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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	28 SEPTEMBER 2006
PRESENT	COUNCILLORS MOORE (CHAIR), HYMAN (VICE-CHAIR), KING, SMALLWOOD, VASSIE, B WATSON, I WAUDBY (SUB FOR CLLR HALL) AND R WATSON (SUB FOR CLLR GREENWOOD)
APOLOGIES	COUNCILLORS HALL, D'AGORNE, GREENWOOD AND M WAUDBY

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### 23. INSPECTION OF SITES

The following site was inspected before the meeting:

Site	Attended by	Reason for Visit
Tang Hall Library, Fifth Avenue, York	Cllrs Moore, Hyman, B Watson and Vassie.	To familiarise Members with the site.

### 24. 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.

Councillor R Watson declared a personal prejudicial interest in Plans item 3c (Heworth Croft, 19 Heworth Green, York) as his firm of Solicitors were involved in the transactions for this development and he left the room and took no part in the discussion or voting thereon.

### 25. PUBLIC PARTICIPATION

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

### 26. 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.

#### 26a. Land Lying to the South of Centurion Office Park, Tribune Way, York (06/01594/OUTM)

Members considered a Major Outline application, submitted by Keyland Gregory Ltd, for outline application for the erection of 12 no. dwellings (Re-

submission 06/00451/OUT) on land lying to the south of Centurion Office Park, Tribune Way, York.

Officers updated that the applicant had now withdrawn this application.

**RESOLVED:** That the application be withdrawn as requested.

**26b. Tang Hall Library, Fifth Avenue, York (06/01558/GRG3)**

Members considered a General Regulations (Reg3) application, submitted by the Department of Libraries and Heritage, for the extension and alterations to the existing library and alterations to the external areas (resubmission) at Tang Hall Library.

Officers updated that a revised plan showing minor alterations to the relocation of car parking spaces and the access had now been received and that Highways had no objections. An additional letter of objection had also been received from a resident of a neighbouring property confirming that their main concern related to the height of the proposed building. They questioned why the building needed to be so high and objected to the close proximity of the building which they felt would lead to a loss of view and shading.

Some Members expressed concern at the height of the building and the need for a blank wall adjacent to neighbouring properties. Officers confirmed that no artificial air conditioning was proposed for the building, that the large north facing high level window would bring natural light into the main area and that the height would assist with the distribution of noise internally.

Members raised the issue of sustainability and requested that the applicant liaise with the Council's Sustainability Officer in relation to measures that could be included to improve sustainability which included the possible use of a grey water recycling system. Members requested feedback on negotiations regarding the height of the building.

**RESOLVED:** That the Assistant Director (Planning and Sustainable Development) and the Chair be delegated authority to approve the development either on a revised plan to reduce the height of the building by 300mm or to approve the application as submitted subject to the conditions listed in the report and to the following:

- a. The replacement of Condition 2 with

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

Drawing number THL/010 revision D dated 29 Sept 2006 and received 29 Sept 2006;

Drawing number THL/011 revision A dated 08 Sept 2006 and received 11 September 2006.

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

b. The addition of the following Condition

Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 5.7 metres to highest part of roof and 4.7 metres to highest part of parapet wall as measured from existing ground level and 5.4 metres to highest point of roof and 4.4 metres to highest part of parapet wall as measured from the proposed raised 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.

c. The addition of the following informative

**INFORMATIVE:**

The applicant should consult with the Council's Sustainability Officer prior to finalising drawings or commencing work on site to include measures to address the sustainability of the development, including the investigation of using a grey water recycling system.

**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 visual amenity, residential amenity, parking provision and highway safety, crime prevention and sustainability. As such the proposal complies with Policies GP1, GP3, GP4a, GP9, GP11, T4 and C1 of the City of York Draft Local Plan (incorporating 4th set of changes, 2005).

**26c. Heworth Croft, 19 Heworth Green, York (06/01387/FULM)**

Members considered a Major Full Application, submitted by York St John College/Bellway Homes Ltd for an additional 12 residential units (within approved building footprint) to previously approved scheme 04/01208/FUL for 132 residential units making a total of 144 residential units at Heworth Croft, 19 Heworth Green, York.

Officers updated that revised plans had now been received that addressed the external design of the larger block and relocated living rooms in Block J to the satisfaction of Officers. They indicated that if permission were granted there was a need to amend Condition 2 to reflect the revised plan numbers and for Condition 4 to include "tenure" in i) and "handover to a Registered Social Landlord" to replace "construction" in ii). Confirmation had also been received from the applicant that cycle parking had been

increased within the existing cycle stores and these were shown on the revised plans. However, following discussion with the Highway Officer, it was recommended that Condition 6 should remain to confirm that the technical details were satisfactory. Finally, as a result of comments received from Highways, Officers recommended that Informative 4 should be amended to relate to a “minimum of a 12 month bus pass or car club membership for each occupier of the additional dwellings”.

Members questioned the provision of recycling bin storage for the additional units and Officers confirmed that this was covered by conditions imposed under the previously approved scheme for the site. Members also questioned the definition of the term “affordable housing” and the means by which this was continued with the sale of properties. Officers confirmed that they were confident that the discounting could be continued with each sale. Officers also confirmed that a briefing note relating to the affordable housing scheme would be circulated to all Members of the Sub-Committee for their information.

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

- a. The replacement of Condition 2 with

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

Drawing no. 131/RP/01B dated 12/9/06; Drawing no. 131/RP/02A dated 11/9/06; Drawing no. 131/RP/03B dated 11/9/06; Drawing no. 131/RP/04A dated 11/9/06; and, Drawing no. 131/RP/05A dated 11/9/06, and all received 21 Sep 2006;

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

- b. The replacement of Condition 4 with

The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include: -

- i) The numbers, type, tenure and location of the site of the affordable housing provision to be made
- ii) The timing of handover to a Rented Social Landlord of the affordable housing
- iii) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing

iv) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and means by which such occupancy shall be enforced.

c. The replacement of Informative 4 with

**INFORMATIVE:**

The transport measures referred to in the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, for the funding of a minimum of a 12 month bus pass or car club membership for each occupier of the additional dwellings.

No development can take place on this site until the transport measures have been agreed and the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

**REASON:**

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to principle of development, design considerations, visual amenity, impact on historic and natural environments, residential amenity, highway safety, and education and leisure facilities. As such, the proposal complies with Policies H9, T9 and E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GP1, HE2, H2A, H3C, H5A, T4, and L1 of the City of York Local Plan Deposit Draft.

CLLR R MOORE, Chair

The meeting started at 2.30 pm and finished at 3.15 pm.