
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	15 NOVEMBER 2012
PRESENT	COUNCILLORS WATSON (CHAIR), GALVIN, GILLIES (VICE-CHAIR), JEFFRIES, LOOKER, ORRELL, REID, MCILVEEN (AS A SUBSTITUTE FOR CLLR FUNNELL) AND RICHES (AS A SUBSTITUTE FOR CLLR SEMLYEN)
APOLOGIES	COUNCILLORS FUNNELL AND SEMLYEN

30. DECLARATIONS OF INTEREST

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests they might have in the business on the agenda.

Councillor Gillies declared a personal non prejudicial interest in plans item 4a (9 Precentors Court) as he is a director of Visit York. He advised the committee that Visit York have received correspondence in respect of this application although he had not been involved in this.

31. MINUTES

RESOLVED: That the minutes of the last meeting of the West and City Centre Area Planning Sub-Committee held on 18 October 2012 be approved and signed by the Chair as a correct record.

32. 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 Committee.

33. 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.

33a 9 Precentors Court York YO1 7EJ (12/03024/FUL)

Members considered a full application from Mr Nick Williams for the change of use from a dwelling (Use Class C3) to a Guest House (Use Class C1).

Officers circulated a written update to the committee which included comments made in correspondence received from the following people:

The applicants, stating:

- The business will employ 3 staff
- The business has the full support of Visit York
- Only local suppliers will be sourced for provision to the business
- The business will not affect the balance of residential v commercial properties in Precentors Court. 50% of the bedrooms at No 9 will be in use by the owners of the property who will be in full time residency. The 7 new town houses and 3 flats within the Purey Cust balance the amount of residential properties in the vicinity.
- The business will not affect parking within the street due to the existing legal restrictions being in place and the location being very well served by local trains and busses. There is also ample room for dropping off
- The applicant doesn't own a car
- The percentage of guests dropping off will be small due to 70% of people using train or using parking permits for local car parks. The permits will generate approx £2,500 per annum for York Council (based on max 1 car per day x £7 = 2 permits per overnight stay) with Marygate car park being the closest

- Noise will not be an issue due to the rooms being in an owner occupied house and no access will be given to the guests to the walled gardens which will only be in use by the owners.

Visit York, in support, stating::

- Change of use would benefit the City
- The owners already run a successful B&B
- Believe there is a genuine need for top level B&B

An objector stating:

- NPPF states heritage assets are irreplaceable and not enough emphasis has been placed on this aspect
- Application site is a heritage asset and so is the street and all the neighbouring properties
- Approval would set a precedent
- The change of use would not maintain or enhance the immediate area
- Majority of visitors will arrive by car. Even if they arrive by train they are likely to get a taxi to the guest house, increasing traffic in the location
- Lack of parking means it is not compatible with its surroundings
- Visitors will park illegally
- Illegal parking prevents residents cars from backing out or turning
- Workmen at the site have blocked neighbours car in by parking illegally but these can be move as the owner of the vehicle is on site. If visitors leave their cars they may not be able to locate the owner as easily
- Can a condition be added to restrict the use of the private garden
- If approved it would have a serious impact upon highways, amenity of neighbours, noise and the general character of the area.

With the agreement of the Chair, two letters of objection were circulated to Members. Both senders raised concerns that they had not been consulted on the proposals.

The first letter from Mudd & Co, Chartered Surveyors acting as Managing Agent of The Purey Cust raised objections on the grounds of inappropriate development stating that it would lead to an unacceptable increase in pedestrian and vehicle traffic in a location where there is no off or on street parking provision.

The second letter, from the Very Revd Canon Glyn Webster, Acting Dean of York, stated that to change the use to a guest house would have a very negative effect on the whole feel of what is a very significant little street in the heart of York in addition to the impact increased traffic would have on residents and the front of the Minster. He asked that the matter is deferred until the Dean and Chapter have been properly consulted on the application.

Officers confirmed that they had notified all parties which they are statutorily required to notify and had also put up a site notice as required.

One Member raised the point that if they granted change of use, a future owner may have something bigger in mind than a small luxury bed and breakfast operation. Officers advised that condition 4 stated that only four bedrooms may be used for guest accommodation. They explained that the use classes order provided flexibility but that if Members were concerned they could add a condition to prevent the premises being used for functions etc.

