
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	8 FEBRUARY 2007
PRESENT	COUNCILLORS MOORE (CHAIR), HYMAN (VICE-CHAIR), GREENWOOD, HALL, KING, VASSIE, B WATSON AND I WAUDBY
APOLOGIES	COUNCILLORS D'AGORNE AND SMALLWOOD

57. **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.

58. **MINUTES**

RESOLVED: That the minutes of the last meeting of the Sub-Committee held on 25 January 2007 be approved and signed as a correct record.

59. **PUBLIC PARTICIPATION**

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

60. **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.

60a. **Site adjacent Rodgers Carpets West of Jockey Lane, Huntington, York (06/02205/REMM)**

Members considered a major reserved matters application, submitted by Oakgate (Monks Cross) Ltd, for the erection of 4 no. office units (B1 Use) (resubmission).

Officers updated that this was the first of two reserved matters applications for this high quality business park. It was reported that the applicant had voluntarily agreed to provide an excellent BREEAM (Building Research Establishment Environmental Assessment Method) rating for the building and the addition of a condition to support this was proposed. Officers referred to an amendment required to the report under para. 3.3 b, which should read, "occupy more than 10% of total floor space approved."

Members welcomed the application and the BREEAM condition and questioned the possible inclusion of rain harvesting and discussions with the Council's Sustainability Officer.

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

The developer shall aim to achieve a BREEAM "very good" or "excellent" assessment standard for the development. Unless otherwise agreed in writing by the Council within 1 month of the date of the commencement of construction of the development the developer shall submit in writing for the approval of the Local Planning Authority a BREEAM design assessment demonstrating the progress of the BREEAM assessment, the percentage score expected to be achieved and which standard this relates to. Where this does not meet at least a 'very good' standard then the developer must demonstrate what changes will be made to the development to achieve at least 'very good' standard.

CLIMATE CONTROL INFORMATIVE

The applicant is advised to contact the City of York Council Sustainability Officer regards climate control within the building.

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 visual amenity of the area and highway safety. As such the proposals are considered to comply with Policies SP8, GP1, T2, T4, T13, E1A, and GP3 of the City of York Local Plan Deposit Draft and the aims of PPS1 and PPG13.

60b. Site adjacent Rodgers Carpets West of Jockey Lane, Huntington, York (06/02521/REMM)

Members considered a major reserved matters application, submitted by Mr J Downes, relating to 98/02301/OUT for the erection of a two storey office building.

Officers updated that the applicant had originally registered to attend the meeting but had had to withdraw, for personal reasons at short notice, he asked that his emailed comments were reported to Members. Officers reported that the building would be used as a laboratory and that, although it would endeavour to reach BREEAM standards, it would be a high user of energy therefore it would only meet the good standard.

The Chair referred to the exposed external escape stair and the possibility of anti social behaviour with young people congregating and suggested the applicant consider the enclosure of the stairs.

Members questioned the security of the building, security lighting and whether the escape stair was sited adjacent to the gas cylinder store. The applicants agent, who was in attendance, indicated that the escape stairs were he understood situated in a compound. He confirmed that if this was not the case they would examine the possibility of enclosing the external stairs and the siting of the gas cylinder store as it was in the developers interest to make the building safe and secure.

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

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

Drawing Number 627852 SD AP 00024 revision A received 1 December 2006

Drawing Number 617818 SD AP 0026 revision B received 17 November 2006

Drawing Number 617818 SD AP 0028 revision C received 31 January 2007

Drawing Number 617818 SD AP 0005 revision A received 1 December 2006

Drawing Number 617818 SD AP 0030 revision A received 17 November 2006

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

2 This approval of reserved matters shall be limited to the area within the pink line shown on drawing number 617818 SD AP 0005 received 17 November 2006.

3 Any contaminated material detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

4 The developer shall aim to achieve a BREEAM "very good" or "excellent" assessment standard for the development. Unless otherwise agreed in writing by the Council within 1 month of the date of the commencement of construction of the development the developer shall submit in writing for the approval of the Local Planning Authority a BREEAM design assessment demonstrating the progress of the BREEAM assessment, the percentage score expected to be achieved and which standard this relates to. Where this does not meet at least a 'very good' standard then the developer must demonstrate what changes will be made to the development to achieve at least 'very good' standard.

CLIMATE CONTROL INFORMATIVE

The applicant is advised to contact the City of York Council Sustainability Officer regards climate control within the building.

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 visual amenity of the area and highway safety. As such the proposals are considered to comply with Policies SP8, GP1, T2, T4, T13, E1A, and GP3 of the City of York Local Plan Deposit Draft and the aims of PPS1 and PPG13.

60c. 26 Hopgrove Lane South, Stockton on the Forest, York (06/02360/FUL)

Members considered a full application, submitted by Ashley Woods, for the variation of condition 3 of planning permission for use as a beauty salon, to extend opening hours (resubmission).

Officers updated that for the avoidance of doubt and to make it easier to understand Officers felt the opening hours condition in the recommendation for approval should be amended to ensure that the salon was open from 9.00am Monday to Saturday rather than starting at 8.30am on Saturdays.

