
MEETING	PLANNING COMMITTEE
DATE	26 OCTOBER 2006
PRESENT	COUNCILLORS R WATSON (CHAIR), BARTLETT, BLANCHARD, CUTHBERTSON, HILL, HORTON, HYMAN, JAMIESON-BALL, MACDONALD, MOORE, REID, SIMPSON-LAING, SMALLWOOD, I WAUDBY AND WILDE
IN ATTENDANCE	COUNCILLOR B WATSON

22. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
St John's College, Clarence Street, York	To familiarise Members with the site	Councillors R Watson, Bartlett, Reid and Wilde

23. 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 Macdonald declared a personal non-prejudicial interest in agenda item 4a) (Northfield School, Beckfield Lane, York) as one of the speakers was known to him.

Councillor Blanchard declared a personal prejudicial interest in agenda item 4c) (St John's College, Clarence Street, York) as he knew the Head of the Enterprise Unit which would be re-housed in the new building. He left the room and took no part in the discussion or decision on this item.

24. MINUTES

Minute 21a (Barbican Centre, Paragon Street, York (06/00526/GRG4)) of the Planning Committee on 28 September 2006 was incomplete when it was originally published with the agenda. The fourth paragraph had subsequently been rephrased and the wording of the amended and additional conditions included. The completed minutes had been made available to view on the web site and a hard copy was provided for the chair to sign at the meeting.

RESOLVED: That the Minutes of the meeting held on 28 September 2006 be approved and signed by the Chair as a correct record.

25. PUBLIC PARTICIPATION

It was reported that nobody had registered to speak, under the Council's Public Participation Scheme, on general issues within the remit of the Committee.

26. 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.

26a. Northfield School, Beckfield Lane, York (06/01739/REMM)

Members considered a major reserved matters application, submitted by Barratt Homes (York), for residential development comprising 37 houses and 20 apartments, a new changing facility and public open space.

The Case Officer outlined details of the amended plans and additional information that had been submitted since the publication of the report. He detailed the comments received from the Acomb Planning Panel and reported that the Landscape Officer's comments had been reconfirmed and that further discussions on affordable housing had taken place.

Representations were received from neighbouring residents of Melwood Grove and Sunningdale Close, in objection to the application. Representations were received from the applicant's agent, in support of the application.

Members raised a range of concerns regarding the height, site level and proximity of the proposed dwellings in relation to the adjacent properties on Melwood Grove and Sunningdale Close. They commented that the density proposed was too high for the site and that Design for Living homes should be included in the development.

They also raised concerns regarding security issues, particularly in relation to the back alleyways proposed and the siting of the play area in a corner of the site with no surveillance.

Other issues discussed included the lack of adequate cycle parking, the need to retain all trees, not just those protected by Tree Protection Orders (TPO's), and the lack of safe pedestrian and cycle access to the site and in particular the playing fields, other than from Beckfield Lane.

It was reported that the Sustainability Appraisal had only recently been submitted by the applicant and that the Case Officer was awaiting comments from consultees before he could confirm if it met the requirements of Policy GP4a. Members highlighted that this information needed to be available to them and also commented that the drawings should have been made available to them to enable them to assess the design and materials and compare them to adjacent properties.

RESOLVED: That the application be refused.

- REASON:
- (i) Because of the height, bulk, mass and location of the proposed block of dwellings adjacent Sunningdale Close, this particular element of the development would result in overshadowing, would have an overbearing effect and would impact upon the outlook on no.18, 19 and 20 Sunningdale Close thereby harming their existing living conditions. As a consequence the proposal fails to satisfy national planning guidance PPS1 and PPG3 and also policies GP1 of the City of York Draft Local Plan (incorporating 4th set of changes) - 2005.
 - (ii) The proposal is undermined by the lack of a full landscape plan and specification as part of the design of the scheme. As a consequence the proposal fails to provide for a planned and integrated landscaping scheme. The outcome of which is a development which would be dominated by dwellings, car parking and hard surfacing. As such the proposal would not be compatible with the well established suburban character of the area and is therefore contrary to national planning guidance PPS1 and PPG3 and also policies GP1, GP9 and H5a of the City of York Draft Local Plan (incorporating 4th set of changes) - 2005.
 - (iii) Due to the layout and siting of the dwellings within the site, such a high density scheme does not allow for any associated soft landscaping which would add to the amenity of the scheme and create a sense of place, nor does the proposal incorporate existing landscaping, trees, etc which could further add to the visual amenity of the proposed residential development. As a consequence the proposal does not create a definable character or distinctive quality of place for the scheme as sought by 'Better Places to Live by Design: A companion Guide to PPG3'. As such the proposal would not be compatible with the well established suburban character of the area and is therefore contrary to national planning guidance PPS1 and PPG3 and also policies GP1, GP9, NE1 and H5a of the City of York Draft Local Plan (incorporating 4th set of changes) - 2005.