Representations were received from a resident of Precentors Court in objection to the application who was also speaking on behalf of neighbours at 4 and 7 Precentors Court. He made the following points:

- The Minster still owns three properties on Precentors Court so should have been consulted on this application.
- Potential for increased traffic. Vehicles already park illegally at the head of Precentors Court – parking situation may get worse.
- Concerns about future use of the building – applicants may ask for an extension in future
- There is no way to prevent residents from coming and going late at night. Increased noise will affect residents' amenity.
- Situated in York's historic core. Some properties on street are listed.

He asked Members to consider the request from Very Revd Canon Glyn Webster to defer a decision until other interested parties have been given the opportunity to comment on the application.

With regard to consultation, officers confirmed that they had fulfilled legal requirements and Council policy by notifying those premises with adjoining boundaries and had put up a site notice in compliance with the requirements of the Development Management Procedure Order and Statement of Community Involvement.

Representations were received from the applicant in support of the application. He advised Members that he already runs Galtres Lodge Hotel and Michaels Brasserie on Low Petergate in York and that his intention is to open a luxury bed and breakfast at the premises while living there also. He provided the following information:

- No food or alcohol would be offered.
- Advised by Visit York that there was a shortage of this type of accommodation in York.
- Will not be hosting hen/stag parties
- RE parking concerns – 70% of existing guests use train. Will issue parking passes for guests to use Marygate. Only drops offs at the premises.
- Do not intend to offer more than 4 guest rooms – content to reduce this to 3 if Members so desire.
- There is already one holiday let and another potential holiday let in the street.

With regard to concerns over increased traffic, Members acknowledged that when the Purey Cust operated as a hospital there would have been a significant volume of traffic using it and moving across the front of the Minster. They noted that even if the house was used solely by a family, they could potentially own 2-3 cars between them. However to allay objectors concerns in this area, they suggested that the owner could advertise on his website that taxis drop off guests at Bootham Bar to prevent additional traffic in Precentors Court.

Members considered adding a condition to prevent operation beyond that of a bed and breakfast and agreed that a condition be added to prevent the applicant from providing catering to persons other than those who are guests staying at the premises.

RESOLVED: That the application be approved subject to the conditions listed in the report and the additional condition below.

Additional Condition

There shall be no commercial functions undertaken at the premises and catering shall be provided only to guests staying overnight at the premises.

Reason: In the interests of the residential amenities of neighbouring properties and the character of the conservation area in accordance with policy HE3 and V3 of the Local Plan.

REASON: The proposal, subject to the conditions listed in the report and the additional condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to the residential amenity of the occupants of the neighbouring dwellings, highway safety, and the character of the area. As such the proposal complies with Policies HE2, HE3, GP4a and V3 of the City of York Development Control Local Plan.

33b The Heads House, 1 Love Lane, Scarcroft, York YO24 1FE (12/02602/FUL)

Members considered a full application from The Mount School for the erection of a detached dwelling house (revised scheme).

Officers advised that comments had been received from Councillor Fraser, Ward Member for Micklegate Ward and a copy was circulated to the Committee for their information. This put forward concerns of residents, mainly from St Aubyn's Place, pointing out that that the current application is for a larger development than previously approved with almost all the windows facing into St Aubyn's Place as well as a terrace and balcony, both also facing St Aubyn's Place, raising concerns about overlooking. It also raised concerns regarding the inadequacy of screening provided by existing and proposed

trees, the adequacy of the drainage arrangements and the potential for the development to become a bed and breakfast establishment in the future exacerbating the potential for overlooking. The Committee was asked to either reject the application or, if minded to approve the application, to apply conditions to address these concerns.

Officers advised that a further letter of representation has been received from the occupier of 22 St Aubyn's Place expressing concern in respect of the impact of the proposal on their residential amenity and the surrounding landscape.

Officers recommended that the following conditions be revised

- Condition 2 - Addition of drainage scheme to the list of approved plans:
- Condition 5. Amend reason for condition to include reference to protecting existing trees.
- Condition 8. Revised wording to require permanent retention of landscaping scheme unless otherwise approved and its implementation prior to the occupation of the dwelling:

Officers drew Members attention to paragraph 4.4 of the report which stated that the revised scheme envisages a greater proportion of the proposed accommodation fronting onto Love Lane and advised them that he did not agree with this statement. They clarified that the living areas were at upper level rather than the bedrooms and asked Members to consider the impact of the current proposals on neighbours in comparison to the previous proposals.

