City of York Council	Committee Minutes
Meeting	Area Planning Sub-Committee
Date	8 March 2018
Present	Councillors Galvin (Chair), Shepherd (Vice-Chair), Cannon [until item 4b], Craghill, Crawshaw, Flinders, Gillies, Hunter and Orrell
Apologies	Councillors Carr and Mercer

Site	**Visited By**	Reason
Archbishop Of York Church Of England Junior School Copmanthorpe Lane Bishopthorpe	Councillors Galvin, Shepherd, Crawshaw, Cannon and Flinders	As the recommendation was to approve and objections had been received.
Scarborough Bridge (Earlsborough Terrace)	Councillors Galvin, Crawshaw and Cannon	As the recommendation was to approve and objections had been received.

36. 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.

Cllr Flinders declared an interest in the Scarborough Bridge application (item 4b), as an employee of Network Rail, the applicant.

Cllr Gillies declared a personal non-prejudicial interest in the Scarborough Bridge application (item 4b), because, as Executive Member for Transport and Planning he had sat on the West Yorkshire Transport Fund for which a sum of money had been given to the Scarborough Bridge project.

No further interests were declared.

37. Minutes

Resolved: That the minutes of the Area Planning Sub-Committee meeting held on 7 February 2018 be approved and then signed by the Chair as a correct record.

38. 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.

39. 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.

39a. Archbishop of York Church of England Junior School, Copmanthorpe Lane, Bishopthorpe, York, YO23 2QT (17/02749/FUL)

Members considered a full application by City of York Council for the erection of a 1.8m high metal mesh boundary paladin fence at Archbishop of York Church of England Junior School, Copmanthorpe Lane, Bishopthorpe, York.

An officer update was given. Members were informed that a further objection letter had been received from a Bishopthorpe resident and parent of a child attending the school. There had also been an additional Officer assessment on the setting of the Bishopthorpe Conservation Area which was on the eastern corner of the site which the land laid adjacent to.

Referring to paragraph 134 of the NPPF and Policy D4 (Conservation Areas) of the Publication Draft Local Plan 2018, Officers advised that whilst the proposed fencing would be most

visible along this corner with the conservation area boundary, it was considered that it would cause very limited harm to the setting of the adjacent conservation area. With regard to the requirements of the NPPF, the harm is considered to be outweighed by the public benefit of added security to the school site and the improved protection of the staff and children at the school.

Morwenna Christian, (local resident representing residents on Copmanthorpe Lane), spoke in objection to the application. She noted that the fencing around the perimeter would be out of keeping for the area and impacted on wildlife (particularly the hedgehog population) by not allowing connectivity through the fence. She suggested that there were alternatives to the fencing such as closing the school gate and allowing the hedge around the perimeter to grow.

Jonathan Green, Headteacher at Archbishop of York Junior School, spoke in support of the application. He explained that the school had paid for a health and safety officer to carry out a check of the school and had found that the site was very open. Mr Green advised that a fence was needed to meet Ofsted requirements and he highlighted the health and safety issues identified during the Ofsted health check. Mr Green confirmed that hedgehog tunnels could be installed into the fence, and the hedge could be allowed to grow.

A member asked whether Mr Green had considered letting the hedge grow. Mr Green explained that whilst the hedge could be allowed to grow, it was not strong enough to keep people out of the school site. In response to a further question, Mr Green stated that the hedge could be allowed to grow to the same height of the fence (1.8m).

Following debate on the application, and clarification from Officers Cllr Gillies moved the recommendation with the addition of an amendment to condition that the hedge around the perimeter of the school be allowed to grow to the height of the fence (1.8m). This was seconded by Cllr Shepherd and it was:

Resolved: That the application be approved subject to the additional condition that wherever possible, the hedge around the perimeter of the school be allowed to grow to 1.8m and not beyond that height.

Reason: Whilst it is acknowledged that the erection of the fence would result in some harm to the rural appearance of the area contrary to policy D1, it is considered that in the planning balance this harm is outweighed by the need to provide a secure perimeter for the school.

