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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	16 OCTOBER 2008
PRESENT	COUNCILLORS HORTON (CHAIR), CRISP, STEVE GALLOWAY, GALVIN, GILLIES, LOOKER, REID, SUNDERLAND AND MOORE (AS A SUBSTITUTE FOR COUNCILLOR SUE GALLOWAY)
APOLOGIES	COUNCILLOR SUE GALLOWAY

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### 31. INSPECTION OF SITES

The following sites were inspected before the meeting

Site	Attended by	Reason for Visit
Harewood Whin Landfill Site, Tinker Lane, Rufforth	Councillors Horton, Gillies and Reid	To familiarise Members with the site.
All Saints Roman Catholic Lower School, Nunnery Lane	Councillors Horton, Gillies and Reid	To familiarise Members with the site.
14 Goodramgate	Councillors Horton, Gillies and Reid	As several objections and a petition had been received and the recommendation was to approve.

### 32. 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 Reid declared a personal non prejudicial interest in Plans Item 3b (Harewood Whin, Landfill Site, Tinker Lane, Rufforth) as she is a City of York Council Representative on Yorwaste.

### 33. 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 Sub-Committee.

## 34. 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.

### 34a 14 Goodramgate, York, YO1 7LQ (08/01863/FUL)

Members considered a full application from Mr David Leedham for the change of use from a bar (use class A4) to a restaurant with hot food take away (use class A3/A5).

Representations were received from the applicant who confirmed that the application was for a change of use which would allow him to operate a takeaway facility alongside a fish restaurant. The intention would be to restrict the takeaway to very short opening hours, closing at sometime between 6pm and 9pm. He confirmed that they had no intention of staying open late but that the takeaway operation was an important factor in making the business viable. He advised Members that sale of alcohol would be limited to people eating in the restaurant and would not be sold to people taking food off the premises. He stressed that he intended only to enhance that area of the city and understood the importance of tourism and maintaining good behaviour. He stated that he intended to put up signs advised customers on parking issues, litter, anti social behaviour and noise nuisance.

**RESOLVED:** That the application be approved subject to the conditions listed 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 impact upon the residential amenity of neighbouring properties by virtue of noise, litter and odour, impact upon the levels of traffic generation and on street parking, impact upon the levels of anti-social behaviour occurring within the locality, impact of the proposal on the character and appearance of the Historic Core Conservation Area and the setting of York Minster. As such the proposal complies Policies S6, S7, HE2, HE3 and HE4 of the City of York Local Plan Deposit Draft.

#### Action Required

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

SL

**34b Harewood Whin ,Landfill Site, Tinker Lane, Rufforth, York, YO23 3RR (08/01131/FUL)**

Members considered a full application by Energ Natural Power for an electricity from methane generator plant.

Officers updated that conditions 5 and 6 had been amended to include revised plant removal conditions.

A representative from Yorwaste was present at the meeting to answer any queries. In response to a query from Members, he confirmed that there was a need to retain the existing plant and this would operate alongside the new plant for a period of time.

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

**Amended Condition 5**

In the event of the electricity generation and gas handling plant hereby approved no longer being operationally required or after a period of 15 years from the date of this permission whichever is the sooner, the plant shall be dismantled and the site reinstated to its previous appearance.

Reason:- To safeguard the character of the site in the interests of visual amenity.

**Amended Condition 6**

Notwithstanding the application details hereby approved ,in the event of the pre-existing electricity generation and gas handling plant no longer being required, or a period of 8 years from the date of this permission whichever is the sooner, the plant shall be dismantled and the site re-instated to its previous appearance.

Reason:-To safeguard the character of the site in the interests of visual amenity.

REASON The proposal, subject to the conditions listed in the report and the amended conditions above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon amenity by virtue of noise and visual appearance and impact upon the openness and purposes of designation of the Green Belt. As such the proposal complies with Policies MW5, GP5 and GB1 of the City of York Local Plan Deposit Draft.

Action Required

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

**34c All Saints Roman Catholic Comprehensive Lower School, Nunnery Lane, York, YO23 1AB (08/01846/FUL)**

Members considered a full application from the School Governors for a temporary building to provide a new drama suite.

The Business Manager from All Saints Roman Catholic Comprehensive School attended the meeting to answer any questions. In response to a query from Members, she confirmed that the school had put in an application for a permanent building.

Members stressed the fact that this was a sensitive site but acknowledged that there was an educational need for a temporary building to be made available until a permanent building was in place.

RESOLVED: That the application be approved subject to the conditions listed 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 visual amenity and character of the conservation area, the special interests of nearby listed buildings, the amenity of neighbours, the provision of educational facilities, loss of playing fields, and the habitat and conditions for a protected species. As such, the proposal complies with Policies GP1, GP23, HE2, HE4, ED11, and NE6 of the City of York Development Control Local Plan- Incorporating the Proposed 4th Set of Changes; and national planning guidance contained in Planning Policy Guidance Note No. 15 "Planning and the Historic Environment" and Planning Policy Statement 1 "Delivering Sustainable Development."

Action Required

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

**34d Knavesmire Primary School Trafalgar Street York YO23 1HY  
(08/00975/GRG3)**

It was reported that a General Regulations (Reg3) application submitted by Knavesmire Primary School, for the installation of six 5m high floodlights to the existing multi-use games area (MUGA) and the variation of condition 4 of permission 06/00116/GRG3 to allow the MUGA to be used until 20:00 hours on Monday to Friday, had been withdrawn by the applicant.

Councillor D Horton, Chair

[The meeting started at 3.00 pm and finished at 3.15 pm].