Representations were received from Mrs D Heigh, a neighbour, in objection to the application. She made the following comments:

- in the previous application the principal living areas overlooked Love Lane - now all the living accommodation faces south towards St Aubyn's Place. A large balcony and terrace will look down over our houses.
- Proposed screening is not sufficient - the large deciduous trees are to one side and will not block it. The hedge will be below the boundary wall and the wall will not provide screening.
- Previous proposals were preferential to these.

- There would be a significant loss of privacy to homes and gardens in St Aubyn's Place

Representations were also received from Mr Gardiner, the applicant. He explained that he had bought the plot and had then undertaken investigations as to how the design could be improved in order to build a sustainable carbon neutral building. He made the following points:

- House would be located as far as possible on the plot from St Aubyn's Place
- House will sit lower down in the landscape. Lower ridge height and use of cedar roof reduces impact on surroundings
- Natural screening is increased – retention of trees and planting of additional mature trees
- Lower ground floor will not be visible from St Aubyn's Place
- Recognise concerns of neighbours but have sought to reduce impact as far as possible over previous scheme.

One Member suggested it may be better to use opaque glass rather than clear glass on the balcony. The applicant expressed the opinion that this may be more intrusive and explained that when seated on the balcony, all the owners would be able to see would be the sky and not the houses below.

Members welcomed the design and sustainability of the proposed house and accepted that the applicant had done as much as possible to mitigate potential objections.

RESOLVED: That the application be approved subject to the conditions listed in the report and the amended conditions below:

Amended Condition 2

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

Drawing Refs:- A12 Rev A; A15 Rev A; A05 Rev A; A08 Rev A; A06 Rev A; A04 Rev A; A07 Rev A; Dated 18th September 2012. A11; A10; A14; A02 and A03 Date Stamped 30th October 2012.

Technical Drainage Supplement J-D0997-R01
July 2012 and associated drawings DO J
D0997 sheet nos. 122, 149, 150 and 163.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

Amended Reason for Condition 5

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A, B, C, E and F of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the amenities of the adjoining residents and in order to protect existing trees the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

Amended Condition 8

No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees, shrubs and other landscape planting. This scheme shall be implemented prior to the occupation of the development and shall be retained thereafter. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site and to protect the living conditions of properties in St Aubyn's Place.

REASON: The proposal, subject to the conditions listed in the report and the amended conditions above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the residential amenity of neighbouring properties, impact upon the setting of the Historic Core Conservation Area, impact of the proposal upon highway users in Love Lane, sustainability of the proposal, impact upon the level of anti-social behaviour in Love Lane, impact upon the mature landscaping within the site and impact upon the local pattern of surface water drainage. As such the proposal complies with Policies GP15a), GP3,GP4a),GP9, GP10,GP1 and HE2 of the City of York Development Control Local Plan.

33c West Cornwall Pasty Company, 38 Parliament Street, York YO1 8RU (12/03096/FUL)

Members considered a full application from the West Cornwall Pasty Company for the retention of a pavement cafe on the public highway.

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

REASON: The proposal, subject to the conditions listed in the report, causes no undue harm to interests of acknowledged importance, with particular reference to the vitality and viability of the city centre, the visual amenity and character of the listed building and the wider conservation area, highway safety and the amenity of adjacent users. As such, the proposal complies with Policies S6, HE2, HE4 and GP1 of the City of York Development

Control Local Plan (2005) ; and national planning guidance contained in the National Planning Policy Framework.

**33d Era Health Care, 8A Tower Street, York YO1 9SA
(12/03114/FUL)**

Members considered a full application by the BTM Pension Scheme for a dormer to the front and two rooflights to the rear.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on heritage assets and amenity. As such the proposal complies with Policies GP1, HE3 and HE4 of the City of York Development Control Local Plan.

**33e Era Health Care, 8A Tower Street, York, YO1 9SA
(12/03115/LBC)**

Members considered an application for listed building consent for internal and external alterations including a dormer to the front and two rooflights to the rear.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the listed building. As such the proposal complies with Policy HE4 of the City of York Development Control Local Plan.

