
MEETING	PLANNING AND TRANSPORT (EAST AREA) SUB-COMMITTEE
DATE	11 MAY 2006
PRESENT	COUNCILLORS MOORE (in the Chair), CUTHBERTSON (substitute for HALL), D'AGORNE, HYMAN (VICE-CHAIR), KING, ORRELL, SMALLWOOD, VASSIE, B WATSON and M WAUDBY.
APOLOGIES	COUNCILLOR HALL

99. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
12A The Village, Wigginton	Cllrs D'Agorne, Hyman, Moore, Orrell, Vassie and B Watson.	Requested by Members
Designer Outlet Centre, Fulford	Cllrs D'Agorne, Hyman, Moore, Vassie and B Watson.	Requested by Members

100. DECLARATIONS OF INTEREST

The Chair invited Members to declare any personal or prejudicial interests which they had in any of the business on the agenda.

Cllr Smallwood declared a personal non-prejudicial interest in Plans Item 2 (69 Fourth Avenue, Heworth) as the Applicant had visited his home to present the application. He advised the Applicant that he would not comment on the application. He exercised his right to remain in the room and took part in the discussion.

Cllr D'Agorne declared a personal and prejudicial interest in Plans Item 5 (Gimcrack, Fulford Road) as he was a near neighbour. He left the room for that item and took no part in the discussion thereon.

Cllr Cuthbertson declared a personal non-prejudicial interest in Plans Item 7 (12a The Village, Wigginton) as he was a member of the Parish Council, and the Parish Council had discussed the application but he had not taken part in any discussions. He exercised his right to remain in the room and took part in the discussion.

Cllr Moore declared a personal non-prejudicial interest in Plans Item 4 (Clifton Moor Retail Park) as he was Chair of Rawcliffe Parish Council and the clerk to

the Council was present to speak on the item. He had not, however, taken part in any discussion on the application. He exercised his right to remain in the room and took part in the discussion.

101. MINUTES

RESOLVED: That the minutes of the Sub-Committee held on 13 April 2006 be approved and signed by the Chair as a correct record.

102. PUBLIC PARTICIPATION

It was noted that there were no registrations to speak under the public participation scheme.

103. 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.

(Plans Item 1) MACARTHUR GLEN, ST NICHOLAS AVENUE, YORK

Members considered a Major Full Application (13 weeks), submitted by McArthur Glen Designer Outlets, for a proposed storage building and associated landscaping to the west wing area and alterations to the car park. (Ref: 06/00564/FULM)

Officers advised that condition 11, hours of working, was to be modified and the hours of delivery restricted to Mon – Sat 0630 hrs – 2230 hrs and Sun 1000 hrs – 2230 hrs. Officers advised that a condition about construction hours should be added if the application was approved.

The Applicant was present to answer questions.

Members discussed building efficiency and were disappointed that more efforts had not been made to improve efficiency. Members agreed that an informative about building efficiency should be added. Members discussed use of space at the site and raised concerns that if the new storage building was allowed, further temporary units may in the future be placed on the site. Members agreed that condition 6 should be amended to prevent this.

RESOLVED: That the Application be approved subject to the conditions in the report, and with the following amended and additional conditions and informative:

1. The container units shown on drawing 0113.EX04 submitted with the application shall be removed in their entirety from the site within two weeks from the beneficial use of the storage building hereby approved and no further container units shall be allowed on the site without the prior written permission of the Local Planning Authority.

Reason: To ensure the development is acceptable in terms of the effect on the openness of the Green Belt

2. The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

Reason: To protect the amenities of adjacent residents.

Informative

1. The applicant is strongly advised to take account of sustainable development in the building construction of the proposal, and to contact the Authority's Sustainability Officer, Kristina Peat, on 01904 551666 in this respect.

REASON: The proposal, subject to the conditions in the report and listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the effect on the York Green Belt, visual amenity, trees and landscaping, highways considerations, sustainability and the effect on the amenities of the nearest neighbouring properties.

Cllr D'Agorne requested that it be noted that he opposed this application.

(Plans Item 2) STORE REAR OF 69 FOURTH AVENUE, YORK

Members considered a Full Application, submitted by Mr G A Harrison, for erection of 2 dwellings after demolition of an existing store. (Ref: 06/00637/FUL)

Officers updated that an objection had been received from Heworth Parish Council who raised concerns about overdevelopment and that the site was inappropriate for residential use. Highways had not raised any objections. Officers updated that the refusal referred to PPG1 and that this should be amended to PPG51.

Representations were received in support from the agent for the Applicant.

Members raised concerns about the siting of the proposal, overdevelopment on the site and the lack of amenity space.

