
Meeting	Planning Committee
Date	19 December 2013
Present	Councillors Horton (Chair), Galvin (Vice-Chair), Ayre, Boyce, Crisp, D'Agorne, Doughty, King, McIlveen, Reid, Riches, Simpson-Laing, Watt and Williams
Apologies	Councillors Burton and Firth

33. Site Visits

Site	Reason for Visit	Members Attended
Former Terry's Factory Site	To enable members to familiarise themselves with the site	Horton, Galvin, Boyce, Reid, McIlveen and Watt.
Askham Bryan College	To enable members to familiarise themselves with the site	Horton, Galvin, Boyce, Reid, McIlveen and Watt.
Land at Haymarket Car Park, Hungate.	To enable members to familiarise themselves with the site	Horton, Galvin, Boyce, Reid, McIlveen and Watt.

34. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal or prejudicial interests they may have in the agenda.

Councillor D'Agorne declared a personal non prejudicial interest in relation to plans items 4c and 4d (Askham Bryan College) as he is employed by York College.

Councillor Galvin declared a personal non prejudicial interest in relation to plans items 4c and 4d (Askham Bryan College) as he uses the college facilities 4 times a year.

Councillor McIlveen declared a personal non prejudicial interest in agenda items 4c and 4d (Askham Bryan College) as a member of the Rounders Association.

Councillor McIlveen also declared a personal non prejudicial interest in plans item 4g as he is a House of Multiple Occupation landlord.

35. Minutes

Resolved: That the minutes of the last meeting held on 21st November 2013 be approved and signed by the Chair as a correct record.

36. Public Participation

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

37. Plans List

Members then considered seven reports of the Assistant Director (Planning and Sustainable Development) relating to the following planning applications, which outlined the proposals and relevant planning considerations and set out the views of the consultees and officers.

38. Haymarket Car Park, Dundas Street, York (13/03302/FULM)

Consideration was given to a full planning application by Hiscox for the erection of part-three and part-four storey office building (Use Class B1a) of 6,545 square metres (GEA). New energy centre (49 square metres), landscaping proposals, improvements to public realm and highways, and associated works at Haymarket Car Park, Dundas Street, York.

Officers circulated an update to the committee report, full details of which are attached to the online agenda for the meeting, details were briefly as follows:

- Vary Condition 3
- Add a condition to prevent doors opening on to the public highway.
- Officers also reported that the weekend hours for deliveries of 9am to 6pm are in line with the rest of the Hungate site and should remain as such, but the weekday delivery times could be varied to 7am to 7pm, as requested by the applicant .

Peter Brown had registered to speak in support of the application on behalf of York Civic Trust. He stated that the Trust was pleased to be able to support the scheme which they considered to be sympathetic and well designed. The building would be a landmark for York and is what the City should be aspiring to for future developments.

Harry Spawton, the agent, and Jason Parker, the architect, had registered to speak in support of the application. They advised that they had addressed the key planning issues and had carried out pre-application consultations which had indicated support for the scheme. A previous application for the site had proposed a higher building and this scheme was also proposing significant improvement to the public realm to provide a 'gateway' into the city centre.

Members queried the scheme not meeting the 10% renewable energy target. Officers advised that the measures being taken to meet the BREEAM excellent rating outweigh the 10% renewable target in this instance and the development was acceptable in terms of sustainable design and construction.

Following further discussion it was:

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

Condition 3 (varied) Prior to occupation of the development hereby approved the hard landscaping proposals and highways works, as shown on drawing 2561 17C, shall be

implemented (and the existing crossing that will become redundant shall be removed).

A detailed landscaping/highway scheme (including existing and proposed surfacing materials, vehicular parking and servicing arrangements, and the number, species, height and position of trees and shrubs) shall be approved by the Local Planning Authority prior to completion of construction. The scheme shall include proposals for the roof areas, following the concept plans established within the submitted design and access statement, and an interim arrangement for the area within the application site where the office/hotel building is proposed, which shall be provided until construction on that site commences.

The approved scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: In the interests of the highway management, the character and appearance of the area and to enhance biodiversity in accordance with paragraphs 58 and 109 of the National Planning Policy Framework

Additional Condition:

No door or gate shall be fitted so as to open outwards over the adjacent public highway.

