
MEETING	PLANNING COMMITTEE
DATE	26 JUNE 2007
PRESENT	COUNCILLORS R WATSON (CHAIR), SIMPSON-LAING (VICE-CHAIR), BENNETT, CRISP, FIRTH, GALVIN, HORTON, HUDSON, KING, MOORE, REID, B WATSON, MORLEY (SUBSTITUTE), ORRELL (SUBSTITUTE), PIERCE (SUBSTITUTE) AND TAYLOR (SUBSTITUTE)
APOLOGIES	COUNCILLORS CREGAN, D'AGORNE, SUE GALLOWAY AND JAMIESON-BALL

6. SITE VISITS

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
Time Office Building Terrys	Due to objections received and for Members to familiarise themselves with the site	Cllrs R Watson, Reid, Horton, King, Galvin, Hudson, and Bennett
RMBl Connaught Court	Due to objections received and for Members to familiarise themselves with the site	Cllrs R Watson, Reid, Horton, King, Galvin, and Bennett
York College	Due to objections received and for Members to familiarise themselves with the site	Cllrs R Watson, Reid, Horton, King, Galvin, Hudson, and Bennett

7. 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.

Cllr Moore declared a personal and prejudicial interest in Agenda Item 4h (York College of Further and Higher Education) minute 9h refers, as a volunteer of St Leonards Hospice, and in Agenda Item 4g (Royal Masonic Benevolent Institute Homes Connaught Court) minute 9g refers, as his wife's business adjoins the site, and left the room and took no part in the discussion or the decision thereon for both items.

Cllr Hudson declared a personal and prejudicial interest in Agenda Item 4g (Royal Masonic Benevolent Institute Homes Connaught Court) minute 9g refers, as his firm had advised on this in the past, and left the room and took no part in the discussion or the decision thereon.

Cllr Morley declared a personal and prejudicial interest in the same agenda item, as he had acted for the applicant in the past, and left the room and took no part in the discussion or the decision thereon.

8. MINUTES

RESOLVED : That the minutes of the meetings of the Planning Committee held on 26 April 2007 and 31 May 2007 be approved and signed by the Chair as a correct record.

9. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak, under the Council's Public Participation Scheme, in general issues within the remit of this committee.

10. PLANS LIST

Members considered reports of the Assistant Director, Planning & Sustainable Development, relating to the following planning applications, outlining the proposals and relevant considerations and setting out the views and advice of consultees and officers.

10a Factory Bishopthorpe Road York YO23 1NA (07/00540/FUL)

Members considered a full application, submitted by GHT Developments LLP, for the change of use to B1 offices and external alterations to the former time office building, including extension to existing car park.

Representations were received from the applicant on this and applications 07/00541/LBC, 07/00538/FUL, and 07/00539/LBC, stating that the proposals would bring back into use the York based development. He stated that there was immediate demand for the accommodation, which would provide flexible high quality employment space. The roof extension proposals would provide more space and the proposals would provide a distinctive entrance to the site, and English Heritage had been consulted on the proposals.

Representations were received from Bishopthorpe Parish Council on this application and applications 07/00541/LBC, 07/00538/FUL, and 07/00539/LBC, stating that whilst they recognised the need for redevelopment of the site, they had concerns regarding the impact on Bishopthorpe from the point of view of increased traffic. He stated that there was a need for a traffic impact assessment to look at the issues.

Members discussed traffic issues, the type of business requiring the accommodation, car parking, English Heritage comments, sustainable development, and the need for any conditions applied to be compatible with others applied for the site.

RESOLVED: That the application be approved subject to the conditions and informatives outlined 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 the Former Time Office Building which is a listed building and the Racecourse and Terry's Conservation Area. As such this proposal complies with policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and policies GP1, HE2, HE3, P4(a), GP11, T4, T5, E3b and E4 of the City of York Local Plan Deposit Draft, also PPS1 and PPG19.

10b Factory Bishopthorpe Road York YO23 1NA (07/00541/LBC)

Members considered a listed building consent application, submitted by GHT Developments LLP, for the change of use to B1 offices and external alterations to the former time office building, including extension to existing car park.

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

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the Former Time Office Building which is a listed building and the Racecourse and Terry's Conservation Area. As such this proposal complies with policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and policies HE2, HE3 and HE4, of the City of York Local Plan Deposit Draft, also national planning policy guidance PPG15.

10c Factory Bishopthorpe Road York YO23 1NA (07/00976/FUL)

Members considered a full application, submitted by GHT Developments LLP, for the erection of two-storey temporary office accommodation (460m²) to former Time Office Building.

This application was withdrawn by the applicant.