Representations were received, in objection, from a neighbour on behalf of a number of local residents in the area. She explained that there was a footpath between Nos.1-23a Hopgrove Lane, which recommenced at 26 Hopgrove Lane outside the salon. As customers frequently parked on the footpath at this point pedestrians were forced to walk on the busy road. There was restricted parking at the salon and a bakery opposite the site, which caused numerous parking problems and the objectors were concerned with further late night openings as the present hours were rarely adhered to. Their main objection was to additional late night opening, which they felt would detract from the amenities of the residential area.

Members questioned the contravention of opening hours referred to and the car parking provision on site.

Representations were also received, in support of the application, from the applicants agent. He indicated that he had undertaken a survey of salon customers in the 24 days prior to Christmas when a maximum of 11 customers had attended on any one day, which averaged 1½ customers per hour. He confirmed that he was unaware of any breach of opening hours by the applicant. He stated that the extension of hours application was for the convenience of customers who wished to use the facilities both before and after work.

Members also questioned the length of customers stay at the premises, parking arrangements on site and the need to enforce any extension of hours.

RESOLVED: That the application be approved subject to the following conditions:

- 1 The following wording amends Condition 3 of Planning Approval 05/00452/FUL dated 4 May 2005.

The opening hours of the use to members of the public shall be restricted to the following times: - 09:00-20:00 Monday-Fridays, 09:00-18:00 Saturdays with no opening to members of the public on Sundays/Bank Holidays.

- 2 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 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 neighbours. As such the proposal complies with Policies GP1 and GP4a of the City of York Deposit Draft Local Plan.

60d. 3 Wenlock Terrace, York (06/02539/FUL)

Members considered a Full Application, submitted by P M Yorkshire Ltd, for the conversion of building from 4 no. flats to 8 no. flats with external alterations including new store in the rear yard (revised scheme).

Officers updated that it was possible to provide one car parking space at the rear of the site but it was felt that the area would be better retained as amenity space for residents. Plans marking out the difference in the application refused for 9 flats in 2006 and that now under consideration for 8 flats were displayed at the meeting. If the application was approved Members were asked to make an addition to condition 6 to include bin and cycle storage to be agreed by the local planning authority.

Representations in support of the application were received from the applicants agent who confirmed that, following the refusal for 9 flats the scheme had been redesigned and that a number of the units had been increased in size and now exceeded minimum size guidance for properties. It was intended to undertake insulation works to prevent the passage of sound in the properties and he confirmed that there were no objections to the application.

Members questioned the minimum size guidelines for properties and the agent confirmed that all authorities appeared to interpret the Housing Act

2004 differently with regard to size. A general guide appeared to be 12m sq for a single room and 15m sq for a double room; the smallest studio would measure 20.79m sq. Members also requested further information in relation to the size of property and number of flats in Wenlock Terrace and the need to insulate the walls to protect the amenities of future residents.

Certain Members expressed concerns at the number of units proposed, that the amount of noise generated would affect the amenity of residents and that there appeared to be no natural light to some of the proposed rooms. Officers confirmed that the internal layout was a building regulation issue. It was agreed that the proposed insulation works for the floor and walls between the flats and the adjacent dwellings to achieve a reasonable resistance to airborne/impact sound should be assessed by the Environmental Protection Unit.

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

Prior to the development commencing details of recycling and refuse areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the facilities and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the storage of refuse.

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 upon residents and the street scene. As such the proposal complies with Policies H7 and GP1 of the City of York Deposit Draft Local Plan as well as Guidance contained within PPG3.

60e. Land Lying to the East of Centurion Office Park, Tribune Way, York (06/02341/OUTM)

It was reported that this major outline application, submitted by Keyland Gregory, for outline application for proposed light industrial development on land to the east of Centurion Park (layout, scale, appearance, access and landscaping) and residential development comprising 12 no. dwellings to land lying to the south of Centurion Park (siting and access only) had now been withdrawn by the applicant.

60f. Brecks Nook Farm and York Riding School, Wigginton Road, Wigginton, York (06/02865/FUL)

Members considered a full application, submitted by Marchi Properties, for the use of land for car parking in connection with existing uses within Cliftongate Business Park, Wigginton Road, Wigginton.

Officers updated that there was a public inquiry pending for this site, which was due to take place on 6 March. Officers had recently met with the applicants and their agent to agree a common red line for the boundary of the application site but that it had not been possible to get agreement on this point by both parties.

Members were therefore recommended to defer consideration of this application to the 22 February 2007 meeting of the Sub-Committee to enable agreement to be reached on the site boundary for the future avoidance of doubt.

Representations were received from the applicant who indicated that the application and plan did not appear to be in the form that were originally applied for and she welcomed the deferral to clarify the site boundary. She also referred to applications approved by the Authority in 2001 which she felt were relevant to the present application.

RESOLVED: That further consideration of this application be deferred to the next meeting of the Sub-Committee to allow Officers to agree with the applicants the boundaries of the application site, the report back to include details of planning approvals for the site in 2001.

REASON: To enable Officers to clarify the site boundaries with the applicant prior to consideration of the application for the avoidance of doubt.

CLLR R MOORE
Chair

The meeting started at 2.00 pm and finished at 3.25 pm.