Reason: To prevent obstruction to other highway users.

Reason: The development of high quality office space at the application site fits with the planned aspirations for this part of Hungate and is therefore welcome. The proposed building is of adequate environmental standards, including achieving BREEAM Excellent and will encourage sustainable travel. The overall development will enhance the area, respecting the setting of nearby listed buildings and archaeology of importance. There will be no undue impact on surrounding, existing or future occupants.

39. Haymarket Car Park, Dundas Street, York (13/03232/OUTM)

Consideration was given to an outline planning application by Hiscox for an office use (Use Class B1a) with flexible ground floor uses (A1, D1 or D2), or hotel building (Use Class C1) with access at Haymarket Car Park, Dundas Street, York.

Officers circulated an update to the committee report, full details of which are attached to the online agenda for this meeting. The main points were as follows:

- Delete condition 4 as landscaping will be addressed in the reserved matters application.
- Add Highways works conditions.
- Officers also reported that the weekend hours for deliveries of 9am to 6pm are in line with the rest of the Hungate site and should remain as such, but the weekday delivery times could be varied to 7am to 7pm, as requested by the applicant .

Harry Spawton had registered to speak as the planning agent. He advised that significant pre-application consultation had been carried out and work had been carried out to reduce the size of the building from what was already approved under a previous application. The building would be used as a hotel or office. Consideration had also been given to the proximity of the proposed building to the Black Swan.

Mr King had registered to speak as a local resident. He advised that his property overlooks the proposed building and that it

would be too high and too close to his property. He had concerns about the proposals being overbearing and the loss of open space.

In response to Members questions about the mass of the building, Officers confirmed that at the outline stage such details can not be considered.

Members were happy that sufficient information had been provided for the outline application, but asked the applicant to take into account the comments made by local residents.

Resolved: That the application be approved subject to the imposition of conditions outlined in the Officers report and the following additional conditions:

The development hereby approved shall not be occupied until the following works have been approved in writing by the Local Planning Authority and the works have been carried out in accordance with the approved details -

- a) The pedestrian / cycle route through the site
- b) The vehicular access onto Black Horse Lane (if applicable)
- c) Areas for parking, servicing and manoeuvring of vehicles

Reason: In the interests of highway safety and management, and visual amenity.

The development shall not be occupied until all existing vehicular crossings not shown as being retained on the approved plans have been removed by reinstating the highway to match adjacent levels.

Reason: In the interests of highway safety and management, and visual amenity.

Reason: The proposed development is considered to be appropriate to the setting, considering the layout, massing and public realm enhancements. The setting would be

enhanced and in relation to the approved master plan, there would be no undue additional harm to residential amenity. The scheme fits with Council aspirations for regeneration of the Hungate area. The development would be sustainable, meeting local construction requirements, and there would be no undue harm, considering flood risk, highway safety and the impact on archaeology.

40. Askham Bryan College, Askham Fields Lane, Askham Bryan, York, YO23 3PR (13/02946/FULM)

Consideration was given to a major full application by Askham Bryan College for the erection of educational and associated buildings and related parking, circulation areas and landscaping (for animal management centre, farm and equestrian purposes, 2 staff dwellings, animal housing), siting of animal shelters, silos and feed bins, erection of security fencing, formation of external equine training areas including polo field, formation of new access to York Road, reorganisation of existing access and parking areas, formation of ponds, change of use of existing buildings, temporary student accommodation and providing glazed roof to existing quadrangle.

Officers provided an update to the committee report, full details of which are attached to the online agenda. The main points were as follows:

- Environmental Protection Unit have no objections to the revised scheme and have agreed conditions.
- Public Rights of Way Comments - Request the applicant to divert the public footpath that current crosses the site of the proposed polo pitch.
- Ramblers Association would prefer the footpath diverted also.
- Revisions to a number of conditions.

In addition, the Officers also had the following verbal update further to the written update:

Condition 18

The existing buildings (marked as 20, 21, 22, 23, 24, and 25 on Drawing Number (0-)91 received 13 December 2013) shall be demolished within 2 months of the transfer of livestock and teaching to the animal management centres hereby approved (AMC1 and AMC2). The parking area to the north of the Animal Management Centre buildings hereby approved shown on the approved plan (Drawing Number (05)01 Revision A received 22 November 2013) edged in purple/brown shall be constructed and laid out in accordance with the approved plans within 2 months of the occupation of the Animal Management Centres, and hereafter such areas shall be retained solely for such purposes.