10d Factory Bishopthorpe Road York YO23 1NA (07/00977/LBC)

Members considered a listed building consent application, submitted by GHT Developments LLP, for the erection of 2 storey temporary office accommodation (460 m²) to former Time Office Building.

This application was withdrawn by the applicant.

10e Factory Bishopthorpe Road York YO23 1NA (07/00538/FUL)

Members considered a full application, submitted by GHT Developments LLP, for the change of use to B1 offices and external alterations to the former time office building, including extension to existing car park and glazed extension to roof.

RESOLVED : That the application be refused.

REASON : The proposed scheme would cause undue harm to interests of acknowledged importance, with particular reference to the former Time Office Building which is a listed building and the Racecourse and Terry's Conservation Area. As such this proposal fails to satisfy policies HE2 and HE3 of the City of York Local Plan Deposit Draft, also PPS1.

10f Factory Bishopthorpe Road York YO23 1NA (07/00539/LBC)

Members considered a listed building consent application, submitted by GHT Developments LLP, for the change of use to B1 offices and external alterations to the former time office building, including extension to existing car park and glazed extension to roof.

RESOLVED : That the application be refused.

REASON: The proposed scheme would cause undue harm to interests of acknowledged importance, with particular reference to the former Time Office Building which is a listed building and the Racecourse and Terry's Conservation Area. As such this proposal fails to satisfy policies HE2, HE3 and HE4 of the City of York Local Plan Deposit Draft, also PPS1 and PPG15.

10g Royal Masonic Benevolent Institute Homes Connaught Court St Oswalds Road York YO10 4QA (05/00022/OUTM)

Members considered a major outline application, submitted by the Royal Masonic Benevolent Institute, for the erection of extra care sheltered accommodation, extension to Elderly Mentally Frail Unit, residential development, relocation of existing bowling green and provision of new access road and car parking (revised scheme).

Officers updated the following:

- A letter from the applicants agent dated 21 June 2007
- A letter and brochure from the applicants agent
- Two letters from Hon Secretary of the Connaught Court Masonic Bowling Club
- Letter on behalf of Fulford Friends
- Letter from Fulford Parish Council dated 25 June 2007
- Letter from York Green Party dated 26 June 2007

Representations were received in objection to the proposals from a nearby resident regarding car parking and the removal of a hedge, and he stated that the proposed bowling green would be unsuitable.

Representations were received in objection to the proposal from the chair of Fulford Parish Council. She stated that the proposal would mean a loss of unique parkland, which forms an integral part of the conservation area, the proposal infringes PPG 15, the impact on the A19 and the river, impact on views, and the proposal being an inappropriate urban development.

Representations were received in objection to the proposals from a representative of Fulford Friends regarding the conservation area. She stated that there was wide support from the community to refuse the application, and that the proposed development failed to meet statutory guidelines. The views both in and out of the conservation area would be affected.

Representations were received in objection to the proposals from a resident of Fulford Park regarding the impact on Connaught Court residents. He stated that the proposal would mean that views would be spoilt and privacy compromised, the security of residents may be affected, and there would be an increase in noise and pollution which would lead to a reduction in quality and privacy for residents.

Representations were received from a representative of Fulford Friends regarding the threat to the long term survival of trees from the proposal, and referred to the comments of the CYC Conservation Officer. She also stated that the proposal was contrary to Local Plan policies.

Representations were received from the applicants agent. He stated that the RMBI was a national charity, and that the proposal would supplement the facilities available and promote independent living. The proposal was for 45 family houses, enhanced and new care facilities, play area and open spaces, and trees would be retained and new trees planted, Section 106 agreements would be attached to the application regarding open space and education provision and road junction improvement.

Cllr Aspden spoke as Ward Councillor. He stated that residents had concerns regarding the proposal and the local community do not feel that it would be a benefit. He stated that the proposal does not consider the conservation area, or the historic character of the area, and that the proposal would lead to an increase in traffic and a reduced quality of life for residents.

Cllr Scott spoke regarding issues related to affordable housing, density, St Oswalds Road access, safety, leisure, loss of community, and the conservation area.

Members discussed flooding, affordable housing, lettings policy, the proposed play area, protection of trees, parking and traffic and other highway issues, the bowling green, the conservation area, and loss of amenity to the area.

RESOLVED : That the application be refused.

REASON:

1 The proposed relocated bowling green is not considered to be of a commensurate standard compared to the existing bowling green on the site. It is considered it would not be equivalent in terms of usefulness and quality in the absence of a footpath around the entire perimeter of the green and because of the proximity of tree(s) to the relocated bowling green would be likely to cause leaf fall and shading. This is considered contrary to advice in PPG17: Sport and Recreation.

