
Meeting	Area Planning Sub-Committee
Date	4 October 2018
Present	Councillors Galvin (Chair), Cannon, Craghill, Crawshaw, Dew, Fenton, Flinders, Gillies, Hunter, Pavlovic (as a substitute for Cllr Shepherd) and Carr (as a substitute for Cllr Mercer)
Apologies	Councillors Shepherd and Mercer

38. Declarations of Interest

Members were invited to declare, at this point in the meeting, any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests that they might have in the business on the agenda.

Cllrs Dew and Craghill declared a personal, non-prejudicial interest in agenda item 3c, as they had both hired the applicant as a contractor.

Cllr Flinders declared a prejudicial interest in agenda item 3e as he was an employee of the applicant, Network Rail.

39. Public Participation

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Sub-Committee.

40. Plans List

Members considered a schedule of reports of the Assistant Director, Planning and Public Protection, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

**41. Savills (Uk) Limited, 48 Bootham, York, YO30 7WZ
[18/00550/FULM]**

Members considered a Major Full Application from The Bootham Syndicate for the conversion of existing office buildings at No 46 and 48 Bootham to 13 residential units including erection of a two storey rear extension, erection of dwelling in rear car park, associated car parking and landscaping.

In response to members questions, officers stated that:

- Highways were happy with the access for large cars, however heavy goods vehicles will not be able to access the site and a Method of Works condition had been added to restrict construction vehicles.
- That any restriction of sunlight to solar panels of neighbouring properties was for minimal times during the day.

Janet O'Neill, the agent for the applicant, spoke in support of the application. Ms O'Neill stated that due to the access issues for larger vehicles, refuse will be picked up by a private contractor and delivery/removal vehicles will need to access via the front of the site.

During the debate, members discussed the benefits and disadvantages of requesting more than one electric vehicle charging point.

Resolved: That approval be granted, subject to a discussion with the applicant regarding an amendment to the condition in relation to electric vehicle charging points, to be approved by the Chair and Vice Chair of this committee.

Reason: The site is in a sustainable location close to the city centre and range of facilities. It will provide much needed residential accommodation in an underused office building. It is of an appropriate design and will not cause undue harm to neighbour amenity. Whilst the entrance into the site is widened but relocated closer to the property boundary, submitted swept paths show that adequate space is provided for turning into the site and back out onto Marygate. As such the application is found to be in accordance with relevant sections of the NPPF 2018 including section 16 on conserving and enhancing the historic environment, and section 11 on making effective use of

land. It is also found to be in accordance with emerging policies in the publication draft 2018 including DP3 Sustainable communities, D1 Placemaking, D4 Conservation areas, D5 Listed buildings, D10 City walls and St Mary's Abbey and D11 Extensions and alterations.

**42. Acomb Bowling Club, Front Street, York, YO24 3BZ
[18/00586/FULM]**

Members considered a Major Full Application from York West Developments Ltd for the erection of 10 dwellings following demolition of existing buildings.

In response to member questions, Officers informed the committee that:

- The working hours stated in the application are considered 'standard' and there are no examples of altering working times based on the sites location or neighbours
- All waste including recycling and composting will be handled by a private contractor
- There were no concerns regarding the potential for noise complaints against the existing commercial business nearby (public house) as the development was a significant distance away and there had not been instances of noise disruption in recent times.

Phillip Holmes, the agent for the applicant, spoke in support of the application. Mr Holmes gave a brief overview of the application including the reasoning for Acomb Bowling Club closing and explained the listed conditions that had been agreed with officers.

Under questioning from members, Mr Holmes explained that whilst some contact has been made with the Council regarding combining the adjacent council owned land with the applicants proposal, no proposals had been suggested.

During member debate, it was noted that members were disappointed that the bowls club had to close, but understood it's membership issues and the need for housing development. Additionally, members were disappointed that the adjacent council land had not been incorporated in this development and felt this was a missed opportunity.

Resolved: That the application be approved subject to the completion of a Section 106 Agreement (or deed of variation as appropriate) to provide a contribution of £20,000 (index-linked) towards replacement/enhanced facilities for bowling at York Railway Institute Bowling Club.

Reason: Given the decline in use of the bowling green and subject to a Section 106 agreement to secure upgrades to alternative bowling facilities at York RI, alternative uses for the site can be considered. The site is suitable for housing given its location and local housing need. The scheme would provide the housing types for which there is identified need and has been designed so to respect neighbours amenity. Conditions have been used to secure adequate mitigation and that the site functions appropriately in respects of site drainage, highway network management, ground conditions and designated heritage assets.