Condition 28

The first sentence of the condition revised to:

Prior to the occupation of the Animal Management Centres (AMC1 and AMC2) hereby approved, full details of a landscape/habitat creation/restoration scheme for the whole development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Condition 29

The first sentence of the condition revised to:

Prior to the construction of each building and the re-profiling to create the polo field a Wildlife Protection Plan shall be submitted to and approved in writing by the Local Planning Authority of what reasonable measures are to be taken to reduce/avoid any possible impact on targeted habitats, areas, and species during the construction phase of the each building and the polo field.

Miss Phillips, the Principle of Askham Bryan College, had registered to speak in support of the scheme. She advised that Education is an important part of York's economy and it was essential that Askham Bryan extends to meet demand as admissions at the College had gone up by 400 on the previous

year. She provided information on the specialist areas taught by the college and advised that there was still a shortage of skilled individuals in some areas of the colleges curriculum.

David Nunns had registered to speak on behalf the Ramblers Association. He advised that views would change considerably for walkers when the buildings are in place and raised concerns about the public footpath affected by the polo field.

Members questioned the registered speaker on a number of aspects of the operation of the college in relation to the application as follows:

- The requirement for a polo field – it was confirmed that the sport has grown in popularity in recent years and the college has taken on a member of staff who specialises in the teaching of polo.
- The public footpath located in the area designated for the polo field – it was confirmed that the college was confident it could manage footpath users as well as operating the polo field but would also be willing to look at a diversion of the footpath.
- Exotic species at the site – it was confirmed that Animal Management is an important part of what the college teaches and high quality accommodation is required to house existing animals and to add new ones.

Resolved: That the application be approved subject to the imposition of the conditions detailed in the Officers report, the conditions outlined above and the following additional/amended conditions:

Condition 7 - No development, other than the Animal Management Centres (AMC1 and AMC2) shall take place until there has been submitted 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 initially indicated in Drawing Numbers (05)21 Revision A and (05)01 Revision A received 22 November 2013, Drawing Number (05)35 received 23 August 2013, and Drawing Number 3992 (05)45b 29 November 2013.

The details shall include the period/phasing of the landscaping scheme. This scheme shall be implemented within the agreed timescale.

A detailed landscaping scheme for the Animal Management Centres (AMC1 and AMC2, and the birds of prey centre initially indicated the aforementioned plans shall be submitted and approved in writing by the Local Planning Authority and be implemented prior to the occupation of these buildings.

Any trees or plants which within a period of five years from the completion of each phase of the approved landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Condition 8 - Prior to commencement of each building, area of animal enclosures, and the polo field hereby approved an archaeological evaluation in accordance with a detailed methodology (to include geophysical survey, metal detecting, trial trenches, community involvement, analysis, publication and archive deposition) of the site shall be submitted to and approved in writing by the Local Planning Authority.

A report of the results of the evaluation following the aforementioned agreed methodology shall be submitted to and agreed in writing by the Local Planning Authority. The report shall be submitted to the Local Planning Authority within six weeks of the completion of the field investigation.

Condition 9 - Following the carrying out of the archaeological evaluation on each part of the site required by Condition 8, if the Local

Planning Authority so requires, an archaeological excavation of that part of the site shall be carried out before any development is commenced. The excavation shall be carried out in accordance with a detailed methodology (to include trenches, community involvement, post-excavation analysis, publication and archive deposition), which shall first be submitted to and approved in writing by the said Authority. Reasonable access shall be afforded to any Local Planning Authority nominated person who shall be allowed to observe the excavations. A report on the excavation results shall be submitted to the Local Planning Authority within twelve months of the completion of the field investigation

Condition 15 - The specified height of the fence is revised to 2.4 metres.

Condition 16 - The height of the proposed screening altered to 2.4 metres from 2.5 metres.

