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MEETING	PLANNING COMMITTEE
DATE	5 MARCH 2007
PRESENT	COUNCILLORS R WATSON (CHAIR), BARTLETT, BLANCHARD, CUTHBERTSON, HILL, HORTON, JAMIESON-BALL, MACDONALD, MOORE, REID, SIMPSON-LAING, MORLEY (SUBSTITUTE) AND LIVESLEY (SUBSTITUTE)
APOLOGIES	COUNCILLORS HYMAN, SMALLWOOD, I WAUDBY AND WILDE

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### 53. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
Proposed Manor Church of England School Site Millfield Lane 06/02200/FUL	Due to objections received and for Members to familiarise themselves with the site	Councillors Horton, Macdonald, Reid and R Watson

### 54. 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 Horton declared a personal prejudicial interest in agenda item 3a (York District Hospital, Wigginton Road, York) as he received a pension from the firm that would be manufacturing the framework of the building if permission was granted. He left the room and took no part in the discussion or decision on the item.

Councillor Simpson-Laing stood down from the Committee for agenda item 3b (Proposed Manor Church of England School Site, Millfield Lane, Nether Poppleton, York), under the provisions of the Planning Code of Good Practice, and spoke from the floor on behalf of local residents.

### 55. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Committee.

## **56. 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.

### **56a York District Hospital, Wigginton Road, York (06/02605/FULM)**

Members considered a major full application, submitted by Peter Strickland, for the erection of a two storey (3 level) car park, and alterations to the existing car park and entrance roads (resubmission).

A copy of the case officers' update was circulated to Members. It detailed an amendment to paragraph 1.3 of the report, a further response from the Environmental Protection Unit, a response from Highways and proposed highway conditions.

Representations were received in objection to the application, from a local resident, and in support of the application, from the applicant's agent.

Members discussed issues relating to the lighting of the site, the Green Travel Plan and other highway matters.

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

8 Prior to the commencement of any works details shall be agreed in writing with the Local planning Authority of the signing, lighting and lining to be used within the multi storey car park.

Reason: To ensure satisfactory Highway details.

9 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with the approved plans.

Reason: To prevent the egress of water and loose material onto the public highway.

10 Prior to the development commencing details of the measures to be employed to prevent the egress of mud, water and other detritus onto the public highway, and details of the measures to be employed to remove any such substance from the public highway shall be submitted to and approved in writing by the Local Planning Authority. Such measures as shall have been approved shall be employed and adhered to at all times during construction works.

Reason: To prevent the egress of water and loose material creating a hazard on the public highway.

11 Prior to works starting on site a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which shall be agreed in writing with the LPA.

Reason: In the interests of the safety and good management of the public highway.

12 Prior to the commencement of any works, a detailed method of works statement shall be submitted to and agreed in writing with the Local Planning Authority. This statement shall include the precautions to be taken to ensure safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting the demolition and construction material, and the hours during which this will be permitted.

Reason: To ensure that the works are carried out in a safe manner and with minimum disruption to users of the adjacent public highway.

13 A scheme for the creation of temporary car parks for visitors, patients and staff to take account of the loss of the current facilities, shall be agreed in writing by the LPA prior to the commencement of any works. The temporary car parks shall thereafter be made available prior to the commencement of the hereby approved development.

Reason: To ensure suitable transition of car parking from existing to proposed.

14 Within 12 months of the date of the development first coming into use, the proportions of staff travelling to work by different modes of transport shall be reassessed and shall continue to be reassessed on an annual basis. If the modal split targets as set out in the Hospital Green Travel Plan are not met, then charges for staff parking shall be raised to match those of long stay car parks within the City Centre within three months of the reassessment being carried out.

Reason: To seek to ensure that the targets of the Green Travel Plan are adhered to.

15 Details of cycle parking provision, (for not less than 21% of the total of full time equivalent staff employed and including provision of parking for buggies and trailers), is to be implemented within the Hospital grounds within in accordance with a program of works to be agreed by the Local Planning Authority.

Reason: In order to promote the use of cycling as an alternative mode of travel to work, in accordance with the Local Plan policy and the Hospital's Green Travel Plan.

16 Prior to the commencement of the development, full details of a cycle route running North to South effectively and safely linking the Hospital site to both ends of the Local Cycle Network, shall be agreed in writing with the Local Planning Authority, and thereafter shall be constructed at the applicants expense and made available before the proposed car park comes into operation.

Reason: In order to promote the use of cycling as an alternative mode of travel to work, in accordance with Local Plan Policy C4 and the Hospital Green Travel Plan.

17 Prior to the commencement of the development, full details the Design measures incorporated and method of operation of the car park to ensure that secure by design standards are achieved, shall be submitted to and agreed in writing with the LPA.

Reason: In the interests of the safety and security of users of the car park.

18 Prior to the commencement of any works, details shall be agreed in writing with the LPA of the associated highway works (including lighting, drainage and traffic regulation order) which are to take place along the Wigginton Road frontage, (as shown on drawing number 1033/053/002 27/11/06). The development itself shall not come into use until the said works have been carried out in accordance with the approved plans and to the satisfaction of the Highway Authority.

Reason: So as to ensure adequate highway safety measures are in place.

19 No work shall take place on site except between the hours of 0800 and 1800 on Mondays to Fridays and 0900 to 1300 on Saturdays. No work shall take place on site on Sundays or Bank Holidays.

Reason: To safeguard the amenities of local residents.

20 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.

