to objections received and for Members to familiarise themselves with the site	Cllrs R Watson, Bartlett, Horton, Hyman, Jamieson-Ball and Macdonald

50. DECLARATIONS OF INTEREST

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

Cllr D'Agorne declared a personal non-prejudicial interest in Agenda Item 3a) Hungate Development Site as a member of the Cyclist Touring Club and the York Cycle Campaign, and the Hungate Community Trust.

Cllr Hyman declared a personal non-prejudicial interest in the same agenda item as the speaker for the River Foss Society was his next door neighbour.

Cllr Bartlett declared a personal non-prejudicial interest in the same agenda item as a member of the Hungate Community Trust.

Cllr Moore declared a personal non-prejudicial interest in the same agenda item as a member of YNET.

Cllr Simpson-Laing did not participate in Agenda Item 3c) Proposed Manor Church of England School Site Millfield Lane Nether Poppleton York, as per paragraph 2.7 of the City of York Council Planning Code, and did not participate in the discussion or the decision thereon.

Cllrs Jamieson-Ball, Macdonald and Reid declared that as Executive Members they had not participated in any discussions or decisions thereon regarding Agenda Item 3c).

Cllr Horton declared that as a member of Shadow Executive he had not participated in any discussion or decision thereon regarding Agenda Item 3c).

51. PUBLIC PARTICIPATION

It was reported that there were no registrations to speak, under the Council's Public Participation Scheme, in general issues within the remit of this committee.

52. PLANS LIST

Members considered a schedule of reports of the Assistant Director (Planning and Sustainable Development), relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views and advice of consultees and officers.

52a Hungate Development Site Hungate York (06/02384/REMM)

Members considered a major reserved matters application, submitted by Hungate (York) Regeneration Ltd, for Phase 1 – erection of 163 residential units including car parking, open space and landscaping – to which planning permission 02/03741/OUT dated 18 July 2006 relates (resubmission).

Officers updated Members on additional consultation responses received from the Environment Agency, English Heritage, Natural England, The River Foss Society, York Natural Environment Trust and Yorkshire Wildlife Trust, and a copy of a summary of these consultation responses were distributed at the meeting.

Officers updated that if Members were minded to approve the application they would recommend that Condition 3 be deleted as this was covered by the Section 106 agreement, that external letter boxes be added to the details in condition 6, and that an informative be added regarding land drainage. They also requested that Members agree to vary the Section 106 agreement to allow affordable housing to include 4 bed houses (as opposed to 4 bed flats). Officers also updated the plans details as per condition 1 of the report.

Representations were received with comments on the proposal from York Natural Environment Trust (YNET). He stated that a number of their concerns had been addressed by the developers and that he passed on his thanks to the developers for their cooperation.

Representations were received from the secretary of the River Foss Society in objection to the proposals. She stated that she had not seen the latest issue of the Ecological Management Plan, and highlighted the importance of protecting the nature reserve, and the need for a barrier. She also stated that she would want to see the old substation demolished.

Representations were received in support of the application from the architect for the application. He stated that 20% affordable housing was being proposed, that the application was supported by Commission for Architecture and the Built Environment (CABE) and approval had been received from English Heritage. He stated that the proposals were an exemplar for future developments.

Representations were received in objection to the proposals from Guildhall Planning Panel. Objections were raised regarding the excessive density and height of the proposals, that it would be out of character for the area, and the living conditions would be poor. He stated that a better design solution would be needed for the development.

Members discussed the following issues:

- Car Club spaces and location
- Cycle parking, location and security
- The increase in the number of 1-bed units
- Provision of a barrier to the nature reserve, and the location and height of any fencing
- Demolition of the sub station
- Access roads
- Play space
- Archaeological findings
- The siting of disabled parking spaces
- Location of bin storage
- DDA requirements
- Landscaping and planting
- Lighting and Dark Sky compliance
- Provision of electric sockets for sustainable transport recharging

RESOLVED : That the application be approved subject to the conditions outlined in the report and subject to the following:

- (i) That Condition 3 be deleted regarding BREEAM as this is covered by the Section 106 agreement;
- (ii) That the Section 106 agreement be varied to allow affordable housing to include 4 bed houses (as opposed to 4 bed flats);
- (iii) That the following additional/amended conditions be attached to the application:

- The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Dwg No's 010 (Rev E), 016 (Rev E), 06014/101 (Rev A), 06014/102 received on 27th November 2006

