
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	22 FEBRUARY 2007
PRESENT	COUNCILLORS MOORE (CHAIR), HYMAN (VICE-CHAIR), GREENWOOD, HALL, KING, SMALLWOOD, VASSIE, B WATSON AND I WAUDBY
APOLOGIES	COUNCILLOR D'AGORNE

61. SITE VISITS

The following site was inspected before the meeting:

Site	Attended by	Reason for Visit
Hoxne Farm, Sheriff Hutton Road, Strensall York	Cllrs Hall, Hyman, Moore and B Watson.	At the Parish Councils request, to check the proposed amended layout in relation to the badger sett and the drainage proposals.

62. 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.

No interests were declared.

63. MINUTES

RESOLVED: That the Minutes of the last meeting of the Sub-Committee held on 8 February 2007 be approved and signed by the Chair as a correct record.

64. PUBLIC PARTICIPATION

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

65. 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.

65a. Hoxne Farm, Sheriff Hutton Road, Strensall, York (06/01054/FUL)

Members considered a full application, submitted by Mr J Ord, for alterations to existing caravan park including the removal of the existing touring caravan and caravan storage areas and the development of new area to accommodate 30 holiday cabins.

Officers updated that the applicant had now realigned the units in the north east corner of the site further away from the badger sett. It was confirmed that the units were now far enough away to ensure that no licence was required from Defra. The Council's Ecology Officer had also confirmed that no mitigation measures would now be required.

Consultations had been undertaken with the Foss Internal Drainage Board and the Environment Agency in relation to drainage at the site. It was confirmed that the surface water drainage would continue to be to the ground into a herringbone system and that the foul water would be disposed of into the existing on-site cesspools. In the event of an increase in the foul water discharge the applicant had agreed to introduce a private treatment plant system. Officers updated that, in order to cover any drainage problems, Conditions 6 and 7 required amendment.

Members questioned details in relation to the surface area of the cabins, the density per hectare, details of screening and boundary treatments.

Representations in objection to the application were received from a neighbour who indicated that he felt the application was ambiguous and that the proposal was effectively a low cost housing estate in the country. He did not consider that the proposals put forward in relation to drainage would be adequate to cope with the increased number of units. His objections also related to the destruction of wildlife habitat and screening, pollution, increased traffic and light pollution.

Representations were also received from the applicant's agent who confirmed that additional planting and screening would be undertaken both on site and at the boundary. He confirmed that the site licence also imposed conditions on the site and its surroundings. He refuted that the site would become a village development but that the applicant was intending to improve facilities for all users. He stated that the applicant had confirmed that the watercourses adjacent to the site were flowing freely and he felt that the drainage proposals would be sufficient for the scheme.

Members also questioned details of owners access to the cabins during the 2 month period when they would be unoccupied, insulation, rain harvesting and visitor parking.

RESOLVED: That the application be approved subject to the conditions listed in the report and the addition and amendment of the following conditions:

1 No development approved by this permission shall be commenced until a scheme for the surface water drainage arrangements has been submitted to and approved in writing by the Local Planning Authority. This

scheme shall include sustainable methods of drainage systems such as rain water harvesting and no part of the development shall be brought into use until such a scheme has been agreed.

Reason. In the interests of satisfactory drainage within, and adjacent to, the application site and in the interests of sustainability.

2 No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to a private treatment plant has been submitted to and approved by the Local Planning Authority. No part of the development shall be brought into use until such a treatment plant has been constructed.

Reason. In the interests of satisfactory foul water drainage and in order to prevent pollution of the water environment.

3 Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

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

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 tourism related development, visual impact on the open countryside, highway safety, nature conservation and sustainability. As such the proposal complies with Policies V5, GP1, GP4a, NE1 and T5 of the City of York Draft Local Plan incorporating the 4th set of changes approved April 2005.

65b. Brecks Nook Farm and York Riding School, Wigginton Road, Wigginton, York (06/02865/FUL)

It was reported that this full application, submitted by Marchi Properties, for use of land for car parking in connection with existing uses within the Cliftongate Business Park, Wigginton Road had now been withdrawn by the applicant.