Condition 17 - Prior to the first occupation of any building hereby approved a Full Travel Plan shall be submitted and approved in writing by the Local Planning Authority. The travel plan should be developed and implemented in line with local and national guidelines. The development shall thereafter be occupied in accordance with the aims, measures and outcomes

Within 12 months of the occupation of the first building of the development hereby approved a first year travel survey shall have been submitted to and approved in writing by the Local Planning Authority. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.
of said Travel Plan.

Condition 20 - Prior to their construction, details of the shelters and 'woodland enclosures' within the Wildlife and Conservation Area shall be submitted to and approved in writing by the Local Planning Authority. The details shall include appearance, scale, siting, and materials. The development shall be constructed in accordance with the approved details.

Condition 26 - Prior to the occupation of each building details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall detail the locations, heights, design and lux of all external lighting associated with that building. The development shall be carried out in accordance with the approved lighting scheme.

Condition 30 - alterations to two parts of the condition - (iv) Additional surface water shall not be connected to any foul / combined sewer, if a suitable surface water sewer is available.

(v) If soakaways are the proposed method of surface water disposal, these shall be shown to work through an appropriate assessment carried out under BRE Digest 365, (preferably carried out in winter), to prove that the ground has sufficient capacity to accept surface water discharge, and to prevent flooding of the surrounding land and the site itself. The tests shall be carried out for each of the proposed buildings, the polo field, and the equestrian centre car park and shall be witnessed by the City of York Council's Flood Risk Management Team.

Reason: Much of the proposed development is considered to constitute inappropriate development within the Green Belt, and by

virtue of the scale and siting of some of the proposed development would impact and cause harm to the openness and visual amenity of the Green Belt. Central Government advice in the NPPF makes it clear that such development should not be approved, except in very special circumstances. The proposed facilities are required for the college to expand and compete, and improve existing courses, this is supported by local and national planning policy. The proposed college facilities are required in proximity to the current campus and cannot reasonable be sited elsewhere. It is considered that very special circumstances exist that outweigh the harm to the greenbelt. Other impacts of the development are considered to be acceptable and in accordance with national and local planning policy and where reasonable and necessary will be mitigated by condition.

Approval is recommended subject to the referral of the application to the Secretary of State under The Town and Country Planning(Consultation) (England) Direction 2009 and the completion and signing of a Section 106 agreement covering a contribution towards a pedestrian/cycle path and the use of the ionTRAVEL program.

**41. ASKHAM BRYAN COLLEGE, ASKHAM FIELDS LANE,
ASKHAM BRYAN, YORK, YO23 3PR(13/02969/OUTM)**

Consideration was given to an outline application by Askham Bryan College for the erection of a new building and conversion of existing building to provide student accommodation; the erection of a teaching block following the demolition of a workshop; and the erection of an engineering building.

Officers provided an update to the committee report, full details of which are attached to the online agenda. The main points were as follows:

- The Councils Environmental Protection Unit had requested a number of conditions.
- Revisions had been made to a number of conditions.

The Principle of Askham Bryan college had registered to speak. Full details are reported under the previous minute item.

Resolved: That the application be approved subject to the imposition of conditions detailed in the committee report and the following amended conditions:

Condition 7 - Prior to commencement of each building hereby approved an archaeological evaluation in accordance with a detailed methodology (to include geophysical survey, metal detecting, trial trenches, community involvement, analysis, publication and archive deposition) of the site shall be submitted to and approved in writing by the Local Planning Authority.

A report of the results of the evaluation following the aforementioned agreed methodology shall be submitted to and agreed in writing by the Local Planning Authority. The report shall be submitted to the Local Planning Authority within six weeks of the completion of the field investigation.

Condition 8 - Following the carrying out of the archaeological evaluation on each part of the site required by Condition 7, if the Local Planning Authority so requires, an archaeological excavation of that part of the site shall be carried out before any development is commenced. The excavation shall be carried out in accordance with a detailed methodology (to include trenches,

community involvement, post-excavation analysis, publication and archive deposition), which shall first be submitted to and approved in writing by the said Authority. Reasonable access shall be afforded to any Local Planning Authority nominated person who shall be allowed to observe the excavations. A report on the excavation results shall be submitted to the Local Planning Authority within twelve months of the completion of the field investigation.