Dwg No's. 003 (Rev G), 021 Rev C, 023 (Rev E), 024 (Rev D), 025 (Rev D), 026 (Rev E), 037 (Rev B), 039 (Rev A),

E SA 94 002 (Rev C), E SA 94 003 (Rev F), E SA 94 001 (Rev G), E SA 94 005 (Rev D), E SA 94 006 (Rev C), E SA 94 007 (Rev C), EA SA 10 004 Rev A received on 2nd February 2007

Dwg No's 001 (Rev H), 002 (Rev H), 005 (Rev G), 006 (Rev F), 007 (Rev F), 008 (Rev G), 009 (Rev H), 011 (Rev G), 012 (Rev F), 013 (Rev F), 014 (Rev F), 015 (Rev G), 020 (Rev E) received on 8th February 2007.

Flood Risk assessment dated October 2006 (Revision AO1)

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

- 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 the development and the works shall be carried out in accordance with the approved details.

-typical eaves and verge details

-windows and doors

-window and door openings showing reveals, lintols and cills

-patent glazing (or other system glazing)

-vertical dividing fins

-balconies including soffits

-entrance steps

-shafts into basement car park

-boundary walls and gates

-fixing of solar panels

-siting and details of external letterboxes

Reason: So that the Local Planning Authority may be satisfied with these details.

- Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, details of the external works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. These shall include details of external paving materials, timber decking, street furniture, design and location and height of railings (to include a suitable fence around the Nature Reserve to provide adequate security), lighting plans and details of lamp columns (to comply with "dark sky" principles), and detailing of the viewing platform. The development shall be carried out in accordance with the approved details and using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

- An electrical supply shall be provided adjacent to the basement cycle parking areas for the charging of electric cycles and buggy / wheelchairs.

Reason: In the interest of sustainable transport

- (iv) That approval of the colour of materials be delegated to the Assistant Director (Planning and Sustainable Development), in consultation with the Chair, Vice Chair and Opposition Spokesperson;
- (v) That an informative be attached to the application stating that the watercourse adjoining the site be designated a "main river" and is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without prior consent of the Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for consideration.

REASON: The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to;

- design of the development
- landscaping/tree loss
- nature conservation
- affordable housing/mix of house types
- planning out crime
- sustainability

As such the proposal complies with Policies GP1, GP3, GP4A, GP11, HE2, NE1, NE2, NE3, NE7, H3C and GP9 of the City of York Local Plan Deposit Draft.

52b Car Park Heworth Green York YO31 7TA (06/00073/FULM)

Members considered a major full application, submitted by Persimmon Homes Ltd, for an amendment to a previously approved development of 172 flats in 5 blocks (ref: 05/00478/FULM) to replace metal sheeting roofs with pitched roofs with slate finish.

Members discussed the proposed amendments to the roofs and car parking layout and position of disabled parking bays

RESOLVED: That the application be approved subject to the conditions outlined in the report and subject to the following additional condition:

- Notwithstanding the approved plans, the development hereby approved shall not be occupied until the layout of the basement parking has been submitted and approved in

writing by the Local Planning Authority and the approved layout for parking and manoeuvring of vehicles (and cycles) has been constructed and laid out in accordance with the approved details. Thereafter such areas shall be retained solely for the parking of vehicles and cycles.

Reason: In the interests of highway safety and to ensure the proper provision of parking for the disabled.

REASON: The proposal, subject to the conditions and legal agreement, would not cause undue harm to interests of acknowledged importance, with particular reference to environmental, traffic or other impacts on residents and the design and layout is acceptable. Hence the scheme accords with the government guidelines contained within PPS1, PPS3 of making better use of brownfield land in meeting housing need, Policy H9 of the North Yorkshire Structure Plan and Policies SP6, SP8, GP1, GP3, GP4, GP5, GP6, GP9, GP15, GP13, NE2, NE3, T2, T4, L1, H2, H4 and H5 of the City of York Council Local Plan Draft Deposit.

52c Proposed Manor Church of England School Site Millfield Lane Nether Poppleton York (06/02200/GRG3)

Members considered a full application, submitted by York Diocesan Board of Finance, for the erection of two storey school building with associated car parking, playing fields, tennis courts and all-weather pitch.

It was raised by Councillor Horton that there was a query as to whether all those who had submitted comments on the application had been informed of the date and time of the meeting when the decision would be made on this application.