Officers confirmed that a public inquiry was due to take place on 6 March 2007 in relation to enforcement appeals relating to unlawful uses on the site.

65c. Allders Group, Stirling Road, York (06/00941/FUL)

Members considered a full application, submitted by Shopping Centres Ltd, for the variation of Condition 5 of planning permission 3/104/141AD/PA to enable a wider range of goods to be sold.

Officers updated that there was a need to amend Condition 3, if the application was approved, to ensure that the impact of comparison goods

sold from the unit competing with goods sold from York City Centre retail outlets was minimised.

Members questioned the size of the retailers existing store at Clifton Moor, details of the Greater York Shopping Policy and some Members expressed concern that there was still a need to retain the vitality and viability of the city centre.

RESOLVED: That permission be granted subject to the conditions listed in the report and the amendment of condition 3 as follows:

The retail use of the property shall be limited to the sale, display and testing of sports goods only and not less than 50% of the Class A1 net floor space shall be used for the sale of bulky goods ancillary to Class D2 Health and Fitness Centre.

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 vitality and viability of York's existing centres. As such the proposal complies with Policies S2, SP7a, SP6 and S1 of the City of York Local Plan Deposit Draft.

65d. Allders Group, Stirling Road, York (06/00948/FUL)

Members considered a Full Application, submitted by Shopping Centres Ltd, for the change of use to health and fitness centre (Use D2) and retail unit (Use A1) to part of unit 3, rear extension to form plant room and external alterations to front and rear and addition of mezzanine first floor.

Officers updated that there was also a need to amend Condition 5 in this application, if the application was approved, to ensure that the impact of comparison goods sold from the unit competing with goods sold from York City Centre retail outlets was minimised.

The Chair referred to the siting of the plant room and questioned whether it would be possible to incorporate a pitched roof, in keeping with adjacent development. Officers stated that the applicants agent had confirmed that a pitched roof would be impractical owing to the installation of air conditioning units.

Members questioned the mention of catchment area for leisure/fitness facilities in the report. Officers confirmed that the catchment area used by the applicants for leisure/fitness facilities were those within 10 minutes drive time of the site but that planning had no sequential test for leisure facilities.

Councillor Smallwood asked recording that he voted against this application as he considered the development would affect the vitality and viability of the city centre.

RESOLVED: That permission be granted subject to the conditions listed in the report and the amendment of Condition 5 as follows:

The retail use of the property shall be limited to the sale, display and testing of sports goods only and not less than 50% of the Class A1 net floor space shall be used for the sale of bulky goods ancillary to Class D2 Health and Fitness Centre.

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 vitality and viability of York's existing centres and the character and appearance of the locality. As such the proposal complies with Policies GP1, S2, SP7a, SP6, S1, L1a, T13a and T4 of the City of York Local Plan Deposit Draft.

65e. York District Hospital, Wigginton Road, York (06/02605/FULM)

It was reported that it had now been confirmed that this 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 (re-submission) was above the 3000 sq m which could be determined by an area Committee, under the City of York Council delegation scheme. The footprint of the building measured over 3000 sq. m and the gross floor area was over 9000 sq m for the 3 levels.

Officers confirmed that the application would now be deferred to a special meeting of the main Planning Committee.

65f. 68 Fishergate, York (06/02796/FUL)

Members considered a full application, submitted by Rank Gaming Group, for the erection of a smoking/bus shelter to the front of 68 Fishergate, York.

In answer to questions, Officers confirmed that, in advance of English guidance or legislation on the natural ventilation requirements for smoking shelters, the advice received from Scotland stated that there was a need to provide at least 50% of the structure open to the elements.

Some Members expressed concern that users of the shelter would also be subject to passive smoking and questioned the disposal of litter from the site. They felt that a one year temporary approval pending receipt of the Governments guidance on shelters in England would be more appropriate

together with a condition requiring the incorporation of an extraction system.

RESOLVED: That the application be approved subject to the conditions listed in the report.

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 impact on the provision of car parking, the appearance of the streetscene, public safety and neighbours' living conditions. As such the proposal complies with Policy GP1 and appendix E of the City of York Local Plan Deposit Draft.

CLLR MOORE, Chair

The meeting started at 2.30 pm and finished at 4.30 pm.