33f 134 Boroughbridge Road, York, YO26 6AL (12/02658/FUL)

Members considered a full application from Miss Lynette Barton for the variation of condition 5 of planning permission 11/02339/FUL to extend opening hours to allow the hot food takeaway to open from 12.00 to 20.30 on Sundays.

In response to a query which had been raised at the site visit regarding accidents near the site, Officers confirmed that there were no records of any injury accidents during the last three years.

Officers requested that their recommendation to approve the application be amended to give them delegated authority to approve the application following further discussions with the case officer regarding imposing the conditions from the original planning permission. They explained that the case officer had not been available to discuss this prior to the meeting.

RESOLVED: That delegated authority be given to officers to approve the application subject to the conditions listed in the report and any conditions from the original planning permission which remain relevant.

REASON: The proposal would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the residential amenity of neighbouring properties. As such the proposal complies with Policies GP1 and S6 of the City of York Development Control Local Plan.

33g Bora Bora, 5 Swinegate Court East, Grape Lane, York YO1 8AJ (12/03023/FUL)

Members considered a full application from Mr Bora Akgul for the variation of condition 3 of planning permission 12/01249/FUL to extend opening hours until 02.30 every day.

Representations were received from Mr A Smart, local resident in objection to the application. He made the following points:

- Residents living nearby continue to be disturbed by noise coming from Swinegate Court East – we need to ensure level of noise disturbance is reduced.
- Owner has not adhered to conditions agreed at the last meeting and is continuing to operate outside the agreed opening hours.
- The outside areas of other local bars have to be cleared earlier in the evening due to proximity to residential dwellings.
- We cannot continue to be subjected to this level of disturbance, having to clear up broken bottles, vomit etc.

Representations were received from Mr B Crux, a York resident in objection to the application. He raised the following concerns:

- Since the premises had been granted planning permission retrospectively for change of use to a drinking establishment in August they had flouted planning law by continuing to operate beyond midnight. The council failed to take enforcement proceedings regarding this.
- The lack of direction offered by the Council with regard to the city centre's future in view of the effect of future development at Monks Cross.
- The mis-use of the planning system.
- Approving this application could open up the floodgates to others wanting to convert from retail to drinking establishments.

Representations were received from Ms H Ramli, the agent for the application. She made the following points:

- Before change of use was granted, the premises could remain open until 1.30 am (including courtyard). When Members agreed the change of use they added a condition to require the premises to close at midnight. We were told that this was so we were in line with the closing times of other nearby premises but this is incorrect.
- At the licensing hearing the Environmental Protection Unit and police had not raised any noise issues but imposed strict conditions on the licence.
- Members need to consider how genuine the objections are – it is surprising that no objections have been made to other applications for change of use in the vicinity – however these other applications also demonstrate there is still a demand for late night drinking establishments in the area.

Representations were received from the owner of the restaurant in support of the application. He put forward the following points:

- Don't believe the disturbance is caused by his customers – there are many other bars nearby
- Has a 400 signature petition signed by his customers who wish the premises to stay open until 2.30am.
- Bora Bora is only a small bar. Music is not played in the outside area which is just used for people sitting.

Officers reminded Members that prior to August the premises had permission for A1/A3 mixed use rather than A1 and that their decision cannot take into account that the usage is retrospective but must deal with the application on its own merits.

Members acknowledged residents concerns regarding noise disturbance in the area but accepted that there was no evidence from officers or police to prove that the noise problems were due to one specific outlet. They noted that as there were so many late night drinking establishments in the area now, it was very difficult to pin down the noise to one place. Furthermore they acknowledged that the disturbance was not just the result of music being played but also customers moving around in the street and going home.

With regard to this application, they agreed that noise and disturbance in the street late at night remained an issue. They noted that circumstances had not changed since the change of use was granted in August with a condition requiring the premises to close at midnight and felt there was no reason to change their minds on this.

RESOLVED: That the application be refused.

REASON: The premises are within a mixed use area with a significant residential population which contributes to the character and appearance of the conservation area and the vitality of the city centre. The hours of operation proposed would lead to increased levels of noise disturbance late at night, as a consequence of noise from persons using the external seating area and the increased activity there would be in Swinegate Court and surrounding streets.

