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Meeting	Planning Committee
Date	18 January 2018
Present	Councillors Ayre (Chair), Derbyshire (Vice-Chair), Reid, Cullwick, Cuthbertson, D'Agorne, Dew, Funnell, Galvin, Looker, Pavlovic and Richardson [for minute 27 only] and Brooks (Substitute)
Apologies	Councillors Doughty, Shepherd and Warters

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## 19. Site Visits

Site	Reason	In attendance
Land To South East Of Ryedale Caravan Site, Green Lane, Clifton	To familiarise Members with the site.	Cllrs Ayre, Cullwick, Cuthbertson and Dew
James House, James Street	To familiarise Members with the site.	Cllrs Ayre and Cullwick, Cuthbertson
Whinney Hills, Appleton Road, Acaster Malbis	To familiarise Members with the site.	Cllrs Ayre and Cullwick

## 20. 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.

## 21. Minutes

Resolved: That the minutes of the last meeting held on 13 December 2017 be approved and then signed by the chair as a correct record subject to the final bullet point of minute 16 changing to 'The design

architects considered the revised plan to be an improvement *in terms of the views along Stonebow*'.

## **22. 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.

## **23. 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.

## **24. Germany Beck Site, East Of Fordlands Road [17/00904/FUL]**

Members considered a full application from Persimmon Homes (York) Ltd for the creation of a wetland habitat suitable for water voles (retrospective) at the Germany Beck site, east of Fordlands Road, Fulford.

There were no officer updates further to the report. Officers gave an overview of the location and layout of the wetland habitat, including an explanation of the existing ground levels, water body, moat and refuge for water voles.

In response to a Member question, Officers explained that water voles had been confirmed at the beck following a survey of the site in 2016. The water voles would be potentially displaced by the proposed works to the beck as a result of the Germany Beck housing scheme. The form and design of the wetland habitat had been agreed under a conservation licence by Natural England.

Resolved: That the application be approved.

Reason: The application seeks retrospective consent for engineering operations involved in the creation of a water vole habitat within a Site of Importance to

Nature Conservation south of Germany Beck to meet the requirements of a conservation licence from Natural England. It is considered not to be EIA Development. The works are not inappropriate development in the Green Belt under paragraph 90 of the NPPF. The works compensate for the impact on existing water vole habitat from development works in the adjacent beck and provide an enhanced habitat. There have been no objections raised from statutory consultees, subject to the imposition of conditions relating to the reporting of the already undertaken archaeological investigations and a SINC specific management plan. The proposal is, therefore, considered to accord with national and local planning policy and is recommended for approval.

**25. James House, James Street [17/02657/GRG3]**

Members considered a full application from City of York Council for the conversion of the former office building known as James House on James Street into 57 apartments for temporary accommodation by homeless households, with associated office/support facilities.

Officers provided Members with an update to the report. Members were advised that at 1.8 and 4.36 of the report it was stated that there would be two security staff on site from 8pm to 8am. This was an error as there was to be one security officer on duty overnight. Officers advised of an additional standard condition on the provision of car and cycle parking.

Members were informed that there had been an objection received from the neighbours to the north of the site (the Raylor Centre), who commented on privacy levels between the offices and proposed residential accommodation. The Raylor Centre had made a number of requests related to their concerns and the officer's response to these was explained to Members. In response to a Member question regarding the Raylor Centre's request for dog waste bins, it was confirmed that occupants would not be allowed pets in the building.

Tom Brittain, Assistant Director Housing and Community Safety, City of York Council, spoke in support of the application. He

explained that the proposal provided the opportunity to consolidate homeless accommodation. He outlined the types of accommodation and facilities that would be provided and noted that the accommodation would be allocated to those with a priority need for housing.

In response to Member questions, officers confirmed that:

- Energy from solar panels was collected in an energy centre which powered the communal areas and facilities.
- There was currently a no dog policy for tenants, which was one of a number of policies reviewed on a regular basis. If the policy was to change, there would be an examination of how dogs were looked after on the premises.
- Regarding the privacy levels for occupants of James House and the Raylor Centre, and noting the removal of trees, the difference in floor levels between the two buildings meant that viewing between rooms was at an oblique angle from rooms on the first floor.
- There had been discussion between the CYC housing team and the Raylor Centre regarding tinted windows in the building.