43. 14 Hopgrove Lane North, York, YO32 9TF [18/01878/FUL]

Members considered a Full Application from Mr and Mrs Myers for a single storey rear extension (resubmission) at 14 Hopgrove Lane North.

Mr Myers, the applicant, spoke in support of the application. Mr Myers informed members that all neighbours had been consulted and there had been no objections. Mr Myers also noted that the extension had been designed to be sympathetic to the context of surrounding houses. Due to having a growing family and wanting to remain in the local community the extension was now crucial.

Officers explained to members that decisions with cases such as this have to be made with consideration to the NPPF and Green Belt Policy. Officers also explained to members that all extensions must be considered as they are judged cumulatively by the NPPF in terms of a total addition to the original property.

During the debate, a majority of members stated that they were supportive of the application as it did not extend the property's footprint and didn't affect the openness of the green belt. As a result, members felt that it was not a disproportionate extension in this context.

Resolved: That the application be approved

Reason: Members did not consider this application to be disproportionate and felt it would not have a detrimental impact on openness of the green belt and therefore is an exception to the National Planning Policy Framework, in this case.

**44. Proposed Lidl Store, James Street, York, YO10 3DW
[18/01218/FULM]**

Members considered a Major Full Application from Perio News Ltd, S Harrison Developments and Lidl UK for the erection of a food store (use class A1) with associated access parking and landscaping.

Members asked officers to clarify the reason behind allowing more customer car parking than would normally be allowed of a development of this size. Officers explained that the new NPPF stated that restrictions on parking should only be applied in exceptional circumstances.

Chris Hale, the agent for the applicant, spoke in support of the application. Mr Hale explained that this site has been out of use for many years and this development provided an opportunity to remediate a contaminated site and offer around 40 full-time employment opportunities. Despite Council policy suggesting 2.6 electric vehicle charging points, Mr Hale highlighted to the committee that 4 charging points are proposed for this site.

Members questioned the speaker on the number of car parking spaces that were needed. Mr Hale indicated that the number of car parking spaces were important in attracting Lidl to the site and are essential for this type of building use. Mr Hale added that it was the applicant's belief that reduced parking would result in further congestion on James Street.

During the debate, members discussed the potential increase in traffic and congestion as a result of this development. In addition it was noted by members that it was pleasing to see a large number of new jobs in the city and the usage of a currently unused site, despite disappointment from members that the site could not have been used for more imaginative purposes.

Resolved: That the application be approved

Reason: The proposal represents the redevelopment of a brownfield employment site which is considered unlikely to

return to its current use. The proposed retail use is sequentially acceptable and has been assessed in terms of its impact on city centre vitality. The retail use is compatible with neighbouring uses and the building will be a visual improvement on the existing derelict site. Subject to the proposed conditions, it is considered that the proposal will comply with relevant policy and it is recommended that the application be approved.

**45. Land Adjacent To Cinder Lane Holgate York
[18/01685/FULM]**

Members considered a Major Full Application from Network Rail Ltd for the siting of two storey modular buildings to accommodate office use for a five year temporary period, together with associated works to support the implementation of a rail infrastructure project.

Officers presented a verbal update to the committee, informing members that the objections listed at paragraph 3.6 have been retracted subject to compliance with condition 10 listed in the report.

Diane Cragg, the applicant, spoke in support of the application. Ms Cragg informed the committee that the east coast mainline is undergoing a major programme of improvement to its infrastructure and power supply over the next three to five years. This is so they are able meet growing demand, support journey time improvement and facilitate the delivery of the new class of intercity express trains. This project will also provide new jobs to the city.

Members questioned the speaker on the style of fencing being used at the site and on the amount of cycle storage being provided. The applicant was open to the idea of further cycle storage, should the demand materialise.

Resolved: That the application be approved

Reason: Planning permission is granted on a temporary basis to allow the Phase 2 East Coast Main Line Power Supply Upgrade Programme to be implemented. Surrounding neighbouring users are commercial and industrial in nature and the proposed office use is therefore compatible with the locality. The location of the development will take advantage of sustainable transport modes and the proposal is considered to

accord with national guidance in the NPPF and Draft Development Control Local Plan Policies for a temporary period of 5 years.

Cllr J Galvin, Chair

[The meeting started at 16:30 and finished at 18:15].