Condition 14 - Prior to the occupation of each building details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall detail the locations, heights, design and lux of all external lighting associated with that building. The development shall be carried out in accordance with the approved lighting scheme.

Condition 30 - Alterations to one part of the condition: (a) Proposed buildings within Brownfield areas must be attenuated to 70% of the existing rate (based on 140 l/s/ha of proven connected impermeable areas). Storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required. If the existing connected impermeable areas can not be proven then a

Greenfield run-off rate based on 1.4 l/sec/ha shall be used.

Reason:

The Engineering building is considered to constitute inappropriate development within the Green Belt, and by virtue of the scale and siting would impact and cause harm to the openness and visual amenity of the Green Belt. Central Government advice in the NPPF makes it clear that such development should not be approved, except in very special circumstances. The proposed facilities are required for the college to expand and compete, and improve existing courses. The proposed college facilities are require proximity to the current campus and as such can not be sited elsewhere, and together with the other reasons put forward by the applicant are considered to constitute very special circumstances that outweigh the harm to the greenbelt.

Buildings SV1, SV2, and TB1 are considered to fall within the NPPF exception category of limited infilling or the partial or complete redevelopment of previously developed sites, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Other impacts of the development are considered to be acceptable and in accordance with national and local planning policy and where reasonable and necessary will be mitigated by condition.

Approval is recommended subject to the referral of the application to the Secretary of State under The Town and Country Planning(Consultation) (England) Direction 2009.

**42. FACTORY , BISHOPTHORPE ROAD, YORK, YO23 1NA
(13/03429/REMM)**

Consideration was given to a reserved matters application by David Wilson Homes Yorkshire East for Phase 1 development comprising 57 houses, 1 new 18 unit apartment building and 1 new 11 unit apartment building with a ground floor retail unit.

Officers circulated an update, full details of which are attached to the online agenda for the meeting. The main points were as follows:

- Affordable Housing issues had been tackled at the outline stage.
- A 'Building for Life' report had been completed since the report was written and a maximum score of 9.9 had been received in respect of sustainability.
- Details of amenity space.

Ms. O'Toole had registered to speak as a Local Resident. She advised that her property was directly opposite the entrance for the site and she had been experiencing noise and vibration, despite reporting her concerns to the developers. She also raised concern at the landscaping work that had taken place immediately outside her property, in particular the loss of a number of mature trees, which she had expected to remain until phase 5 of the development. She also advised that residents had concerns about the potential for an increase in traffic in the area.

Eamonn Keogh had registered to speak on behalf of David Wilson homes. He advised that she scheme was a design led bespoke scheme with no standard house type and the street pattern had been designed to reflect the nearby Southbank area. In response to Ms. O'Toole's comments he advised that the tree removal plans had been set out in the original consent. In relation to the noise and vibration issues he was happy to continue liaising with local residents to minimise the problem.

Members welcomed the developer's offer to continue to address the concerns of local residents and following further discussion it was:

Resolved: That the application be approved subject to the imposition of the conditions detailed in the officers report.

Reason: Under this reserved matters application access, appearance, landscaping, layout and scale are for consideration at this stage. The proposal is felt to relate well to the setting of the Racecourse/Terry's Conservation Area and the surviving Grade II Listed factory buildings to the south as well as to the grain of the surrounding built environment. Any impact upon the residential amenity of neighbouring properties is felt to be acceptable and approval is therefore recommended.

43. Our Lady's R C Primary School, Windsor Garth, York, YO24 4QWI (13/02892/FULM)

Consideration was given to a major full application by Mr Joel Owen for the erection of 55 new two storey dwellings and associated works.

Officers circulated an update to the committee report, full details of which are attached to the online agenda for this meeting, the main points were as follows:

- The proposal has been made subject to a holding Direction from the National Planning Casework Unit to enable the Secretary of State for Communities and Local Government to assess whether or not to call-in the application for his own determination. A separate notice has been given that the Secretary of State wishes to issue a Screening Direction of his own in respect of the development in relation to the Town and Country Planning (Environmental Impact Assessment) Regulations.
- Further letters of objection had been received since the agenda was published.
- The Kingsway Residents Association continue to express concerns about over development of the site.

- Continuing concerns had been raised on flood risk.
- The application was acceptable in terms of affordable housing.

