

Meeting	Planning Committee B
Date	19 October 2022
Present	Councillors Hollyer (Chair), Melly (Vice-Chair), Craghill, Daubeney, Fisher, Galvin, Orrell, Perrett and Kilbane (Substitute for Cllr Crawshaw)
Apologies	Councillor Crawshaw
Officers Present	Gareth Arnold, Development Manager Neil Massey, Development Officer Ruhina Choudhury, Senior Solicitor

31. Declarations of Interest (4.32 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

No interests were declared.

32. Public Participation (4.32 pm)

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

33. Plans List (4.33 pm)

Members considered a schedule of reports of the Development Manager, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

34. Former Piggeries, Rear of Willow Court, Main Street, Holtby, York [22/00586/FUL] (4.33 pm)

Members considered a full application for the variation of condition 2 of the permitted application 17/02982/FUL, to amend the internal layout, external

appearance and orientation of plot 4 at Former Piggeries, Rear of Willow Court, Main Street, Holtby, York.

The Development Manager gave a presentation on the application and updated the Committee on a further objection from a neighbour of the property which related to loss of privacy and views.

In response to Members questions, the officer confirmed the main differences in the plans from the original application. He also explained that the original conditions for the development pre-date the draft Local Plan, the commencement condition was linked to the original development and therefore should the application be granted, permission would be in place in perpetuity.

Public Speakers

Cllr Warters, Ward Member for Osbaldwick and Derwent, spoke in objection to the application. He raised concerns regarding the footpath which had been agreed as part of the original development, he stated that the new design would be out of keeping with the rest of the development. In response to questions, he suggested that Members compare both sets of plans.

Jeremy Dowell, spoke in support of the application on behalf of the applicant. He stated that the property, which did not front the street, had been designed in accordance with the Village Design Statement (VDS). It complemented the existing buildings and met all environmental requirements. He explained, in response to questions, that the redesign had been necessary to meet his client's requirements.

Officers responded to Members questions and explained that the footpath had formed part of a s106 agreement in 2014, current s106 agreements did not cover footpaths.

The VDS provided supplementary guidance and had some weight in the decision-making process, whilst old, it was not necessarily out of date.

Following debate, Cllr Galvin moved to approve the officer recommendation, this was seconded by Cllr Fisher. Members voted unanimously in favour and it was;

Resolved: That the application be approved subject to a deed of variation to the existing Section 106 Agreement to ensure that the permission is subject to the obligations of the Section 106 Agreement for 17/02982/FUL.

Reason: The proposal would not result in further harm to the openness of the Green Belt, character and appearance of the development and surrounding area, or residential amenity for existing and future occupants, and would be considered to comply with National Planning Policy Framework (2021), policies DB1 and GB1 of the City of York Publication Draft Local Plan 2018, policies GP1 and GB1 of the 2005 City of York Draft Local Plan, and the contents of the Holtby Village Design Statement. The proposal would have no impact on the consideration of highway safety, biodiversity, or contamination, which can be mitigated by the imposition of conditions or through a Section 106 Agreement, and the proposed amendments to the previous approval are not considered to be fundamental or substantial. Approval is therefore recommended, subject to the imposition of those conditions from the previous approval 17/02982/FUL that this Section 73 application does not seek to vary, updated to take account of the details approved under AOD/19/00340 and to include a condition to cover surfacing materials for the proposed driveway. As the previous application was subject to a Section 106 Agreement, securing Affordable Housing and Sports contributions, a deed of variation is required to take account of this Section 73 application.

**2a) Union Terrace Car Park, Clarence Street, York
[21/02295/GRG3] (5.04 pm)**

Members considered an application at Union Terrace Car Park, Clarence Street, York for the installation of an Ultra Rapid Charging Hub, erection of battery storage unit and substation with temporary construction compound.

The Development Manager gave a presentation on the applications for items 4b and 4c. A verbal update was provided by the Development Officer in which he explained a further objection had been received regarding the existing spaces and the distance from the main route into the city. He also noted that the plans had been revised.

In response to questions concerning the plans, officers confirmed that the proposed Hub would be drive in and reverse out and clarified that the applicant was City of York (CYC) council. Parking bays are marked out and are wide enough for passing vehicles. In respect to the additional

distance to the main pedestrian route towards the city, the average was 50m, the furthest being 86m.

Flick Williams, a resident, spoke in objection to the application and raised concerns about the relocation of the blue badge spaces and associated safety concerns. She highlighted that some disabled groups would not hear or see EVs (Electric Vehicles). She also questioned the absence of an Equalities Impact Assessment (EIA).

Stuart Andrews, CYC Project Manager for the HyperHub project was available to answer questions. He responded to questions on the EIA, the number and size of the parking spaces, general questions relating to the layout of the site, the reasons for moving the disabled parking facility, hub usage and consultation with disability groups. He confirmed the following:

- An equalities assessment had been undertaken for the HyperHubs project. This was prior to the council's EIA policy. The PAS 1899 standards had been used for guidance. Disabled EV users had been consulted as part of the design process for the hubs.
- There would be the same number of bays, the same shape and size as existing, with the addition of two EV charging bays.
- The disabled parking bays were required to be moved to enable 24 hour access to the HyperHub. If the Hub was situated further in to car park, there would be an increase in traffic, the costs of cabling would also increase and there would be a reduction in the capacity of the car park by 20-30 spaces.

Following debate, Cllr Galvin moved the officer recommendation to approve the application. No Member was willing to second the proposal and the motion therefore fell.

[18:05 Cllr Galvin left the meeting.]

Following further debate, the Chair proposed a deferral with revised plans to come back to the full Committee, this was seconded by Cllr Craghill. A vote was taken and the motion was passed with five in favour and 3 against. It was therefore;

Resolved: That the application be deferred to allow the applicant to seek an amended design to minimise the distance between the blue badge holder spaces and the pedestrian exit from the car park, avoiding crossing the vehicle entrance to the hyper hub.

Reason: The proposed charging hub would support initiatives to encourage the switch to more sustainable travel modes. The central location would be particularly beneficial to tourists,

people using work vehicles and the occupiers of the many nearby terraced properties that currently do not have easy access to charging facilities. The position within a car park, outside the Central Historic Core conservation area is a logical location for the facility. It is considered that the less than substantial harm to the setting of the adjacent Conservation Area would be outweighed by the wider environmental benefits of the proposal.

The proposed position of the charging hub should be reconsidered due to the requirement to re-locate the blue badge spaces that are currently located in the southeast corner of the car park. Consideration should be given to a revised / relocated compound; walkway along the southern boundary; relocation of the blue badge spaces.

**35. Union Terrace Car Park, Clarence Street, York
[22/00426/ADV] (5.04 pm)**

Following deferral of item 4b, 21/02295/GRG3, the Chair moved to defer item 4c, 22/00426/ADV. This was seconded by Cllr Fisher. Members voted unanimously in favour and it was;

Resolved: That the application be deferred and be brought back to Committee alongside 21/02295/GRG3.

Reason: Due to the interdependent nature of the application.

Cllr A Hollyer, Chair

[The meeting started at 4.31 pm and finished at 6.15 pm].