



Notice of meeting of

Planning Committee

To: Councillors R Watson (Chair), D'Agorne, Firth, Funnell, Horton, Hudson, Hyman, Jamieson-Ball, Moore, Morley, Pierce, Potter (Vice-Chair), Reid, Simpson-Laing, B Watson and Wiseman

Date: Thursday, 24 September 2009

Time: 4.30 pm

Venue: The Guildhall, York

AGENDA

The Site Visit will commence at 12.30pm on Wednesday 23 September 2009 at Memorial Gardens.

1. Declarations of Interest

At this point, members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Minutes (Pages 5 - 10)

To approve and sign the minutes of the Planning Committee meetings held on 27 August 2009.

3. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak can do so. The deadline for registering is by 5.00pm on Wednesday 23 September 2009. Members of the public can speak on specific planning applications or on other agenda items or matters within the remit of the committee.

To register please contact the Democracy Officer for the meeting, on the details at the foot of this agenda.

4. Plans List

This item invites Members to determine the following planning applications:

a) Sim Hills, Tadcaster Road, Dringhouses, York (09/01313/FULM)
(Pages 11 - 26)

Construction of park and ride facility to create 1,250 vehicle car park space with associated access and passenger terminal building, wind turbine and open space. [Dringhouses and Woodthorpe Ward] **[Site Visit]**

b) Proposed University Campus Lying between Field Lane and Low Lane, A64 Trunk Road and Hull Road, York (09/01472/REMM) (Pages 27 - 38)

Reserved matters application for the erection of catalyst building along with access cycle parking and landscaping [Heslington Ward].

5. Fulford Road Conservation Area Appraisal: Consultation Draft (Pages 39 - 80)

This report requests that the draft appraisal of the Fulford Road Conservation area at Annex A is approved for public consultation together with the consultation method proposed.

6. Appeals Performance (Pages 81 - 90)

This report, which has also been presented to the area Sub-Committees, informs Members of the Council's performance in relation to appeals determined by the Planning Inspectorate in the 12 and 3 month periods to 31 July 2009.

7. Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Jill Pickering

Contact Details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
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Contact details are set out above.

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PLANNING COMMITTEE**SITE VISIT****Wednesday 23 September 2009****The bus will depart from Memorial Gardens at 12:30pm**

TIME (Approx)	SITE	ITEM
12.45pm	Sim Hills, Tadcaster Road, Dringhouses, York	4a

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- Review existing policies and assist in the development of new ones, as necessary; and
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City of York Council

Committee Minutes

MEETING	PLANNING COMMITTEE
DATE	27 AUGUST 2009
PRESENT	COUNCILLORS R WATSON (CHAIR), D'AGORNE, HORTON, HYMAN, JAMIESON-BALL, MOORE, MORLEY, REID, SIMPSON-LAING, B WATSON, WISEMAN, ORRELL (SUB FOR CLLR FIRTH), KING (SUB FOR CLLR POTTER), LOOKER (SUB FOR CLLR FUNNELL), BOWGETT (SUB FOR CLLR PIERCE) AND GILLIES (SUB FOR CLLR HUDSON)
APOLOGIES	COUNCILLORS FIRTH, FUNNELL, HUDSON, PIERCE AND POTTER

9. DECLARATIONS OF INTEREST

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

Councillor Jamieson-Ball declared a personal prejudicial interest in Plans items 3a (Proposed University Campus lying between Field Lane and Low Lane, A64 Trunk Road and Hull Road, York) and 3b (University of York, University Road, Heslington, York) as he had spoken at the Planning Inquiry regarding the outline permission and he left the room and took no part in the discussion or voting thereon.

Councillor Morley declared a personal non-prejudicial interest in Plans items 3a (Proposed University Campus lying between Field Lane and Low Lane, A64 Trunk Road and Hull Road, York) and 3b (University of York, University Road, Heslington, York) as a member of the Heslington East Community Forum.

10. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general issues within the remit of the Committee.

11. PLANS LIST

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

11a Proposed University Campus Lying Between Field Lane and Low Lane, A64 Trunk Road and Hull Road, York (09/01228/REMM)

Consideration was given to a major reserved matters application, submitted by the University of York, for the landscaping to Dean's Acre link road.

Officers updated that they were recommending an amendment to Condition 1 in the report to read "The landscape planting and fencing works hereby authorised shall be implemented within six months of **substantive completion** of construction of the Dean's Acre Link Road." Officers also confirmed that no comments had been received from Heslington Parish Council.

Representations in support of the application were received from the applicant's agent who referred to the background to the link road and to discussions, which they had undertaken with the Heslington Community Forum. He stated that the Forum had stressed the importance of retaining the views east from Field Lane to the Church and that the application proposed to retain this view and extend the tree planting and grassed area which had gained support from the Forum.