Officers investigated this issue and it was found that some residents who had submitted comments on the application had not been informed of the meeting.

An officer update was received. Representations were received in objection to the application regarding the fact that no other sites had been considered, in objection from a resident of Beckfield Lane on behalf of a group of residents, and in support of the application by the agent for the applicant.

It was agreed that all those in attendance would be invited to the future meeting where this application would be considered, and that all updates and representations would be reheard at that meeting.

RESOLVED: That the application be deferred.

REASON: To enable all those interested parties to be informed.

52d Northfields School Beckfield Lane York YO26 5RQ (06/02779/REMM)

Members considered a major reserved matters application, submitted by Barratt Homes Ltd (York Division), for residential development comprising 31 houses and 22 flats, new changing facility and public open space (to which outline permission 05/00320/GRG3 relates) [resubmission].

Officers updated that if Members were minded to approve the application they would recommend the deletion of condition 1 and condition 33, condition 14 be replaced with HT1 Height condition, and that a new condition be added regarding the removal of Permitted Development Rights.

Representations were received in support of the application from the agent for the applicant. He stated that there had been many changes to the layout regarding the siting of trees and of the LEAP area, and the security of the cycle storage area.

Members discussed design issues relating to the location of flats above the garages, the location of public open space, and access issues.

RESOLVED: That the application be approved subject to the conditions detailed in the report and subject to the following:

- (i) That conditions 1,14, 17 and 33 be deleted;
- (ii) That the following additional conditions be attached to the application:
 - Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed;

House Type	Height (metres)
St. Paul's Apartment Block	10.10
Kensington	10.10
Brandon	7.60
Appleby	10.40
Maidstone	7.80
Washington Mews (plot 24)	7.40
Woodcote	8.60
Washington (plot 6)	6.40
Thornton	7.60
Argyle	8.20

as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

- The development hereby permitted shall be carried out only in accordance with the submitted plans

PO6:366:02 - St. Paul's Apt inc' Plot 54 - Floor Plans
PO6:366:03 - St. Paul's Apt inc' Plot 54 - Elevations
PO6:366:04 - Plot 32 Barwick FOG - Floor Plans and Elevations
PO6:366:05 - Plot 5 Argyle - Floor Plans and Elevations
PO6:366:06 - Thornton - Floor Plans and Elevations
PO6:366:07 - Seven and Washington Mews - Elevations
PO6:366:08 - Seven and Washington Mews - Floor Plans
PO6:366:09 - Kensington Special - Elevations
PO6:366:10 - Kensington Special - Plans
PO6:366:11 - Appleby - Floor Plans and Elevations
PO6:366:12 - Maidstone - Floor Plans and Elevations
PO6:366:13 - Woodcote - Floor Plans and Elevations
PO6:366:14 - Washington - Floor Plans and Elevations
PO6:366:15 - Brandon - Floor Plans and Elevations
PO6:366:18 - Changing room - Floor Plans and Elevations

PO6:366:21 - Single Garage - Floor Plans and Elevations
PO6:366:22 - Double Garage - Floor Plans and Elevations
PO6:366:23 - Twin Garage - Floor Plans and Elevations
PO6:366:24 - Triple Garage - Floor Plans and Elevations
PO6:366:25 - Bin Store - Floor Plans and Elevations

PO6:366:05A - Plot 4 only Argyle - Floor Plans and Elevations
PO6:366:100(REV B) - Landscape Masterplan
PO6:366:01 (REV C) - Planning Layout
PO6:366:101 (REV A) - LEAP Layout

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

- Prior to the development commencing, details shall be submitted to and approved in writing by the Council regarding the position of the children's play area (LEAP).

Reason: The current position of the LEAP is not acceptable to users of the adjacent sports pitches. In particular such an

arrangement would prevent the pitches being re-orientated to prevent wear and tear and also future expansion.

REASON:

The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, the visual amenity of the locality, highway safety. As such, the proposal complies with Policies GP1, GP4a, GP9, NE1, T4, H3c and H5a of the City of York Local Plan Deposit Draft; national planning guidance contained in Planning Policy Statement 1 " Delivering Sustainable Development " and Planning Policy Guidance Note No.3 " Housing. "

COUNCILLOR R WATSON

CHAIR

The meeting started at 4.35 pm and finished at 8.40 pm.