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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	1 AUGUST 2006
PRESENT	COUNCILLORS HORTON, LIVESLEY (CHAIR), MACDONALD, REID, SUNDERLAND, B WATSON AND HALL (SUBSTITUTE FOR BARTLETT)
APOLOGIES	COUNCILLORS BARTLETT, SUE GALLOWAY AND SIMPSON-LAING

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## 11. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attending
89 The Mount, York	In order for members to familiarise themselves with the site.	Cllrs Livesley, Macdonald, Hall, Horton and B Watson
41 Station Road, Upper Poppleton	In order for members to familiarise themselves with the site.	Cllrs Livesley, Macdonald, Hall, Horton, Reid and B Watson

## 12. DECLARATIONS OF INTEREST

At this point in the meeting Members were asked to declare any personal or prejudicial interests which they had in the business on this agenda.

Cllr Reid declared a prejudicial interest in plans items 3a and 3b (89 The Mount) as she was a member of the licensing sub-committee that determined a licensing application for a provisional statement for this site.

## 13. PUBLIC PARTICIPATION

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

## 14. 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.

**14a. Shepherd Homes Ltd, 89 The Mount, York, YO24 1BL  
(06/01341/FULM)**

Members considered a full application for use as a hotel including single storey and two storey pitched roof extensions (with rooms in the roof) and erection of new two storey (with rooms in the roof) pitched roof bedroom block, submitted by Stephen Rodwell.

Officers updated the committee that they had received an additional concern from a resident regarding noise and disturbance from deliveries, but that there were already proposed conditions to restrict delivery times.

Officers also informed the committee that Condition 17 needed to be replaced with a condition requiring the submission of a detailed methods of works statement.

Mr Gill addressed the committee in support of the application but requested safeguards on noise and privacy, in particular that deliveries did not start until 8.00am instead of 7.30am, and that lighting be kept at a low level to reduce glare.

Mr Phillips, the agent for the applicant, addressed the committee in support of the item and confirmed that they could manage deliveries being received after 8am and agreed that lighting could be kept at a low level so as not to shine into neighbours' or residents' windows.

The meeting was adjourned for 5 minutes to investigate what licensing conditions had been imposed on the site in relation to outside events and entertainment. Officers then updated the committee on the conditions that had been imposed by the licensing sub-committee on the premises.

Cllr Macdonald subsequently moved and Cllr Horton seconded a motion to remove condition 25 and on being put to the vote the motion was declared lost.

**RESOLVED:** That the application be approved in accordance with the conditions and informatives outlined in the report with the exception of the following:

- (i) Condition 17 be replace with the following:  
"Prior to the commencement of any works on site, a detailed method of works statement shall be submitted to and agreed in writing by the local planning authority. This statement shall include the precautions to be taken to ensure the safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting the demolition and construction material, and the hours during which demolition, construction and deliveries to and from the site will be permitted".

- (ii) Condition 19 be amended to replace “within six months of” with “three months prior to”.
- (iii) Condition 23 be amended to replace 0730 with 0800 hours.
- (iv) Condition 25 be amended to delete “unless first agreed in writing with the local planning authority”.
- (v) Condition 26 be amended to include the additional sentence “Any lighting at the rear of the building shall consist of low level down lighters only so as not to cause glare or nuisance to the occupiers of adjacent residential properties”.
- (vi) The first paragraph of the Demolition and Construction Informative be amended to read “The developers attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974, as follows:”

**REASON:** As the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to principle of hotel use; design issues, impact on character and appearance of the conservation area; impact on mature trees; traffic, parking and access issues; impact on residential amenity; sustainability; other issues, e.g. disabled access, archaeology, drainage, crime prevention.

**14b. Shepherd Homes Ltd, 89 The Mount, York, YO24 1BL (06/01345/LBC)**

Members considered an application for internal and external alterations including the erection of a part one part two storey pitched roof extension; demolition of northeast wing (no.89A) and part of the coach House and erection of two storey pitched roof building in the grounds; all in connection with use as a hotel, submitted by Stephen Rodwell.

**RESOLVED:** That the application be approved in accordance with the conditions and informatives outlined in the report.

**REASON:** As the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the effect on the special architectural and historic importance of the listed building.

**14c. 41 Station Road, Upper Poppleton, York, YO26 6PX (06/00662/FUL)**

Members considered an application for the erection of a single dwelling with garage and stable block, submitted by Mr and Mrs Deighton.

Officers updated the committee that under paragraph 3.4, comments were received from residents of 39 Station Road and not 41 Station Road. Officers circulated a plan showing the Green Belt boundary in the Development Control's current plan and the settlement limit in the Poppleton Village Design Statement.

Members raised concerns about whether the site was still within the Green Belt and agreed to defer the application to allow officers to further investigate the Green Belt boundary at the site.

RESOLVED: That the application be deferred.

REASON: To investigate the Green Belt status of the site.

**14d. The Raylor Centre, James Street, York, YO10 3DW (06/01171/FULM)**

Members considered an application for the erection of 6 no. industrial/warehouse units (Use class B1, B2, B8) (Amendment to the footprint and design from previously approved permission 05/02414/FULM), submitted by H B Raylor and Co Ltd.

Officers updated the committee that the following additional condition had been imposed on the previous permission but had been omitted by mistake in this application:

"No part of the development hereby permitted shall be occupied until the following highway works-

"The provision of a real time bus information display to the nearest outbound bus stop on Lawrence Street at its junction with James Street."

have been carried out in accordance with a specification to be agreed in writing with the Local Planning Authority, or alternative arrangements have been made to ensure the same.

Reason: In order to encourage employees to travel to the site by public transport in accordance with the advice contained in Planning Policy Guidance Note 13: "Transport", and with Policy T20 of the City of York Draft Local Plan.

INFORMATIVE;

The alternative arrangements referred to in the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution to be paid towards the implementation of the highway works. The obligation should provide for a financial contribution calculated at £7 000."

Mr Batterby, the agent for the applicant, addressed the committee in support of the item and answered Members' questions.

Members requested the following height (HT1) condition be included on the planning permission:

“Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 7 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.”

**RESOLVED:** That the application be approved in line with the conditions and informatives outlined in the report and the additional conditions listed above.

**REASON:** As the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to policy issues, and the absence of any significant change in circumstances since the original granting of planning permission.

COUNCILLOR D LIVESLEY

Chair

The meeting started at 12.05 pm and finished at 1.55 pm.