39b. Scarborough Bridge, Earlsborough Terrace, York (17/03049/FULM)

[Note: Councillor Flinders withdrew from the meeting during consideration of this item and took no part in the debate or decision thereon.]

Members considered a major full application by Network Rail(Infrastructure) Ltd for the replacement of the 1.8m footpath/cyclepath with a 3.6m wide footpath/cyclepath with associated alterations to bridge abutments, ramps and stair access arrangements at Scarborough Bridge, Earlsborough Terrace, York.

Officers advised Members that there had been additional representation from York Civic Trust, who cited concern regarding the impact on vistas, loss of the existing Victorian lattice ironwork, lack of clarity over materials and colour including iron work and stone, changes to the parapets above the abutments and creation of a bottleneck at either side of the embankment. The Trust also suggested that where possible, alterations were reversible to give the ability to understand the changes that were are important to the bridge's history. Officers outlined their responses to the concerns raised by the Trust. In response to the Trust's suggestion that the alterations to the bridge be reversible, Officers explained that it was unclear whether the alterations could be reversible and there was a risk that this could result in further loss of historic fabric.

Officers gave an explanation of the layout of the bridge, including the locations of ramps, lighting and step access for pedestrians.

In response to questions from Members, Officers clarified that:

- There was a condition in place for the finish of the materials

- There was a restriction on where the cycle path could be situated. It was noted that there was no engineering option to further widen the path.
- That the end pier had moved back by 1m.

Members were advised that the recommendation had been revised to delegate authority for the Assistant Director to approve the application following the receipt of consultation responses from the Holgate and Guildhall Planning Panels or after the expiry of the consultation period if no response is received within the time period. If any issues or objections are raised which are not covered in the officer's report these issues the approval shall be in consultation with the Chair and Vice-Chair.

Tony Clarke, Head of Transport at City of York Council, spoke in support of the application, noting that the bridge was the only traffic free bridge in the city centre. He explained that the bridge had been funded through a number of authorities and was time limited to 2018. He advised that the current bridge was widely used and was inadequate for a number of users, specifically wheelchair users and people with pushchairs. He added that the main objective was provide step free and traffic free access during high river levels and noted that there had been a positive response to the proposals during consultation. It was anticipated that the bridge would be completed in February 2019.

Resolved:

i. That authority be delegated to the Assistant Director to approve the application following the receipt of consultation responses from the Holgate and Guildhall Planning Panels, or after the expiry of the consultation period if no responses are received within the time period.

ii. That should any issues or objections be raised by the Holgate and Guildhall Planning Panels which are not covered in the officer's report, that approval by the Assistant Director be made in consultation with the Chair and Vice-Chair.

Reason:

i. The proposal will result in less than substantial harm to designated and non-designated heritage assets. Considerable weight has been given to their

conservation under the requirements of the Act and the NPPF. It is demonstrated that the works to improve the crossing over the bridge, for pedestrians, cyclists and disabled users will be of a substantial benefit to the public and achieve wider Council aims, in terms of facilitating greater accessibility for and to sustainable transport modes. It is therefore considered that in the planning balance the public benefits outweigh the less than substantial harm and that paragraphs 132, 134 and 135 of the NPPF have been satisfied.

ii. The development raises some concerns in regards to the environmental impacts. This position is balanced. It achieves the aims of improving local access routes for pedestrian and cyclists and those with disabilities across the river, providing a greater range of sustainable transport options and will help to alleviate vehicle/cycle conflict in other parts of the city. However this is balanced with the loss of trees on both the northern and southern embankments. Along with the loss of the trees, one of the trees to be removed contains two unused bat boxes.

iii. On balance weighing the environmental and heritage impacts of the proposal against the public benefits of providing improved sustainable transport option for pedestrian, cycling and disabled access along the river Ouse, the application is considered to be acceptable and accords with national policies contained within the NPPF, and local policies contained within the DCLP 2005 and the 2018 Draft Local Plan. The proposals are considered to preserve this part of the Central Historic Core Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Cllr J Galvin, Chair
[The meeting started at 4.30 pm and finished at 5.10 pm].