In answer to questions Officers confirmed that the amendment to Condition 1 was proposed to ensure that the condition was legally more precise and that substantive completion referred to the road and footways being available for use rather than final completion which could be much later.

Members referred to the proposed implementation of the landscaping within six months and questioned how this would fit in with the planting seasons. The applicant's agent confirmed that the link road works would be completed by the end of the year and that it was proposed to complete the landscaping works by the end of March 2010.

RESOLVED: i) That the application be approved subject to the amendment of Condition 1 as set out below and the remaining conditions listed in the report:

1. The landscape planting and fencing works hereby authorised shall be implemented within six months of substantive completion of construction of the Dean's Acre Link Road.

ii) That in the event of landscaping works not progressing as proposed the Assistant Director (Planning and Sustainable Development) be given delegated authority to agree an amended completion date for these works.

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 the impact upon the setting of Heslington church, impact upon the

character and appearance of Heslington Conservation Area, impact upon the landscape setting of Heslington and the built fringe of the wider urban area and impact upon delivery of the wider University Development Plan. As such the proposal complies with Policies GP9, ED9 and HE2 of the City of York Development Control Local Plan, Y1 of the Yorkshire and Humber Regional Spatial Strategy and Central Government advice on Planning Control within Conservation Areas outlined in PPG 15 "Planning and the Historic Environment".

Action Required

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

SS

11b University of York, University Road, Heslington, York YO10 5DD (09/01254/REM)

Members considered a reserved matters application, submitted by the University of York, for the construction of a central landscape vista.

The Planning Officer updated Members in relation to the report on the following points:

- Paragraph 4.4 - the drainage swale would run north/south through each bank of woodland out-falling into the lake to the south.
- Paragraph 4.6 - the vista road would be constructed in resin bound gravel and not the hydropave as stated.

Representations in support of the application were received from the applicant's agent who confirmed that rapid progress was now being made on Cluster 1 of the Heslington East university development. He stated that this proposal was for an imaginative natural tree lined and grassed space to provide views of the new buildings and out into open countryside.

Members questioned the type of planting, details of the swales and drainage arrangements and the gradient of the site towards the lake

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 topography and mix of planting species, hard surfacing materials, location of public art and configuration of proposed service road. As such the proposal complies with Policies GP9 and ED9 of the City of York Development Control Local Plan.

Action Required

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

SS

12. PLANNING PERFORMANCE AGREEMENTS - DRAFT CHARTER FOR CONSULTATION

Consideration was given to a report, which asked for the Committee's approval to consult upon a draft charter for Planning Performance Agreements (PPA's). It was explained that a PPA was an agreement between the Council and applicants to provide a project management framework for handling large scale or complex planning applications.

Officers updated that an amendment was required to the Draft Agreement (Annex A) in paragraph 17 – Member Involvement, with the deletion of the fifth bullet point “Executive Member Advisory Panel”.

It was explained that Planning Performance Agreements had been introduced on 6 April 2008 and were designed to improve the quality of planning applications and the decision making process through collaboration between the Local Planning Authority, developer and key stakeholders at an early stage.

Officers confirmed that this charter would be formalising the way in which larger planning applications were currently dealt with.

Representations were made on behalf of Osbaldwick Parish Council in support of Planning Performance Agreements, which they hoped Members would approve. They felt such agreements would support transparent decision making and hopefully encourage real community engagement in an open and constructive manner.

Consideration was given to the following options:

Option A - Approve the charter as attached at Annex A for public consultation over a 3 week period. This option was recommended

Option B - To approve the charter as attached at Annex A without public consultation. This option was not recommended

Option C - To not approve and adopt the charter, and so not introduce Planning Performance Agreements. This option was not recommended.

Members questioned the short length of the consultation period and subsequent reporting back together with details of the consultation groups.

RESOLVED:

- i) That the Committee agree to Option A, to approve the charter for public consultation over a 6 week period, subject to the amendment of drafting errors, to include:-
 - Consultation with planning agents and consultants
 - Consultation with community groups and amenity bodies

- Consultation with statutory and the main non statutory consultees
 - Placement of the charter document on the Council's website and in the Council Offices
- ii) That Members receive any comments arising from the consultation at the November Planning Committee meeting.

REASON: To aim to provide a project management framework for handling large scale or complex major planning applications which will provide certainty for all development partners.