The proposal would have an undue impact on the amenity of occupants of nearby residential property and also on the character and environmental qualities of the of the area, contrary to paragraph 17 of the National Planning Policy Framework and policies S6 and S7 of the Development Control Local Plan.

33h Lucia Bar And Grill, 9 - 13 Swinegate Court East, Grape Lane, York YO1 8AJ (12/03022/FUL)

Members considered a full application from Mr Osman Doganozu for the variation of condition 5 of planning permission 12/01910/FUL for restaurant/bar to extend opening hours to allow premises to open until 02:00 every day.

Officers advised that a further letter had been received from a resident of Grape Lane objecting as there are already problems with the volume of noise with people leaving Lucia's and other bars especially at closing time.

Officers advised that checks had been made by the Environmental Protection Unit (EPU) on Esperanza during the first week of November and it had been confirmed that both the conditions relating to the noise limiter and the plant and machinery have been satisfactorily complied with. EPU have advised that the external extraction/refrigeration equipment is now almost inaudible at residential properties when measured and the condition is complied with. In addition, the internal sound limiter has now been set by Officers at a level where the music is inaudible within residential properties. A second report of sound measurements at Lucia & Esperanza was submitted on 13 November 2012 and EPU commented that the report accurately reflected their observations on the night of the assessments. Within the report, it stated that the audible bass music could have been from other licensed premises nearby. After leaving the resident's property, EPU tracked down the audible music to Bar 1331. EPU reiterated that following compliance with the two previously applied conditions, officers did not consider that the noise from the premises would be detrimental to the amenity of the area.

Officers drew Members attention to paragraph 4.7 of the report and stated that this did not accurately reflect the discussion by Members at the meeting. It should refer to the fact that Members had taken into account the general late night custom and noise in the street.

Representations were received from Mrs Jane Smart in objection to the application. She expressed the following concerns.

- At the last meeting, a condition had been agreed requiring a closing time of midnight due to close proximity of nearby residential premises.
- The applicant has continually breached any condition imposed – but no enforcement action has been taken even though several letters have been sent to the council.
- We suffer from sleep deprivation – noise comes up through the ceiling of the premises into our home (presume ceiling is not insulated). Noise from courtyard rebounds off other buildings and is heard in our flat.
- Area used to be a good mix of residential, retail premises and bars but recently there has been a move in favour of late night drinking establishments.

Representations were received from Mr Barry Crux, a York resident, in objection to the application. He raised the following issues.

- The approved change of use gives the operator the option of operating the whole of the premises as a restaurant or the whole of the premises as a bar.
- Activities undertaken by the applicant are in breach of the conditions.
- Proper guidance is needed in making decisions or this situation will prevail elsewhere.

Representations were received from Matthew Pardoe, the agent, in support of the application. He made the following points:

- Confirmed that the ground floor has A3 restaurant use and the first floor has A4 use.
- The bar is integral to the overall venue - it faces onto a private courtyard and is not overlooked. An adjoining venue is open until 2am.
- Conditions imposed on the planning permission provide controls and these controls have been verified by EPU.

- Application has the support of the police and Environmental Protection Unit.

Representations were received from the owner in support of the application. He explained what measures had been taken to reduce noise disturbance to neighbours and made the following points:

- He has been open for three years and employs 38 staff. It was difficult enough to survive in current climate without restrictions on opening hours being imposed.
- Customers normally come in his premises up to about 11pm. The courtyard is normally clear by midnight on weekdays.
- It seems unfair that next door venue is able to remain open until 2am.

Members acknowledged that some modifications had been made by the owners to tackle noise issues and accepted the evidence provided by EPU. They however noted that objections were still being received from nearby residents. They agreed that the issue was the cumulative effect of the area and that this had not changed since the last meeting.

Councillor Orrell moved, and Councillor Riches seconded, a motion to approve the application subject to condition 1 being amended to bring the closing time forward from 2am to 1am (on a temporary basis until 15/11/2013). On being put to the vote, the motion fell.

RESOLVED: That the application be refused.

REASON: The premises are within a mixed use area with a significant residential population which contributes to the character and appearance of the conservation area and the vitality of the city centre. The hours of operation proposed would lead to increased levels of noise disturbance late at night, as a consequence of noise from persons using the external seating area and the increased activity there would be in Swinegate Court and surrounding streets. The proposal would have an undue impact on the amenity of occupants of nearby residential property and also on the character and environmental qualities of the of the area,

contrary to paragraph 17 of the National Planning Policy Framework and policies S6 and S7 of the Development Control Local Plan.