- (iv) The proposal fails to provide adequate provision for covered and secure cycle parking provision with regard to the proposed flat accommodation. Such an under provision would harm the City Council's objectives of maintaining and promoting cycle usage in order to minimise traffic generation, reduce pollution, noise and the physical impact of traffic and is therefore contrary to policy T4 of the City of York Draft Local Plan (incorporating 4th set of changes) - 2005.
- (v) The proposed bin storage for the proposed flat accommodation is inadequate in size, inconvenient to access from the majority of the proposed flats and difficult to collect for refuse collection. Such an inadequate arrangement would most likely result in rubbish being stored in other common areas or outside in the parking or circulation areas. This would be harmful to residential and visual amenity and is contrary to policy GP1 and GP4a of the City of York Draft Local Plan (incorporating 4th set of changes) - 2005.

26b. Properties 2 To 22 Inclusive Bleachfield, Heslington, York (06/01806/FULM)

Members considered a major full application, submitted by the University of York, for the demolition of university staff houses and the erection of six student residences, comprising 3 x three storey and 3 x four storey blocks with an associated utility building, parking and landscaping.

The Case Officer reported comments received from the Hull Road Planning Panel and from an objector. He also outlined amendments to condition 2 to update the reference numbers of the drawings listed and to condition 25 to require either an 'excellent' or 'very good' standard to be achieved in the Building Research Establishment's Environmental Assessment Method (BREEAM) assessment and to increase the timescale available to complete the pre-assessment stage.

Representations were received from the architect of the buildings that were proposed for demolition, in objection to the application. Representations were received from the University of York's Director of Estates, the President of the Graduate Students' Association and the President of the Students' Union, in support of the application. The applicant's planning consultant and architect also attended to answer questions and circulated plans and drawings to Members for consideration.

Members discussed a number of issues, including the amount of parking proposed, particularly for disabled people, the need for accommodation to be suitable for disabled people, the design of the buildings and the need for the windows in the stairwells to be the optimum size to maximise solar

gain and minimise heat loss. In relation to the existing buildings, they commented that demolition was unsustainable and that family housing would be lost.

Members requested that the existing buildings be documented and photographed before they were demolished.

RESOLVED: That the application be approved, subject to the conditions listed in the report, with the following amended conditions:

(i) Condition 2 – “The development hereby permitted shall be carried out only in accordance with the following plans:-

- Drawing no's
- 1249/100 Revision F.
 - 1249 - 300 Revision B
 - 1249 - 303 Rev. B
 - 1249/200 Rev. A
 - 1249-101
 - 1249-002 Rev. B
 - 1249/102 Rev. C
 - 1249/103 Rev D
 - 1249-304 Rev. C
 - Landscape Proposals.

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.”

(ii) Condition 25 – “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.

Reason: To ensure that the development is sustainable and accords with Policy GP4A of the draft City of York 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 design, sustainability, Green Belt, traffic generation, impact on

the University campus and landscaping. As such the proposal complies with Policies GP1, GP3, GP9, GB1, T4, T5, SP2, GP4A, SP3, ED6 and NE6 of the City of York Draft Local Plan Incorporating the 4th set of changes (approved April 2005).

26c. St John's College, Clarence Street, York (06/01482/FULM)

Members considered a major full application, submitted by the Trustees of York St John University College, for the erection of a new building for academic floorspace and the conversion of 56 and 58 Lord Mayor's Walk to offices serving educational purposes.

The Case Officer circulated two update sheets to Members. The first sheet set out a missing section of the report relating to the loss of residential use at 56 and 58 Lord Mayor's Walk. The second sheet detailed additional correspondence received from English Heritage and the Guildhall Planning Panel. It also set out amended wording for condition 5, to allow emergency exits to open over the adjacent public highway and require their details to be submitted and approved by the Local Planning Authority, and for condition 21, to refer to achieving the Building Research Establishment's Environmental Assessment Method (BREEAM) 'very good' rating, and amended the reason for approval to make reference to Policy H9.

Representations were received from a York resident, a representative of the Guildhall Planning Panel and Councillor Brian Watson, Guildhall Ward Councillor, in objection to the application. Representations were received from York St John University's Deputy Vice Chancellor and Director of Facilities, in support of the application. The applicant's architect and planning consultant also attended to answer questions.

