

Meeting	Planning Committee
Date	5 May 2022
Present	Councillors Fisher (Chair), Ayre, Barker, D'Agorne, Daubeney, Doughty, Douglas, Fenton, Looker, Lomas [from 4.32pm], Melly, Pavlovic (Vice-Chair), Warters, Widdowson (Substitute for Cllr Hollyer) and Hunter (Substitute for Cllr Waudby)
Apologies	Councillors Waudby and Hollyer

81. Declarations of Interest

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda. None were declared.

82. Minutes

Resolved: That subject to the addition of Cllrs Melly and Ayre to the list of apologies, the minutes of the last meeting held on 7 April 2022 be approved and then signed by the Chair as a correct record.

[Cllr Lomas joined the meeting at 4.32pm]

83. Public Participation

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general matters within the remit of the Planning Committee.

84. Plans List

Members considered a schedule of reports of the Head of Planning and Development Services, relating to the following

planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

**85. Alton Cars York Ltd, 3 James Street, York YO10 3WW
[22/00367/FULM]**

Members considered a major full application from Gavin Douglas for the Demolition of existing buildings and redevelopment of the site for purpose-built student accommodation with up to 303 bedrooms, associated communal facilities, car parking and landscaping (resubmission) at Alton Cars York Ltd, 3 James Street, York.

The Case Officer gave a presentation on the application detailing the site layout, elevations, floor plans, top floor plan, massing modelling and a photomontage of the scheme. He then gave a committee update noting comments from Highway Network Management and the Flood Risk Management Team. Amendments to Conditions 5 and Condition 18, the latter to include seating in the landscaping scheme.

Public Speakers

The Applicant, Gavin Douglas, spoke in support of the application. He responded to the reasons for the refusal of the previous application which included a reduced building footprint and increased soft landscaping. He noted the offer of land for adoption for a shared cycle and footway. He explained that the room sizes exceeded requirements.

In response to Member questions, Gavin Douglas explained that:

- The offer of the land for adoption was on the eastern side of the landscaping on James Street. The developer would also fund the highway improvements.
- The shared cycle and footway would be 3.5m and subject to highway officer approval.
- Waste collection would be managed through a private operator. The waste would be sited as far away from properties as possible. There would be a waste management plan. The apartments had segregation units for recycling.
- The means of discharging to the public sewer was explained.

- When asked whether the design had been amended on western side of the site, members were advised that in terms of impact, there was one window on the upper floors on Dunlin House and the west elevation would overlook the communal grounds used either for car parking or as amenity space at Dunlin/Heron House. The windows would be angled away and the building was 22.5m away from the north and 25m away from the south of Dunlin House.
- The windows overlooking the courtyard were semi private.
- Should the application be approved, the appeal for previous refusal of the application would be withdrawn.
- Regarding the communal space, the cluster bedrooms had a shared kitchen and dining space, on the ground floor there was a gym, laundry, cinema and breakout space (which was bookable online).
- The external space was not covered and there was a dedicated route from the cycle store through the external space.
- The applicant was willing to look into e-bike use with Tier.

Members then asked Officers further questions which they responded that:

- Condition 18 could be amended for the landscaping to be for the lifetime of the scheme.
- Regarding the highway improvements, the Applicant would undertake the work under a S.278 agreement and the Council would adopt the land as highway thereafter.
- The application should be determined on its own merits.
- There would be a reference to the frequency of waste collection in the waste management plan and there was scope in Condition 23. This would be a condition and not an informative.
- The response of the Conservation Areas Advisory Panel was confirmed.
- The cycle and footway would be shared, not be segregated.
- The application did not include a scheme for highway works to improve the junction at James Street and Lawrence Street.
- In respect of housing delivery it was not confirmed the 303 bedrooms would translate into as housing units.

Following debate Cllr Fenton moved approval of the application with Condition 18 amended to include the addition of seating and the landscaping to be for the lifetime of the scheme. This was seconded by Cllr Widdowson. Members voted 14 in favour of the motion and 1 against, it was therefore:

Conclusion

Taking into consideration all further comments, aside from the variation to condition 18 (as above), and the officer recommendation is unchanged and no further amendments to the recommendation (as set out in section 7 of the committee report) are proposed.

Resolved: That the application be approved subject to the following amended Condition 18:

Condition 18

The development shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs and hard landscaping features including the provision of seating. The landscaping shall be for the lifetime of the scheme.

Reason:

- i. The presumption in favour of sustainable development in paragraph 11d of the NPPF applies to this application. This means permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- ii. Officers are content the amendments made to the application address the reasons for refusal of the previous application identified by the planning committee. The concerns of overdevelopment of the site, lack of public realm enhancements and wider benefits are addressed; by the reduced amount of development, increased amount of public amenity space proposed and the junction improvements, combined with wider footpaths, which would make

the area more attractive and pedestrian friendly. It has been evidenced the development would provide adequate levels of amenity for its future occupants (taking into account room/cluster sizes and provision of amenities).

- iii.* NPPF paragraph 123 states Local Planning Authorities “should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres”. The scheme is acceptable in principle when assessed against the NPPF, taking into account need for the proposed use and the sustainable location. In respect of the former use of the site, the business has relocated to a preferable site. There are favourable sites where the employment needs of the city, over the emerging plan period, can be accommodated. The scheme accords with local policy for the economy and student accommodation.
- iv.* The proposed development ranges in height from 3-5 storey. This building scale is comparable to the development to the west and would not be excessive in this location. There is no harm to the setting of the Central Historic Core Conservation Area. Technical matters are addressed (using planning conditions where necessary). There would be no undue effects on neighbours and a favourable effect on the highway (and setting in this respect) compared to the former use. Approval is recommended; no adverse impacts of the scheme are identified, that would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Cllr T Fisher, Chair

[The meeting started at 4.30 pm and finished at 5.17 pm].