A local resident, Mr. Hudson had registered to speak on the application. He asked that if the application be granted then a condition prohibiting site traffic through adjacent housing estates be added. He advised that something needs to be done to help prevent lengthy disruption to local residents.

Members queried a number of points, in particular the adjustments made to the scheme since its deferral at the last meeting. The Architect for the scheme confirmed that in relation to the fence surrounding the site, it was felt that an open aspect should be retained so a smaller fence would be included in the scheme but still of a sufficient height to prevent ingress and egress. A play area was now also included on the site.

Members expressed disappointment at delays to the scheme and following further discussion it was:

Resolved: That the application be approved subject to the Section 106 agreement and the imposition of conditions detailed in the committee report.

Reason: Providing adequate arrangements are put in place to safeguard the boundary of the site with Hob Moor and secured by means of a Section 106 Agreement with additional boundary planting secured by condition, then on-balance the impact of the scheme is felt to be acceptable. Concern has also been expressed that the proposal would represent an over-development of the site however, the pattern of density whilst tight is reflective of that of the housing development to the north and North West as is the pattern of scale and massing. The standard separation distances can also be complied with. In terms of the proposed surface water drainage from the site, particularly its relationship to the nearby Local Nature Reserve, if any permission

is conditioned to require that any surface water discharges are suitably attenuated and discharged to the existing surface water sewer network then it is felt that an acceptable arrangement can be achieved. There are requirements in terms of commuted sums related to Highway Works and Open Space for £38,024 and overall it is felt that the proposal is acceptable in planning terms and approval is therefore recommended subject to the a legal agreement to secure the contributions.

43a 32 Lawrence Street, York (13/03349/FULM)

Consideration was given to a major full application by Mr Richard Lockey for the demolition of an existing car showroom and the erection of 3 new student accommodation buildings comprising of 220 studios with associated external works including freestanding energy building (revised scheme).

Officers circulated an update to the committee report, full details of which are attached to the online agenda for the meeting, the main points were as follows:

- A new unilateral undertaking for money towards open space facilities had been submitted.
- The applicant had provided a short statement to give greater understanding of the particular requirements of the developer.
- A new sustainability statement has been received. Officers suggested the 10% renewable onsite target and the BREEAM Very Good requirements be conditioned.
- Further comments had been received from the Council's Conservation Officer, Archaeology Officer and the Environmental Protection Unit.
- The recommendation to approve be subject to the receipt of an acceptable plan to cover the repositioning of the Air Source Heat Pumps in agreement with the Council's Environmental Protection Unit and appropriate conditions to secure further noise insulation, the completion of the section 106 agreement to provide for off site open space and the expiry of the consultation period with delegated

authority to officers provided any objections received raise no new issues.

The Architect for the scheme, Richard Lockey, was in attendance. He advised that the development had been marketed and an operator requiring self contained student apartments had been sourced. The schemes target would be to reduce costs and energy by various measures such as solar hot water panels with a BREEAM very good rating. He urged members to support the scheme to enable it to progress.

Members were pleased to note that a management plan for parking would be put in place for the site and following further discussion it was:

Resolved: That the application be approved subject to no new issues being raised before the end of the reconsultation period and receipt of the satisfactory section 106 unilateral undertaking and the imposition of the conditions outlined in the committee report and the following amended condition:

Condition 35 - All windows to habitable living spaces (bedrooms and living rooms) at ground floor, first floor and second floor level of Block A, facing Lawrence Street, shall be non-opening to protect future residents from poor air quality along Lawrence Street. Mechanical ventilation shall be provided to draw clean air from the rear of the building. Prior to the occupation of any unit within block A with a window facing Lawrence Street the developer shall provide a maintenance schedule for such ventilation systems, and clarify responsibility for running costs and maintenance works.

Reason: To protect the health of future occupants of the proposed development, in an area of poor air quality.

Reason: The Planning and Environment Team is satisfied that the applicant's needs assessment successfully demonstrates a demand for student housing in accordance

with the requirements of policy ED10.
Furthermore the Inspector in dealing with an appeal against student housing on this site did not object to the principle of the development.

Councillor D Horton, Chair
[The meeting started at 4.30 pm and finished at 7.20 pm].