
MEETING	PLANNING COMMITTEE
DATE	27 MARCH 2008
PRESENT	COUNCILLORS R WATSON (CHAIR), SIMPSON-LAING (VICE-CHAIR), CREGAN, CRISP, FIRTH, SUE GALLOWAY, HORTON, HUDSON, JAMIESON-BALL, MOORE, REID, B WATSON, WISEMAN AND POTTER (SUBSTITUTE)
APOLOGIES	COUNCILLORS D'AGORNE, GALVIN AND KING

53. DECLARATIONS OF INTEREST

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

Councillor Jamieson Ball declared a personal and prejudicial interest in Plans Item 4a (Proposed University Campus Lying Between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York) as he had spoken at the Public Inquiry regarding the outline planning permission for this site. He left the room and took no part in the debate.

54. MINUTES

RESOLVED: That the minutes of the meetings held on 19th February 2008 and 28th February 2008 be approved and signed by the Chair as a correct record.

55. 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 Committee.

56. 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.

56a PROPOSED UNIVERSITY CAMPUS LYING BETWEEN FIELD LANE, COMMON LANE, A64 TRUNK ROAD AND HULL ROAD, YORK (08/00005/OUT)

Members considered an Outline Application, submitted by the Applicant's agent in relation to the proposed University Campus lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road. It is an application under Section 73 of the Town and Country Planning Act 1990 for

development to take place without compliance with approved plan C (ii) referred to in condition 1 of application 04/01700/OUT and its substitution by an amended plan to increase building slab levels (building heights to remain unchanged).

A sketch plan and table were circulated to all Members illustrating the proposed changes to the slab levels. These are attached as an annex to these minutes. The Assistant Director (Planning and Sustainable Development) confirmed the Applicants were not seeking to change the overall height of the proposed buildings. It was noted that, if approved, the changes under Section 73 would be tied in to the original Section 106 agreement.

Representations were received, in support from the Applicant's agent who also confirmed that the overall height of the proposed buildings would not change and the proposed changes to the slab heights were minimal. The change was requested to allow a greater quantity of rainwater to be stored in the lake in times of high rainfall.

RESOLVED: That the application be approved subject to the conditions detailed in the report and the Applicant signing a Deed of Confirmation in relation to the Section 106 Agreement.¹

REASON: That the proposal, subject to the conditions detailed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to visual appearance, flood risk, neighbour amenity and openness of the green belt. As such the proposal complies with policies GP1, GB1 and GP15a of the City of York Local Plan Deposit Draft.

Action Required

1. To issue the decision notice and include on weekly planning decision list within agreed timescales. JB

57. A REVIEW OF THE SITES OF IMPORTANCE FOR NATURE CONSERVATION PROCEDURES FOR THE CITY OF YORK

Members considered a report that informed them of:

- a. The criteria by which Sites of Importance for Nature Conservation (SINC) were identified
- b. The way that the Council designated them.

The aim was to update the York SINC System to take account of new legislation and advice and ensure that the Council fulfils its duties towards nature conservation and also takes into account the Local Development Framework (LDF) process.

In relation to the criteria, all existing advice recommends that detailed criteria be established so that sites can be objectively measured and

assessed. With regard to designation of sites; the Council's present SINC's are designated through the local plan process and can therefore be queried through the inquiry. The LDF process is different and requires much greater detail and clarity in the processes involved in identifying and allocating land with an ability to review and update information as necessary. Advice provided through the LDF process, the Planning Policy Statement on Nature and Geological Conservation and from the Department for Environment, Food and Rural Affairs (DEFRA) suggests that a specific SINC or Local Sites Group be established that enables both the community and interested parties to be involved in the process.

It is proposed that the Council uses an established system, set up to deal with North Yorkshire. It is a well tried system and its criteria are constantly reviewed to take account of additional information as it becomes available. However, it does lack the new social criteria suggested in the latest guidance.

Members felt that the Local Sites Group should include a major employer, Parish Councils and a major house builder. City of York Council representatives should be listed under the job title of the post holder as well as by name. It was agreed that the final details of the Local Sites Group be approved by the Chair, Vice-Chair and the Assistant Director (Planning and Sustainable Development).