Resolved: That the application be approved subject to the conditions listed in the report and the following additional condition:

Additional condition

An additional standard condition on the provision of car and cycle parking to be laid out as shown on the plans is advised. It reads:

The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

Reason:

- i. The application is the conversion of the former office building known as James House on James Street into 57no. apartments for temporary accommodation

by homeless households, with associated office / support facilities. Amendments are made to update the external appearance of the building with replacement windows, a replacement lobby of contemporary design and ramped access into the building. A new vehicular access will be provided on the northern boundary to a secure staff car park at the rear. A safe and enclosed courtyard will provide new amenity space, including play equipment and landscaped garden for residents use. At the front of the building will be staff/resident car parking and secure cycle parking in a new brick building with green roof. Silver birch and cherry trees are retained on the street frontage.

- ii. Whilst bats, a European Protected Species, have been found in the building subject to the relevant license being obtained, officers advise the 'derogation tests' have been passed, and harm can be adequately mitigated. The proposals are found to be in accordance with the key principles at paragraph 17 of the National Planning Policy Framework (2012) and particularly sections 6 on housing and 7 on design. The proposals are also found to be in accordance with those relevant policies in the draft local plans which are in accordance with the NPPF. These key policies are GP1 Design, GP3 Planning against crime, H4a Housing windfalls and C1 Community facilities in the draft Local Plan adopted for development control purposes 2005 and DP3 Sustainable communities in the Pre-Publication Draft Local Plan 2017. The application is thus recommended for approval subject to the attachment of the following conditions.

**26. Whinney Hills, Appleton Road, Acaster Malbis  
[17/00342/FUL]**

The Chair reported that the applicant had been unavoidably delayed on his way to the meeting and would not be able to attend.

Resolved: That the application be deferred.

Reason: To allow the applicant to make representation at the meeting.

**27. Land To South East Of Ryedale Caravan Site, Green Lane, Clifton [17/02420/FULM]**

Members considered a major full application from LNT Care Developments for the erection of a three storey, 66 bedroom care home (use class C2) on land to the south east of Ryedale Caravan Site, Green Lane, Clifton.

Officers provided an update to the report. Officers advised that revised plans had been received that showed an increase in the width of the vehicular access from 4.5m to 5.5m to allow for improved vehicular passing within the site. Officers further advised that there was an amendment to Condition 2 (approved drawings), an additional condition relating to the details of enclosure to the site boundaries, and additional informatives regarding footpaths and landscaping.

In response to Member questions, Officers advised that:

- With regard to overshadowing on the boundaries of housing not already built, there was a significant distance 24m between the proposed care home and those boundaries.
- There was a standard cycle parking condition with the application.

Tracy Spence, the applicant, was in attendance to answer Member questions. In answer to Member questions concerning cycle and car parking she explained that the shift patterns for the care home meant that there would only be 15 staff on site at any time and it was anticipated that staff would travel there by car and cycle.

Resolved: That the application be approved subject to the conditions listed in the report and amended condition 2, additional condition and additional informatives:

Amended Condition 2

Amend condition 2 (approved drawings) to include revised drawing YO305QX-A03-Rev C

Additional Condition

Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of the development and shall be provided in accordance with the approved details before the development is occupied.

#### Additional Informatives

##### Reinstatement of highway

The access works will be undertaken through Agreement under S278 of the Highways Act 1980 and through this Agreement the Highway Authority will be seeking that the full length of footway along the site frontage be resurfaced to CYC standard specifications.

##### Landscaping

The landscaping scheme submitted under condition 15 will be required to provide additional tree planting to the south west boundary of the site to provide an appropriate landscaped setting and break between the proposed care home and the housing to the south west given the lack of existing planting in this location.

#### Reasons:

- i. The provision of a care home on this brownfield site complies with relevant local and national policy. It is considered that the proposal makes good use of the site which is in a sustainable location and will provide much needed older persons accommodation for the city.
- ii. The proposal has been subject to public consultation and officers consider that the design will be a positive addition to the site and that impact on neighbouring residents will be minimal

Cllr N Ayre, Chair

[The meeting started at 4.30 pm and finished at 5.15 pm].