**33i Central Library, Museum Street, York, YO1 7DS
(12/02685/FUL)**

Members considered a full application for a first floor rear/side extension to form a new archive repository and the installation of three roof cowls on the existing roof (York Explore Phase II)

Officers advised that a further response had been received from the Authority's Conservation Officer along with English Heritage. They advised that condition 5 (Large Scale Details) be extended to require further details to be submitted.

Officers briefed the committee on the changes which were proposed. The Council's conservation architect showed the committee examples of the proposed materials to be used for the box and the flashing and explained how these would change colour over time. She explained that the applicant's approach to the scheme was to make the extension different so one is still able to read the existing building.

Representations were received from Mr Daggett, a local resident. He expressed support for the application to provide facilities for a new archive however he expressed dismay at the decision to use a metal clad extension and expressed the view that this would look more integral if the flashing strip was omitted. He also raised concerns about the proposals for the first floor foyer area and oculus which in his opinion would spoil the sequence of spaces by being over cluttered. He asked that the oculus be left as a feature in its own right.

Representations were also received from Mr J Beadnell, the architect, in support of the application. He spoke briefly and advised the committee that there was a lot of support for hosting the archives within the library building including support from English Heritage and the works proposed would make the building look cleaner and nicer. In response to a query from a Member regarding windows, he explained that it was important to avoid having windows in an archive store as these would allow in ultraviolet light. Instead the store would be lit by

controllable artificial light and would incorporate controls for temperature and humidity.

Representations were also received from Richard Taylor, the Council's Archives and Local History Development Manager. He advised Members that York had the best city archive outside London. He explained that one of the basic conservation principles was reversibility and that anything built should be reversible. This box has been designed to is could be removed in future and leaving no trace behind. He explained that when WH Brierley designed the building it was a new building for York and that this extension should clearly be a modern addition. Public consultation had been undertaken during the summer. By decluttering the first floor foyer and oculus, they would improve this space and allow visitors to access electronically information from the archives.

Members expressed their support for the proposals. They agreed that the right decision had been taken to retain the archives within the city and the priority was to house the archives in the most secure, protected but accessible environment as possible. They acknowledged that this may not always be the most aesthetically pleasing. Members expressed their support for the brass finish for the flashing.

RESOLVED: That the application be approved subject to the conditions listed in the report and the amended conditions below.

Amended Condition 3

The development hereby authorised shall be constructed in the bronze textured cladding panel system and TECU Brass cladding systems previously submitted and agreed, samples of all remaining external construction materials including the Sarnifil roofing system shall be submitted to and approved in writing by the Local Planning Authority prior to work on site commencing. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the historic character and integrity of the Listed Building.

Amended Condition 4

Prior to the commencement of the development hereby authorised a sample panel of the approved brass and dark metal cladding systems shall be erected on site for the written approval of the Local Planning Authority to demonstrate the pattern of coursing and associated relationship with the existing building. The development shall thenceforth be implemented in accordance with the details thereby approved.

Reason:- To safeguard the historic character and integrity of the Listed Building and to secure compliance with Policies HE2 and HE3 of the York Development Control Local Plan

Amended Condition 5

Large Scale Details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be undertaken in accordance with the approved details:-

- i) The new gate including finish;
- ii) The fire escape door;
- iii) 1:5 section through the upgraded roof structure to illustrate how the roof lights would be integrated;
- iv) The planar glass roof light located below the plug-in link extension;
- v) 1:5 section and elevational drawing for the secondary glazing to be incorporated into the window reveals of the children's library;
- vi) 1:5 section drawings/details of all junctions and flashing positions between the original building and the "plug in" extension;
- vii) 1:20 scale elevation and sectional drawings of the escape staircase including details of the materials and finish of the service ducts and escape staircase area;
- viii) 1:5 Section drawings /details of the junction and flashing positions to the service ducts and escape staircase;

- ix) The new mechanical ventilation units on the flat roof area serving the Family History Room including any enclosure;
- x) The ladder safety attachment to the first floor extension;
- xi) The new louvred panelled doors to the plant room, new gate and roof covering to the cycle parking including details of all materials and finishes;
- xii) The roof fall arrest system;
- xiii) The external works to facilitate disabled access to the rear entrance.