RESOLVED: That the following new procedures for SINC's be approved:¹

- (i) The adoption of 'The Guidelines for the Selection of Sites of Importance for Nature Conservation in North Yorkshire' as the basis for designation of wildlife sites within York.
- (ii) The establishment of a SINC (Local Sites) Group for York [final details of membership to be approved by the Chair, Vice-Chair and Assistant Director (Planning and Sustainable Development)].
- (iii) The partnership with the North Yorkshire SINC Panel.
- (iv) The contribution of £1500 per annum to the North Yorkshire County Council to use the guidelines and support the partnership with the North Yorkshire SINC Panel.

REASON: In order that the Council complies with new national guidance on the establishment and running of a SINC (Local Sites) system and ensures that it has robust procedures to fulfil its duties under the Natural Environment and Rural Communities Act (NERC Act) and the LDF process.

Action Required

1. Implement the new procedures in relation to Sites of Importance for Nature Conservation. JB

58. THE SINGLE NATIONAL PLANNING APPLICATION FORM (1APP) AND VALIDATION CHECKLIST.

Members considered a report that requested they formally adopt a validation checklist for use in the registration and validation of planning applications. As reported to Members at a meeting on 19th February 2008 the Government is introducing a new standard electronic form for planning applications. Alongside this the Government is introducing new information requirements for the validation of planning applications. Members approved the draft list of validation criteria for consultation at the February meeting.

An update regarding replies received during the consultation period was circulated to Members and is attached as an annex to these minutes.

Members suggested the following minor amendments:¹

- (i) In relation to site plans and block plans it may be the situation that these can be combined and applicants should seek advice regarding these.
- (ii) That a question regarding an applicant's employment be added in order to establish whether they have or have had any links with City of York Council (to establish whether the application would need to be heard by one of the planning committees).
- (iii) A footnote be added in relation to ownership of land to state that 'for the purpose of this requirement ownership includes leasehold interests'.
- (iv) In relation to the section headed 'Design and Access Statement' the reference to security and crime prevention should be put in a separate paragraph to indicate its importance.

Members were presented with the following options:

Option A: Do not approve and adopt the Validation Checklist (with local criteria)

Option B Approve the Validation checklist (with local criteria)

Option C Approve the Validation Checklist (with local criteria) with modifications

RESOLVED: That **Option B** be approved.²

REASON: To meet Government requirements and timescales for the introduction of a single national application form and standard validation criteria.

Action Required

1. Amend the document to incorporate the suggested minor changes.
2. Implement the Single National Planning Application Form in line with Government timescales.