2 The proposal would pose a high risk to the protected Lime tree (T15/271), that has a high public amenity value, as a result of the development around it including the construction of the bowling green and associated parking spaces and an increased risk to other trees on site from development as a whole. It is therefore contrary to Policy NE1 of the City of York Draft Local Plan (incorporating fourth set of changes, April 2005) and BS guidelines 5837.

3 The combined effect of the introduction of the access road with consequential loss of boundary enclosure, the scale of built development closer to Main Street and the loss of the informality of the parkland area adjacent to Main Street by the introduction of formal playspace, bowling green and potential loss of the lime tree, would erode the open setting of this part of the Fulford Conservation Area. This provides a visual break in the ribbon development along Main Street/Fulford Road, which helps to define the identity of Fulford village and separates it from the main urban area of York. As a result, the proposal would harm the character and appearance of the Fulford Conservation Area. It is therefore contrary to advice in Planning Policy Guidance Note 15: Planning and the Historic Environment, Policy E4 of the North Yorkshire County Structure Plan and Policy HE2 of the City of York Draft Local Plan (incorporating fourth set of changes, April 2005).

4 The proposal would result in the loss of general amenity to the local community. It would detract from the setting of an area of open parkland, which, although private, has public views of it and into it that contribute to the character and identity of the area and quality of the local environment. The proposal would therefore not respect or enhance the local environment and as such is contrary to national advice in Planning Policy Statement 1: Delivering Sustainable Principles and Policy GP1 of the City of York Draft Local Plan (incorporating fourth set of changes, April 2005).

**10h York College Of Further And Higher Education Tadcaster Road
Dringhouses York YO24 1UA (07/00752/REMM)**

Members considered a major reserved matters application, submitted by George Wimpey Ltd, Shepherd Homes Ltd and Magna Holding Ltd, for a residential development comprising 360 dwellings after demolition of existing college (resubmission).

Officers updated on amended and proposed additional conditions if Members were minded to approve the application, relating to Highways, Sustainability, and Public Open Space. Officers also updated that seven additional letters from adjacent occupiers had been received, and updated on tree planting, house type, drainage plan, dilapidation survey and the memorial stone.

Representations were received from a resident of Middlethorpe Drive regarding the proposed three storey houses on the boundary of Middlethorpe Drive. She stated that although they were shown on the plans as being 2 ½ storey houses they were in reality three storey houses which were too close to the boundary line. She also stated that there would be very little room for trees and landscaping.

Representations were received from a resident of Lycett Grove who spoke of his concerns regarding flooding, height of dwellings, a reduction in privacy, the raising of ground levels, and the density, layout and mass of the proposed development.

Representations were received in support of the application from the agent for the applicant. She stated that the separation distances on the storey heights were above the standard requirements.

Representations were received from a representative of Dringhouses & Woodthorpe Planning Panel. He stated that the proposal of 360 dwellings would create an isolated village community, with no central focal point in the development. He stated that if Members were minded to approve the application he would want a condition that three small retail outlets would be included and a village hall. He also stated that there would be no medical care within the community and he had doubts whether the local schools, and dental and health centre facilities would have the capacity to accommodate the proposed residential development. He also referred to an ongoing boundary dispute and the proposed development backing on to Lycett Grove.

Cllr Holvey spoke as a Ward Councillor. He stated that he supported the speakers who had spoken in objection to the proposals, and that the application should be refused as there were a number of unresolved issues including flooding, and stated that the raising of ground levels would not solve this. He also raised issues regarding the bad design, comments of the Police Architectural Liaison Officer, and the height of the 2 ½ storey houses. He stated that if Members were minded to approve the application he would request three conditions regarding the gating of alleyways, the ownership and maintenance of drainage ditches, and the retention of the wall on Middlethorpe Drive and Lycett Grove.

Members discussed the outstanding boundary dispute, drainage issues, height, scale and massing of the proposed dwellings, parking spaces, affordable housing, air quality and highways issues, floor levels, landscaping, and cycle and bin storage. Members raised conditions they would like to be included in the application relating to the wall dispute, height, drainage and the locking of gates.

RESOLVED : That the application be deferred.

REASONS: For the following issues to be considered by the developer:

- The siting, massing and height of the proposed dwellings on the northern boundary
- Flooding
- Maintenance and ownership of the ditches
- Height of the proposed dwellings
- Cycle and bin storage
- Issues relating to gating alleyways, and the ownership of gates
- The civil dispute regarding the wall
- Affordable Housing issue is still in negotiation
- Tree planting on the northern boundary
- Car Club

COUNCILLOR R WATSON

CHAIR

The meeting started at 4.30 pm and finished at 9.30 pm.