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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	26 JULY 2007
PRESENT	COUNCILLORS MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, HYMAN, TAYLOR, WISEMAN AND PIERCE (SUB FOR CLLR KING)
APOLOGIES	COUNCILLOR KING

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## 17. DECLARATIONS OF INTEREST

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

Councillor Moore stood down from the Committee for agenda item 4a) (Unit 4, Centurion Office Park, Tribune Way, York), under the provisions of the Planning Code of Good Practice, and spoke from the floor as a Ward Councillor and did not take place in the discussion or decision thereon. Councillor Cregan chaired this item.

## 18. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 28 June 2007 be approved and signed by the Chair as a correct record.

## 19. PUBLIC PARTICIPATION

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

## 20. 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.

### 20a. Unit 4 Centurion Office Park, Tribune Way, York (07/01336/FULM)

Members considered a major full application, submitted by Keyland Gregory Ltd, for a two storey extension to existing office to provide office, laboratory and warehouse premises (1,773 sqm).

Officers updated that Clifton Without Parish Council and Clifton Moor Business Association had no objections to the application. Yorkshire Water Authority had no objections subject to the addition of four additional conditions relating to foul and surface water drainage, and proximity of the

development to the public sewer. Officers also referred to para. 1.2 of the Planning Officers report which stated that the proposed occupier of the premises ADVA were intending to relocate to this site but they confirmed that they were to retain their existing premises in addition to this development. Confirmation had also been received from the applicants that the fire escape staircase would be fenced and gated to prevent anti social behaviour.

Officers stated that the applicant had also been requested to provide a sustainability statement but that this had not been received. The applicant had indicated that as this was the fourth application for this site and a sustainability statement had now been requested for any of the earlier applications they did not feel it necessary for this application. Officers confirmed that an additional condition requiring submission of a Green Travel Plan was also proposed.

Members questioned the proposed 44 car parking spaces as opposed to the Local Plan stipulation of a maximum of 35 for this Unit. Officers confirmed that, as this was not the first application for this site and previous applications had been refused but not on parking grounds that it would now be inconsistent to refuse on parking grounds. Members also requested the addition of an informative to an approval requesting the applicants to contact the Councils Sustainability Officer and conditioning of the materials for the car park to secure the use of porous materials.

Representations were made on behalf of the applicant who confirmed that the Unit would provide additional space for ADVA to enable them to expand and undertake new contracts.

Councillor Moore stood down from the Committee and spoke from the floor as Ward Councillor. He expressed his support for the development, which would allow the business to expand, and stated that he felt any increase traffic to the site would be insignificant.

**RESOLVED:** That the application be approved subject to the imposition of the conditions listed in the report and the addition of the following conditions and informative:

1. Prior to the development coming into use a travel plan shall be submitted to and agreed in writing by the Local Planning Authority. The site shall be occupied in accordance with the agreed travel plan.
- 2 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 4 metres either side of the centre line of the sewer which crosses the site.
- 3 The site shall be developed with separate systems of drainage for foul and surface water on and off the site.
- 4 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of

any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

- 5 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water discharge works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
- 6 Prior to development commencing details of the surface material for the car park and vehicular areas shall be submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved details and thereafter maintained.
- 7 Prior to commencement of the development details of the means of enclosure around the base of the fire escape shall be submitted to and approved in writing by the Local Planning Authority. The enclosure shall be constructed in accordance with the agreed details and thereafter maintained.

Informative: The Council would advise that contact is made with the Sustainability Officer, Kristina Peat (01904 551 666), in order to receive guidance on increasing the sustainability of the development.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would utilise an existing employment site and not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the character and appearance of the area. As such the proposal complies with Policies GP1 and E3a of the City of York Draft Local Plan.

**20b. Ikon and Diva Night Club, Stirling Road, York (07/01233/FUL)**

Members considered a full application, submitted by Henry Boot Developments, for alterations to existing elevations including new store entrance lobby and reconfiguration of existing car park to include service vehicle access.

Officers updated that Clifton Without Parish Council and the Clifton Moor Business Association had raised no objections to the application. Officers also requested that Condition 7 should ensure that proposed lighting should be “dark sky compliant”.

Members raised concerns regarding the bend adjacent to the site and road safety issues and the need for appropriate signage to warn drivers. Officers confirmed that Highways had raised no objections to the proposals. Members also referred to problems with cardboard/recycling storage in vehicle loading areas, which should be retained for loading. Officers confirmed that details of the means of enclosure were included as

a condition, which required approval in writing by the Local Planning Authority before the development commenced.