- Signing, lighting and lining within the car park.
- Panel edges and panel fixing to frames.
- Wire planting mounts

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

21 Prior to commencement of the development, the finished colour(s) of the approved car park cladding and render shall be agreed in writing by the Local Planning Authority. The structure shall thereafter be finished and maintained in the approved colours to the satisfaction of the Local Planning Authority at all times.

Reason : In the interests of the visual amenities of the locality.

22 Before the commencement of the development a Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority. The proposed lighting scheme shall be required to detail means of minimising light spillage and shall utilise 'no glare lighting' to the Local Planning Authorities satisfaction and shall address the aims of the Dark Skies initiative.

Reason: To reduce Light Pollution created by the proposed car park.

23 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 10m metres, 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.

24 No development shall commence until details of a financial contribution towards a Residential Parking Scheme have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to enable residential parking provision to be located within the locality of the site.

25 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority details of the proposed screen 'wire' planting to the proposed elevations. Details should show the proposed construction and fixing of the wires to the structure, the frequency in which they are to be located, the types of species to be used and the proposed growth patterns expected.

Reason: To ensure a satisfactory appearance.

#### Demolition and Construction - Informative

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00

Not at all on Sundays and Bank Holidays.

The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

There shall be no bonfires on the site."

3. The alternative arrangements of 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, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £5000.

No development can take place on this site until 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 above, would not cause undue harm to interests of acknowledged importance, with particular reference to the visual impact upon the streetscene. As such the proposal complies with PolicyGP1 of the City of York Deposit Draft Local Plan.

**56b 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 a two storey school building with associated car parking, playing fields, tennis courts and all-weather pitch.

Representations were received in objection to the application, from three local residents, and in support of the application, from the applicant's agent, the headteacher and two pupils. Representations were also received from Councillor Simpson-Laing, Acomb Ward Councillor.

Members discussed how much detail to include in the conditions relating to highways works at this stage and expressed some concerns regarding the proposed rising bollard. They also requested that the school consider providing CCTV coverage of the car parking area.

RESOLVED: That the application be approved, subject to referral of the application to the Secretary of State under The Town and Country Planning (Green Belt) Direction 2005, and subject to the conditions listed in the report and the following amended conditions:

5 The school buildings shall be used only between the hours of 08:00 and 22:00 Monday to Friday, 09:00 to 23:30 Saturdays and 09:00 to 21:00 on Sundays. The external hardsurface courts and all weather pitches shall be used only between the hours of 08:00 and 22:00 Monday to Friday and 09:00 to 21:00 Saturday and Sunday. The remaining pitches shall be used only between the hours of 08:00 and 22:00 Monday to Friday and 10:00 to 18:00 Saturday and Sunday.

Reason: to protect the local residents from undue noise and disturbance late at night and at weekends.

9 Prior to the development hereby approved coming into use details of the illumination of the all-weather pitch and tennis courts on the site shall be submitted to and approved in writing by the Local Planning Authority and the agreed scheme implemented and maintained on site. The lighting scheme should demonstrate that it reduces both outward and upward light spillage and should demonstrate compliance with "dark skies" principles.

The lights should be turned off no later than 15 minutes after the last use of the pitches and this should be controlled by a suitable time switch installed to the satisfaction of the local planning authority.

Reason: To protect the living conditions of the nearby residential properties and to prevent light pollution.

10 Prior to the development hereby approved coming into use details of any scheme for illumination of all external areas of the site shall be submitted to and approved in writing by the Local Planning Authority and the agreed scheme implemented on site. The lighting scheme should demonstrate that it reduces both outward and upward light spillage and should demonstrate compliance with "dark skies" principles.

Reason: To protect the living conditions of the nearby residential properties and to prevent light pollution.

25 The development hereby permitted shall not come into use until the following highway works (which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works) have been carried out in accordance with details which shall have been

previously submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same:

- a/ Widening of the footway on Beckfield Lane to a maximum of 3.5 at a length of 70 metres to provide a shared pedestrian/cycle route
- b/ Provision of a 2 metre wide maximum footway to the western side of Low Poppleton Lane
- c/ Widening of the footway to Millfield Lane to a maximum of 3.5 metres to provide a shared pedestrian/cycle route
- d/ Implementation of a school safety zone and associated works as shown indicatively on drawing 4210-004 Rev A
- e/ Provision of improved crossing facilities on Boroughbridge Road
- f/ Provision of a crossing facility on Beckfield Lane

Reason: In the interests of the safe and free passage of highway users and in the interests of providing sustainable transport options to the school site in accordance with policy T7c of the Development Control Local Plan.

Informative: The provision of improved crossing facilities on Boroughbridge Rd and Beckfield Lane 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, requiring a financial contribution. The obligation should provide for a financial contribution calculated at £45000.

26 The development hereby permitted shall not come into use until the following highway works (which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works) have been carried out in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same.

Provision of a lowering bollard (or other means) and any associated works to facilitate public transport and emergency vehicle access only access between Millfield Lane from Low Poppleton Lane

Reason: In the interests of the safe and free passage of highway users and in the interests of providing sustainable transport option to the school site in accordance with policy T7c of the Development Control Local Plan.

**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 the openness or setting of the green belt, the purpose of including land within the green belt, highway implications, residential amenity, nature conservation, landscape value, design and sustainability. As such the proposal complies with Policies R1, R9, E2, E8, E8a and E9 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies SP2, SP6, GP1, GP3, GP9, GP11, GP13, GP14, NE1, GB1, GB13,



T7c, T13a, T20, and ED1 of the City of York Local  
Plan Deposit Draft.

COUNCILLOR R WATSON  
CHAIR

The meeting started at 5.00 pm and finished at 9.45 pm.

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