Reason: So that the Local Planning Authority may be satisfied with these details.

REASON: The proposal, subject to the conditions listed in the report and the amended conditions above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the character and appearance of the Historic Core Conservation Area, impact upon the setting of the Kings Manor , a Grade I Listed Building and impact upon the setting of the City Walls, a Scheduled Ancient Monument. As such the proposal complies with Policies HE2, HE3 and HE4 of the City of York Development Control Local Plan.

**33j Central Library, Museum Street, York YO1 7DS
(12/02686/LBC)**

Members considered internal and external alterations including a first floor extension to the side/rear elevation, the installation of three roof cowls and internal refurbishments to the existing ground and first floors (York Explore Phase II)

Officers advised that a further response had been received from the authority's Conservation Officer along with English Heritage. As a result of this they advised that condition 7 be expanded to require further large scale details to be submitted and approved. Officers also advised that further conditions be added as follows:

- Condition 10 - Samples of acoustic panel and focus wing to be erected in the Marriott Room and Learning Room 2 to be submitted and approved.
- Condition 11 – details of all electrical wiring runs and sockets serving display cabinets to the oculus on first floor to be submitted and approved.
- Condition 12 – full details of proposed internal light fittings including method of attachment to be submitted and approved.
- Condition 13 – full details of the method, means and location of storage for the items of fixed furniture and other internal fittings not to be retained as part of the refurbishment scheme to be submitted and approved.
- Condition 14 – method statement outlining the maintenance regime for the extensions to be submitted and approved.

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

Amended Condition 7

Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

- i) The new gate including finish;
- ii) The fire escape door;
- iii) 1:5 section through the upgraded roof structure to illustrate how the roof lights would be integrated;
- iv) The planar glass roof light located below the plug-in link extension;
- v) 1:5 section and elevational drawing for the secondary glazing to be incorporated into the window reveals of the children's library;
- vi) 1:5 section drawings/details of all junctions and flashing positions between the original building and the "plug in" extension;

- vii) 1:20 scale elevation and sectional drawings of the escape staircase including details of the materials and finish of the service ducts and escape staircase area;
 - viii) 1:5 Section drawings /details of the junction and flashing positions to the service ducts and escape staircase;
 - ix) The new mechanical ventilation units on the flat roof area serving the Family History Room including any enclosure;
 - x) The ladder safety attachment to the first floor extension;
 - xi) The new louvred panelled doors to the plant room, new gate and roof covering to the cycle parking including details of all materials and finishes;
 - xii) The roof fall arrest system;
 - xiii) The external works to facilitate disabled access to the rear entrance.
- Reason: So that the Local Planning Authority may be satisfied with these details.

Additional Condition 10

Prior to the commencement of the development hereby authorised samples of the acoustic panels and focus wing to be erected in the Marriott Room and Learning Room 2 shall be submitted to and approved in writing by the Local Planning Authority. The development shall thence forth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the character and integrity of the Listed Building.

Additional Condition 11

Prior to the commencement of the development hereby authorised full details of all electrical wiring runs and sockets serving the display cabinets to the oculus on the first floor shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the character and integrity of the Listed Building.

Additional Condition 12

Notwithstanding the application details hereby approved full details of the proposed internal light fittings including their method of attachment shall be submitted to and approved in writing by the Local Planning Authority before work on site commences. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the character and integrity of the Listed Building.

Additional Condition 13

Prior to the commencement of the development hereby authorised full details of the method, means and location of storage for the items of fixed furniture and other internal fittings not to be retained as part of the refurbishment scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the historic character and integrity of the Listed Building.

Additional Condition 14

Prior to the commencement of the development hereby authorised a method statement outlining the maintenance regime for the extensions shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the character and integrity of the Listed Building.

REASON: The proposal, subject to the conditions listed in the report and the amended and additional conditions above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the historic character and integrity of the Listed Building .As such the proposal complies

with Policies HE 2 and HE 4 of the City of York
Development Control Local Plan.

Councillor B Watson, Chair
[The meeting started at 3.00 pm and finished at 6.00 pm].