RESOLVED: That the application be approved subject to the imposition of the conditions listed in the report and the addition of the following conditions and amended condition:

1. Details of all means of enclosure to the secure loading area shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.
2. Unloading and loading of delivery vehicles shall only be carried out in the secure loading area marked on the approved plans.
3. No outdoor storage of waste, refuse, recycling or other outdoor storage of goods shall be carried on other than in the secure loading area shown on the approved plans.

Amended Condition 7: Prior to the development commencing details of external lighting including details of the level of illumination shall be submitted to and approved in writing by the Local Planning Authority. These details shall reflect "Dark Skies" lighting principles. Once approved the development hereby permitted shall be carried out in full accordance with the details submitted unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would utilise an existing employment site and not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the character and appearance of the area. As such the proposal complies with Policies GP1 and E3a of the City of York Draft Local Plan.

**20c. The Garth, Southfields Road, Strensall, York (07/01322/FUL)**

Members considered a full application, submitted by Mr and Mrs Thompson, for the erection of a new dwelling and detached garage together with the erection of a new detached garaged to existing dwelling (resubmission).

Officers confirmed that this application was a resubmission of an earlier application, which had been refused. Following Officers discussions with the applicant this application had been submitted which was smaller, lower, better sited and had less impact on existing trees. It was confirmed that the main concerns now appeared to be drainage. Strensall Parish Council had raised serious concerns to the application, in particular on drainage grounds, as there was strong local opposition. Details of their emailed concerns were circulated at the meeting. Officers confirmed that both

Yorkshire Water and the Foss Internal Drainage Board had been consulted and that neither had objections to the application subject to the imposition of conditions. The conditions related to the need for separate foul and surface water drainage and the surface water from both The Garth and the new dwelling being joined together.

In answer to Members questions Officers confirmed that the trees on the site were not visible from public areas so would probably not be considered for Tree Preservation Orders. They also confirmed that Yorkshire Water had felt that the proposed dwelling would make a negligible difference to the foul water flows from the site therefore Officers stated that drainage would be insufficient reason to refuse permission. Also in answer to questions Officers confirmed that rainwater harvesting was proposed as part of the application.

Representations, in objection to the application, were received from a neighbour who stated that he felt that the proposal did not meet the previous reasons for refusal. He felt that it was an overdevelopment of a small plot, which would be out of proportion with adjacent properties. He also confirmed that the comments received from the Parish Council and Cllr Kirk summed up his objections to the scheme.

Representation, relating to drainage issues on the site, were received from a neighbour, who circulated photographs of his property, which showed flooding adjacent to Burn Cottage. He referred to numerous problems he had experienced over a number of years from the back up of effluent from the sewer, which regularly affected his property. He stated that any additional development would he felt exacerbate flooding in the area.

Representations, in support of the application were received from the applicant who confirmed that following refusal of an earlier application he had tried to overcome these reasons and amended the scheme to alleviate the objections. He confirmed that the present scheme included water harvesting, a water flow attenuation system and the reuse of both kitchen and bathwater, which meant that no surface water would enter the drainage system from either The Garth of the new property.

Members expressed concerns that it appeared that the Authority was receiving conflicting advice in relation to drainage and flooding in the vicinity of the site. The Chair confirmed with Officers that, if approval were granted, that any development would not commence until the drainage conditions had been discharged. If approval was granted he requested the addition of two conditions one to condition construction hours and the second for a management scheme for construction vehicle access to the site.

**RESOLVED:** That the application be approved subject to the conditions listed in the report and the addition of the following additional conditions and informative:

1. The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

2. The development hereby approved shall not commence until details of rainwater harvesting have been submitted to the local planning authority and approved in writing. The works shall be carried out in accordance with the approved details.
3. The development hereby approved shall not commence until a management for the control of traffic during construction has been submitted to the local planning authority and approved in writing. The management plan shall be implemented in full to the satisfaction of the local planning authority.

Notes to the Applicant: a. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

b. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

c. The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

d. All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

e. There shall be no bonfires on the site.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance with particular reference to housing provision, sustainability, drainage, impact on trees, neighbour amenity, impact on the conservation area, scale and appearance, open space and highway issues. The application complies with policies GP1, GP4a, GP10, H4a, H5a, T4, NE1 and L1 of the City of York Local Plan Deposit Draft.

**20d. Burton Green School, Burton Green, York (07/01247/GRG3)**

Members considered a general regulations (Reg 3) application, submitted by Sally Taylor, Headteacher, Burton Green School for an extension to existing security fencing at the School.

RESOLVED: That the application be approved subject to the conditions listed in the report.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity. The proposed development is of a scale and design appropriate to the character and appearance of the locality and will meet a recognised need. As such the proposal complies with Policy GP1 of the City of York Local Plan Deposit Draft.

CLLR R MOORE, Chair

The meeting started at 2.00 pm and finished at 3.30 pm.