Members highlighted the need for the design of the development to be sympathetic to surrounding buildings and the bar walls. Some concerns were raised relating to the height and massing, the mix of materials, the overhang on the Clarence Street elevation and the small windows set into the wall on Clarence Street. Concern was also expressed that views might be obscured, both from Robin Hood's Tower on the bar walls, towards the North Yorks Moors and the White Horse, and from Clarence Street towards the towers of the Minster. Members raised a number of queries regarding the sustainability of the development, relating to the use of an environmental management system, use of grey water harvesting, use of photo-voltaic cells, sourcing of building materials and reuse of waste materials on site. The loss of city centre housing at 56 and 58 Lord Mayor's Walk was also discussed.

Members expressed concern regarding the design of the boardroom building on the corner of Lord Mayor's Walk and De Grey Street and suggested that a three dimensional logo be included in the brickwork on the Lord Mayor's Walk elevation, or that some other treatment be used to avoid it being left as a blank wall, and that the size of the windows on the De Grey Street elevation be reduced. It was proposed that a condition be added requiring details of the treatment of this building, in relation to the

brick wall and the window size, to be submitted and approved by the Local Planning Authority. Members requested that the designs be circulated to them informally for comment.

In relation the row of silver birch trees on Clarence Street and the plane tree on the corner of Clarence Street and Lord Mayor's Walk, Members emphasised the need for replacement trees to be of a similar size and value and for the existing trees to be retained as long as possible, to minimise the period between removal and replacement when there would be no trees. It was proposed that a condition be added to this effect.

RESOLVED: That the application be approved, subject to the conditions listed in the report, with the following amended conditions:

- (i) Condition 5 – “With the exception of those doors to be used as emergency exits only, the details of which shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use, no gate/door/window shall be fitted so as to open over the adjacent public highway.

Reason: To prevent obstruction to other highway users.”

- (ii) Condition 21 – “No development shall take place until a report, detailing how the environmental assessment rating (BREEAM) of ‘Very Good’ as set out in the design statement will be achieved, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development in accordance with Policy GP4a of the Development Control Local Plan and PPS1 ‘Delivering Sustainable Development’.”

And the following additional conditions:

- (i) Condition – “No development shall take place until there has been submitted and approved in writing by the Local Planning Authority, a phasing plan for the removal of the existing trees and planting of the replacement trees. The Local Planning Authority expects this phasing plan to show that the removal of the existing trees shall not commence until as late as is practically possible in the building process with the replacement trees in place as soon as is practical following the removal of the existing trees. The replacement trees shall be semi-mature in accordance with the "Horticultural Trades Association National Plant Specification" and shall have a minimum height of 4.5 metres.

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

- (ii) Condition – “Notwithstanding the submitted plans, full details of the treatment of the building adjacent to 58 Lord Mayor's Walk with particular reference to the size of the window on the eastern elevation and the creation of relief to the expanse of brickwork on the southern elevation, shall be submitted to and approved in writing by the Local

Planning Authority prior to the commencement of the development. The works shall be carried out in accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with the finished appearance of the development.”

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 Grade II listed buildings and the Central Historic Core Conservation Area. As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies SP3, SP8, GP1, GP4A, GP3, GP9, GP11, HE2, HE4, HE10, HE11, ED5 and H9 of the City of York Local Plan Deposit Draft.

27. THE RACECOURSE AND TERRY'S FACTORY CONSERVATION AREA CHARACTER APPRAISAL: RESULTS OF CONSULTATION AND PROPOSED FINAL DRAFT

Members received a report which presented the results of a public consultation exercise for the Racecourse and Terry's Factory Conservation Area Character Appraisal and recommended that, following minor modifications, the document be adopted.

The Consultation Draft Appraisal was attached as Annex F of the report and the changes proposed to it were detailed in Annex E.

The report presented three options for consideration:

- Option 1 – To approve the Conservation Area Character Appraisal for planning purposes, with the changes suggested in Annex E of the report;
- Option 2 – To approve the Conservation Area Character Appraisal for planning purposes, with further or reduced changes to those suggested in Annex E;
- Option 3 – To not approved the Conservation Area Character Appraisal.

A revised version of Annex E was circulated at the meeting, containing an additional change proposed following the receipt of a late response to the consultation. A revised version of Annex F was also circulated, incorporating the amendments agreed at Planning Committee pre-consultation.

RESOLVED: That the Racecourse and Terry's Factory Conservation Area Appraisal, as proposed in revised Annex F of the report and amended in revised Annex E, be approved for planning purposes.

REASONS: (i) The document is a thorough analysis of the character of the conservation area in line with current guidance from English Heritage. As a

document it is clearly written and accessible to a wide range of users.

- (ii) The adoption of the document will help the formulation and determination of development proposals within the conservation area and especially the former Terry's factory site.
- (iii) The document will help the Council meet the yearly targets set by BVPI 219b (Percentage of conservation areas with an up-to-date character appraisal).

COUNCILLOR R WATSON

Chair

The meeting started at 4.30 pm and finished at 9.10 pm.