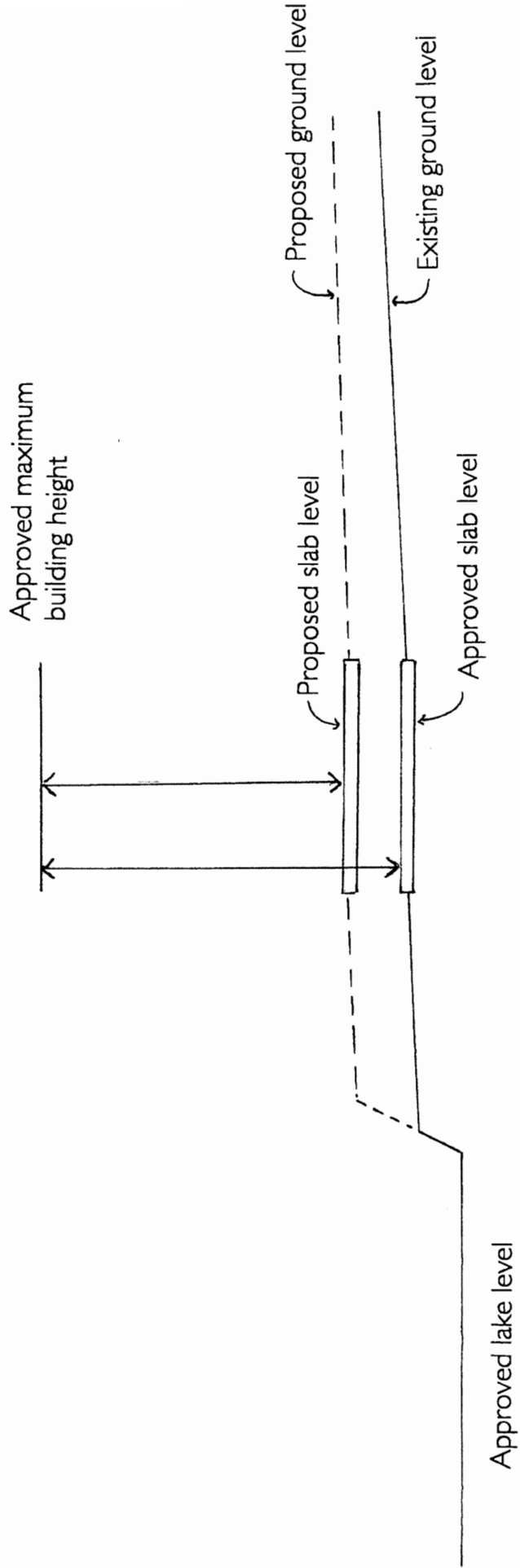
JB
JB

Councillor R Watson, Chair

[The meeting started at 4.30 pm and finished at 5.10 pm].

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Amendment to approved Plan C (ii)



NOTE:
Not to scale -- for illustrative purposes only

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University S 73 application 08/00005/OUT

Zone	Original Max Building Slab height (AOD) (metres)	Proposed Max Building Slab height (AOD) (metres)	Difference between original and proposed (metres)
A	12.973	13.750	+ 0.777
B	15.470	15.470	No Change
C	10.883	12.500	+ 1.617
D	11.149	12.500	+ 1.351
E	10.369	12.500	+ 2.131
F	19.871	19.871	No Change
G	11.196	12.500	+ 1.304
H	20.279	20.279	No Change
I	10.850	12.500	+ 1.65
J	10.538	12.500	+ 1.962
K	20.242	20.242	No Change
L	10.880	20.242	+ 2.07
M	10.152	12.500	+ 2.348
N	18.584	18.584	No Change
O	13.194	13.450	+ 0.256

Validation Checklist: Consultation Replies received since publication of agenda

Consultee	Comment	Response
Council for British Archaeology	<p>Listed Building Consent applications should be supported by Heritage statements containing information on the significance of the building or site, the proposed works and how they affect the building or site and justification for the works.</p> <p>Heritage statements should also cover areas of archaeological statements and in some circumstances applications for hedgerow removal.</p>	<p>Change already made to requirements for Heritage Statements on Page 16 and definition on Page 47.</p> <p>Change already made to requirements for Heritage Statements on Page 16 and definition on Page 47. Planning Statement require for hedgerows already includes requirement address nay archaeological significance of hedgerow</p>
Natural England - additional comments	Include requirement for evidence to demonstrate that proposed tree works will not harm protected species.	Not a material consideration in these cases but this is covered by other legislation.
Royal British Legion	Would wish to be consulted on any proposed alteration or demolition of a building containing a war memorial or free standing war memorial	Noted.
Housing and Social Services (Housing Development)	The site area and the number of dwellings including replacement, demolished, extended, refurbished etc should be referred to.	Document will be amended to include reference to site area in the criteria

<p>The new forms ask for detail information relating to dwelling types. A shorter proforma could however be required as well with relevant applications</p> <p>Reference to the template to be made in Section2 under Legal Agreements</p> <p>The purpose of the guidance here is to briefly explain the terms used in the criteria in section 3, rather than set out the acceptability levels. There is no dilution of individual requirements</p>	<p>Part of the validation/application should be extended to include a pro forma giving brief details of the scheme and proposed affordable housing levels.</p> <p>is HASS's experience that Unilateral Agreements and S106s prepared by applicants without detailed consultation with HASS and Legal Services results in defective agreements. HASS/Legal have a 'York' template S106 that is used successfully and has been found to be the best starting point for agreements by all parties.</p> <p>The definition under Explanatory Guidance of terms is too wide and presents loopholes. E.g. no reference to pepperpotting.</p>	