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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	19 APRIL 2012
PRESENT	COUNCILLORS WATSON (CHAIR), GILLIES (VICE-CHAIR), GALVIN, GUNNELL, JEFFRIES, ORRELL, REID, SEMLYEN AND RICHES (AS A SUBSTITUTE FOR CLLR CRISP)
APOLOGIES	COUNCILLOR CRISP

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### 53. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
Knavesmire Primary School, Trafalgar Street	Councillors Galvin, Gillies, Gunnell, Jeffries, Reid, Semlyen and Watson	To familiarise Members with the site.
Goddards, National Trust Regional Office, 27 Tadcaster Road, Dringhouses	Councillors Galvin, Gillies, Gunnell, Jeffries, Reid, Semlyen and Watson	At the request of Cllr Reid.
Playing Field, Millfield Lane, Nether Poppleton	Councillors Galvin, Gillies, Gunnell, Jeffries, Reid, Semlyen and Watson	As objections had been received and the officer recommendation was to approve.

### 54. DECLARATIONS OF INTEREST

At this point in the meeting, members were invited to declare any personal or prejudicial interests they might have in the business on the agenda.

Councillor Gillies declared a personal and prejudicial interest in plans item 5a (Playing Field, Millfield Lane, Nether Poppleton) as he had been working with the football club regarding the application and had a predetermined opinion regarding it. He

spoke from the floor as Ward Member in support of the application and then left the room for the debate and vote on this application.

Councillor Gillies and Orrell declared personal non prejudicial interests in plans item 5b (National Trust Regional Office, Goddards, 27 Tadcaster Road) as they are both members of the National Trust.

**55. EXCLUSION OF PRESS AND PUBLIC**

That members of the press and public be excluded from the meeting during consideration of Annex A to agenda item 7 (Enforcement Cases Update) (Minute 60 refers) on the grounds that it contains information that if disclosed to the public, would reveal that the Authority proposes to give, under any enactment or notice by virtue of which requirements are imposed on a person or that the Authority proposes to make an order or directive under any enactment. This information is classed as exempt under Paragraphs 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

**56. MINUTES**

RESOLVED: That the minutes of the last meeting of the West and City Centre Area Planning Sub-Committee held on 15 March 2012 be approved and signed by the chair as a correct record.

**57. 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.

**58. 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.

**58a Playing Field, Millfield Lane, Nether Poppleton, York (12/00381/FUL)**

Members considered a full application by Mr Val Duggan for the removal of condition 15 (restricted to football use only) of application 09/00474/FUL for the erection of a club house with associated parking.

Officers advised the committee that Sport England had confirmed they had no objections to the application.

Representations were heard from Councillor Gillies, Ward Member for Rural West York Ward, in support of the application. He explained that Poppleton Junior Football Club (Poppleton Tigers) was a subsidiary of Poppleton Community Trust who manage The Poppleton Centre. While building work had been taking place at The Poppleton Centre, some classes had been rebooked at the football club house by people who had been unaware of the restrictions on the planning permission limiting use of the facilities to football use only. He informed Members that since then, the club had met with the trustees and had taken the decision to apply to vary the conditions to allow for extended community use. He stated that in response to the alleged problems regarding nearby residents being disturbed by noise from the venue on one occasion, the in- and out-entrances had been changed round so vehicles now exit the site further up Millfield Lane away from residential properties.

Officers advised that condition 1 should be amended to include the words “.... *and community uses as generally listed.....*” so the club is not required to apply for a change each time a new class/group requests to hire the facilities.

Members agreed that this was a fantastic community asset and that they were happy with the proposed amendment to condition 1.

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

### Amended Condition 1

The proposed building shall be restricted to the use of football clubhouse and community uses as generally listed in the applicant's "Statement in support of Application" and repeated in informative 2 below and for no other purpose, including any other use falling within D2 of the Town and Country Planning (Use Classes) Order 1987, (or any provision equivalent to the Class in any Statutory Instrument revoking or re-enacting that Order with or without modification) unless a further change of use is granted planning permission by the Local Planning Authority.

Reason: To protect the openness of the greenbelt and to protect the residential amenity of the occupants of the nearby dwellings in accordance with policy GB3 and GP1 of the local plan.

### Informative 2 – Approved “Community Uses”:

Pilates; Yoga; Cake decorating; Seminars and meetings (max 40 persons); Art classes; Weight watchers; Zumba; Dance classes; Chess and dominoes; Table tennis; Crochet and crafts; Children’s parties; Children’s fitness classes; Baby ballet and signing groups and other baby activities; Mums and toddlers; Afternoon tea dances; Beetle drives and Community Bingo.

### REASON:

The proposal, subject to the conditions listed in the report and the amended condition (and informative) above, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, the visual amenity of the building and the locality, impact on the openness of the greenbelt and highway safety. As such, the proposal complies with Policies GP1, GB1, and GB3 of the City of York Council Development Control Local Plan

(2005); and the National Planning Policy Framework (2012).

**58b National Trust Regional Office, Goddards, 27 Tadcaster Road Dringhouses, York (12/00939/FUL)**

Members considered a full application by Mrs Jenny Ludman for a part change of use from office (B1) to a visitor attraction.

Officers confirmed that neither the Dringhouses/Woodthorpe Planning Panel nor English Heritage had any objections to the application. They advised that Design and Heritage had asked for conditions to require details to be submitted of any proposed changes to signage and any changes to existing boundaries (especially in case of requirements from highways).