RESOLVED: That the application be refused.

REASONS:

1. The proposed dwellings by virtue of their siting and design will detract from the amenity of adjacent residential properties in particular 65 and 67 Fourth Avenue and the flats to the rear of 69, 71 and 73 Fourth Avenue. This is contrary to GP1 of the City of York Draft Local Plan and the thrust of PPS1 and PPG3.

2. The proposed dwellings located at the rear of an existing row of shops, served via a rear alley and located in close proximity to the rear of 69 Fourth

Avenue with no outdoor amenity space, will not provide a level of amenity that future occupiers of the dwellings should expect to enjoy. This is contrary to policy GP1 of the City of York Draft Local Plan and the thrust of PPS1 and PPG3.

(Plans Item 3) 47 HEWORTH ROAD, YORK

Full application, submitted by Mr N Hall, for erection of 3 one-bedroomed attached dwellings on land to the rear of 47 Heworth Road. (Ref: 06/00084/FUL)

This Application was withdrawn by the Applicant prior to the meeting.

(Plans Item 4) PROPOSED CAR VALETING SERVICE AT SHOPPING CENTRE CAR PARK, STIRLING ROAD, YORK

Members considered a Full application, submitted by Car Valeting Ltd, for change of use part of a car park to temporary office and canopy for a car valeting service (re-submission). (Ref: 06/00704/FUL)

Officers updated that there had been an objection from Rawcliffe Parish Council on the grounds of the colour of the canopy and subsequent loss of visual amenity, the loss of car parking spaces and pedestrian safety.

Representations were received in objection from the Clerk of Rawcliffe Parish Council

Members discussed water recycling and that the proposal was for a hand car wash. Officers reported that previous concerns about traffic and safety had been overcome as the site had been moved closer to the recycling bin area. Members agreed to add a condition to ensure the colour of the car wash canopy matched nearby roofs.

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

1. No development shall commence until details of the colour finish of the proposed canopy have been submitted to and approved in writing with the Local Planning Authority. This colouring shall as near as possible match that of the existing roofs of the buildings on Clifton Moor Retail Park. This agreed colouring shall be maintained unless previously agreed in writing with the Local Planning Authority.

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

REASONS: The proposal, subject to the conditions in the report and listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact on the highway network, amenity of the local area and sustainable development.

(Plans Item 5) THE GIMCRACK, 294 FULFORD ROAD, YORK

Members considered a Full application, submitted by Wrigley Property Development Ltd, for amendment to condition 4 of planning permission 02/03282/FUL for residential development. This requires the refurbishment of the stable block before the occupation of first dwelling. (Ref: 06/00624/FUL)

Members agreed to amend the condition listed in the report to replace the words of the second paragraph 'final dwelling' with 'seventeenth dwelling'.

RESOLVED: That the application be approved subject to the condition in the report, as amended as follows:

1. The following wording amends Condition 4 of planning approval 02/03282/FUL. All other conditions of that approval remain unaltered.

Works on the refurbishment and re-use of the existing stable block building to the north of the main Gimcrack building shall be completed before the occupation of the 17th. dwelling on site other than the stable block'.

Reason. In the interests of preserving an important ancillary outbuilding with an historical association to the main Gimcrack building and ensuring it is brought back into use before the completion of work on the site.

REASONS: The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the future development of this building.

(Plans Item 6) 240 MELROSEGATE, YORK

Members considered an outline application, submitted by Tom Barker, for the siting, design, external appearance and means of access to 2 two-storey dwellings after demolition of an existing bungalow. (Ref: 06/00503/OUT)

Officers updated that the scheme had been amended and the driveway slightly widened. Revised plans had been submitted. Officers recommended that should the scheme be approved that three highway related conditions be added

Members discussed parking areas and requested that it be conditioned to ensure the driveway was surfaced with permeable materials.

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

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

TB/M/3A, TB/M/4

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.

2. Prior to the development coming into use, all areas used by vehicles shall be surfaced in a water permeable material and positively drained within the site, in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority.

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

3. The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

4. 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.

REASONS: The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to design, impact on neighbours and ecology.

(Plans Item 7) 12A THE VILLAGE, WIGGINTON, YORK

Members considered a Full application, submitted by D J Martell, for a single storey pitched roof side extension. (Ref: 06/00696/FUL)

Officers updated that Wigginton Parish Council had no objections.

It was raised that a neighbour had concerns about build up gas from a vent, and Officer reported that they would check that there was no blow back of gas into the neighbours house.

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

REASONS: The proposal, subject to the conditions in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the streetscene and neighbours' living conditions.

CLLR R MOORE, in the Chair

The meeting started at 2.00 pm and finished at 3.55 pm.