Action Required

- | | |
|---|----|
| 1. Amend drafting errors and commence 6 week consultation as outlined. | SS |
| 2. Report back on results of consultation to November Planning Committee meeting. | SS |

R WATSON, Chair

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

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COMMITTEE REPORT

Committee:	Planning Committee	Ward:	Dringhouses and Woodthorpe
Date:	24 September 2009	Parish:	Dringhouses/Woodthorpe Planning Panel

Reference: 09/01313/FULM
Application at: Sim Hills Tadcaster Road Dringhouses York
For: Construction of park and ride facility to create 1,250 vehicle car park space with associated access and passenger terminal building, wind turbine and open space
By: Mr Paul Thackray
Application Type: Major Full Application (13 weeks)
Target Date: 6 October 2009

1.0 PROPOSAL

1.1 The Park and Ride facility at Askham Bar, currently designed to accommodate 540 cars, has over a long period formed a significant element in the City's strategy to minimise car trips into the City Centre for a range of sustainability reasons. In recent times the site has suffered significant capacity problems and is in need of some refurbishment. As part and parcel of a scheme to improve the range and quality of Park and Ride accommodation serving the City permission is sought for the current development to provide 1,250 parking spaces (with 1,100 for immediate occupation). In addition to the parking area a sustainable terminal building, a wind turbine and an informal open space associated with a potential SINC (Site of Interest for Nature Conservation) would be provided. A formal statutory Environmental Impact Assessment has been submitted with the proposal and the site lies within the designated York Green Belt. The development site partially overlays a disused landfill site.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Contaminated Land GMS Constraints:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP1
Design

CYGP3
Planning against crime

CYGP4A

Sustainability

CYGP6
Contaminated land

CYGP9
Landscaping

CYGP11
Accessibility

CYNE7
Habitat protection and creation

CYGB1
Development within the Green Belt

CYT6
Park and Ride

CYNE5A
Local Nature Conservation Sites

3.0 CONSULTATIONS

INTERNAL:-

3.1 Design, Conservation and Sustainable Development raise no objection to the proposal subject to the incorporation of standard conditions relating to the safeguarding of archaeological remains, the submission of a detailed landscape planting scheme, the protection of existing trees and lengths of hedgerow and the prior written approval of hard surfacing materials.

3.2 Engineering Consultancy-Structures and Drainage raise no objection to the proposal.

3.3 City Development raise no objection to the proposal but wish to see any permission appropriately conditioned to require the submission of a detailed landscape scheme for written approval prior to the development commencing on site.

3.4 Environmental Protection Unit raise no objection to the proposal subject to a number of standard conditions covering matters such as previous land contamination and potential gas migration are dealt with in any permission.

3.5 Highway Network Management raise no objection to the proposal and suggest the addition of a number of standard conditions to any permission.

EXTERNAL:-

3.6 Marston Moor Internal Drainage Board raise no objection to the proposal subject to the addition of conditions covering the design of surface water drainage works to any permission.

3.7 York Natural Environment Panel raise no objection in principle to the proposal but wish to see some internal re-arrangement to create more of a green corridor around the eastern edge of the site.

3.8 Dringhouses and Woodthorpe Planning Panel raise no objection in principle to the proposal but express some concern with regard to the detail of the landscaping submitted with the scheme , the need to develop links with the nearby Askham Bog Nature Reserve and the need develop a detailed management plan for the long term maintenance of the candidate SINC.

3.9 Natural England raise no objection to the proposal.

3.10 The Environment Agency were consulted with regard to the proposal on 15th July 2009. No objection in principle has been raised to the proposal but additional time has been requested to consider potential impact from leachate upon the Askham Bog SSSI . Their detailed response will be reported orally to Members at the Committee Meeting.

3.11 Network Rail were consulted with regard to the proposal on 19th August 2009. No response has been forthcoming.

3.12 Yorkshire Water Services were consulted with regard to the proposal on 15th July 2009. No response has been forthcoming.

3.13 The Highways Agency wish to make a holding objection in respect of the proposal whilst they further consider the submitted application details.

3.14 Coun D Merrett has objected to the design of the access arrangement to the site in so far as it impinges upon the junction with the cycleway leading from the City Centre to Copmanthorpe.

4.0 APPRAISAL

PLANNING POLICY CONTEXT :-

4.1 PPG2 "Green Belts" in Para 3.17 identifies Park and Ride proposals as not inappropriate development in Green Belts provided that the site has been identified as the most sustainable following a thorough and comprehensive assessment of potential sites , the scheme would not compromise the open character or purposes of designation of the Green Belt , the proposal is included within the relevant Local Transport Plan and any new or reused buildings within the scheme provide only facilities essential for the operation of the site.

4.2 Policy Y1(D)- Transport of the Yorkshire and Humber Regional Spatial Strategy (2008) sets up a requirement to implement stronger traffic demand management measures in York together with improvements in the capacity and quality of Park and Ride facilities in the York Area.