Officers requested that an informative be added to state that Listed building consent would be required if the area proposed for the tea room required alteration, including the addition of ventilation or service extract grills.

They also advised that with regard to vehicle access, the applicants would prefer not to alter the arrangement configuration as in their opinion this would harm the setting of the listed building. The applicants reported they have had no traffic problems with the existing arrangement over the previous 20 years. Furthermore they did not think there would be a material increase in traffic movements as a consequence of proposals, as extra traffic would only be visitors by arrangement only. Officers suggested therefore that, if Members were in agreement, condition 5 could be deleted.

Members questioned whether traffic entering the site from the main road or traffic exiting the site would have right of way. They pointed out that if a car wanting to enter the site from Tadcaster Road had to first wait for a car leaving the site, this could lead to traffic delays on the main road. It was agreed that it would be beneficial to ask the applicant to erect a sign so that vehicles exiting the site are asked to give way to incoming vehicles.

Officers advised that condition 4 (travel plan) should be reworded to state that the traffic management measures for

guests should specify how it would be publicised that only a restricted number of guests may arrive by private car.

RESOLVED: That the application be approved subject to the conditions listed in the report, the amendment of condition 4 (travel plan) below and the amendment of condition 5 (below) removing the requirement to widen the entrance onto the road but including details of signage required.

Amended condition 4

A travel plan, developed and implemented in line with local and national guidelines (see Department for Transport good practice guidelines), shall be submitted and approved in writing by the Local Planning Authority prior to first opening of the facility hereby approved. The development shall thereafter operate in accordance with the aims, measures and outcomes of said Travel Plan. *In particular the travel plan shall include traffic management measures for guests (how it will be publicised that only a restricted number of guests may arrive by private car) and details of provision for covered and secure cycle parking.*

Reason: To encourage sustainable travel in accordance with paragraph 36 of the National Planning Policy Framework and policy T13a of the City of York deposit Draft Local Plan.

Amended Condition 5

Large scale details, materials and the location of any proposed signage shall be submitted to and approved in writing by the Local Planning Authority prior to installation and the works shall be carried out in accordance with the approved details. *Signage shall be installed by the lay-by behind the gatehouse so that vehicles exiting the site are asked to give way to oncoming vehicles.*

Reason: In the interests of the appearance and setting of the listed building and road safety.

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 the supply of office space within the city, impact on heritage assets, amenity and highway safety. As such the proposal complies with Policies GP1, HE3, HE4 and V1 of the City of York Development Control Local Plan.

**58c Knavesmire Primary School, Trafalgar Street, York, YO23 1HY (12/00399/GRG3)**

Members considered a General Regulations (Reg3) application from Ms Sarah Kingston for the erection of a school hall, first floor and two storey extension to the south wing to create extra classrooms, and single storey reception, cloakroom and toilet extensions.

Officers advised the committee that they had been advised by Councillor Merrett, Cabinet Member for City Strategy, that he supported the application in general. They also reported that Micklegate Planning Panel had responded to the consultation stating that while they were aware of the need to extend the school building to accommodate additional pupils, they would like to see measures taken to ensure that the impact of the traffic to and from the site is kept to a minimum. They acknowledged that the travel plan was intended to promote a further increase in walking or cycling to the school, but asked that the following measures be agreed.

- a firmer commitment to increasing the number of cycle racks for staff and pupils, to encourage greater use of cycles.
- the implementation of the full South Bank 20mph area to reinforce the perception that it is safe for children to walk and cycle to school.

- other improvements highlighted in the travel plan, such as the safe crossings at Bishopthorpe Road and Queen Victoria Street.

Representations were received from the Council's Policy Support Manager who explained to the Committee how the demand for primary school places in the Southbank area exceeded the number of places available at Knavesmire and Scarcroft primary schools, whose joint admission limits into reception totalled only 75. He explained that although the increase in demand had been accommodated through allocating places over the admission limit and through working with other schools, both schools had now run out of space and there was no space in other local schools, with the nearest with places available being Woodthorpe Primary, 2.5 miles away. He stated that the application would provide additional classrooms as well as a new school hall and enable the school to increase its capacity and enable the Council to achieve its mandate to meet its statutory duty to provide places across the city.

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 visual impact, residential amenity, highway safety, biodiversity and heritage assets. As such the proposal complies with Policies ED1, GP1, HE10, NE1, NE6, NE7 of the City of York Development Control Local Plan.

## **59. APPEALS PERFORMANCE AND DECISION SUMMARIES**

Consideration was given to a report, which was also being presented to the main Planning Committee and East Area Planning Sub-Committee informing Members of the Council's performance in relation to appeals determined by the Planning Inspectorate in the 3 month period up to 28 March 2012. The report also provided a summary of the salient points from the appeals determined in that period together with a list of outstanding appeals as at 28 March 2012.



Officers reported that the number of appeals which had been allowed was well below the national average and that none of the appeals which had been allowed had been into relation to decisions made by the committee.

RESOLVED: That the report be noted.

REASON: To update Members on appeal decisions within the City of York Council area and inform them of the planning issues surrounding each case for future reference in determining planning applications.

#### **60. ENFORCEMENT CASES UPDATE**

Members considered a report which provided them with a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by this Sub-Committee.

RESOLVED: That the report be noted.

REASON: To update Members on the number of outstanding enforcement cases within the Sub Committee's area.

Councillor B Watson, Chair  
[The meeting started at 3.00 pm and finished at 4.30 pm].