4.3 Policy T6 of the York Development Control Local Plan sets a firm policy presumption in favour of new Park and Ride facilities where they are well related to the York Outer Ring Road, they do not adversely affect the environment of local

communities , they do not significantly detract from the open character of the Green Belt and they are located on or close to a major radial route.

4.4 Policy GB1 of the York Development Control Local Plan sets a firm policy requirement that planning permission will only be given within the Green Belt where the scale, location and design of such development would not detract from the open character of the Green Belt, it would not conflict with the purposes of including land within the Green Belt , it would not prejudice the setting and special character of York and is for the purposes of the provision of Park and Ride facilities.

4.5 Policy NE7 of the York Development Control Local Plan sets a firm policy presumption that development proposals will be required to retain important natural habitats and where possible include measures to enhance or supplement them and to promote public awareness and enjoyment of them.

4.6 Policy NE 5a) of the York Development Control Local Plan sets a firm policy presumption against development which may have an adverse impact upon a Local Nature Reserve or other non-statutory site of nature conservation interest other than where the reasons for the development substantively outweigh the nature conservation value of the site.

4.7 Policy GP11 of the York Development Control Local Plan sets a firm policy framework requiring that where appropriate new development will be required to demonstrate that suitable provision has been made for those with particular mobility problems or sensory impairment.

4.8 Policy GP9 of the York Development Control Local Plan sets a firm policy framework requiring that where appropriate development proposals should incorporate a landscape scheme as an integral part of the proposals, include an appropriate range of indigenous species, reflect the character of the locality and the surrounding development and form a long term edge to developments adjoining or in open countryside.

4.9 Policy GP6 of the York Development Control Local Plan sets a firm policy framework for the development of sites which have in the past been contaminated . This requires the undertaking of an assessment of the level and nature of contamination and any measures necessary to remediate the contamination prior to determination of the application.

4.10 Policy GP4a) of the York Development Control Local Plan sets a firm policy requirement for new development to have appropriate regard to the principles of sustainable development which include maintaining or increasing the economic prosperity of the City of York, being of a high quality design with the aim of conserving and enhancing the local character and distinctiveness of the City, minimising the use of non-renewable resources and pollution, conserving and enhancing natural areas and landscape features and maximising the use of renewable resources , making use of renewable energy sources on site.

4.11 Policy GP3 of the York Development Control Local Plan sets a firm policy requirement that where appropriate new development will incorporate crime

prevention measures achieving the natural surveillance of public spaces, secure locations for car and cycle parking, satisfactory lighting and the provision of CCTV.

4.12 Policy GP1 of the York Development Control Local Plan sets a firm policy requirement for new development to respect or enhance the local environment, be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, avoid the loss of important features that contribute to the quality of the local environment, retain, enhance and create urban spaces, public views and other townscape features which make a significant contribution to the character of the area and accord with sustainable design principles.

KEY CONSIDERATIONS:-

4.13 Key Considerations include:-

- i) Impact of the proposal upon the open character and purposes of designation of the Green Belt;
- ii) Impact of the proposal upon the Askham Bog SSSI ;
- iii) The inclusion of a potential SINC within the application site;
- iv) Proposed hard and soft landscaping associated with the scheme;
- v) Use of the principles of sustainability in the design of the scheme including the proposed terminal building and the use of renewable energy sources;
- vi) Treatment of possible land contamination within the site.
- vii) Design of the proposed surface water drainage system.
- viii) Access Design.

4.14 IMPACT UPON THE GREEN BELT.

PPG2 "Green Belts" in paragraph 3.17 clearly identifies the provision of park and ride facilities as appropriate development within the Green Belt providing certain criteria are fulfilled, these include that a comprehensive assessment of potential sites giving regard to sustainable principles has been undertaken, that the scheme is included in an up-to-date Local Transport Plan and any new buildings are kept to the minimum necessary for the efficient operation of the site. The current scheme envisages the relocation and expansion of the existing long standing Askham Bar Park and Ride facility on a larger site to the south west of the adjacent site on Tadcaster Road. Prior to selection of the application site an extensive exercise was undertaken to identify the most appropriate location in Green Belt terms for the site. A total of eight potential sites were identified and the application site was identified as the most appropriate in sustainability terms and the least harmful in terms of its impact upon the open character of the Green Belt. No site lying outside of the Green Belt were felt to be suitable. In terms of impact upon the openness of the Green Belt, the layout of the site with built development being restricted to a physically compact area at the centre of the site with extensive areas of landscaping and habitat creation to the north east and south west, would lead to any impact being minimal. The scheme takes a major place in the current Local Transport Plan for the City and the range of facilities encompassed within the Terminal Building represent the minimum necessary for the efficient operation of the site. The provision of a bridge across the East Coast Mainline between the application site and the Askham Bog SSSI as suggested by several of the consultees would however have a detrimental impact upon the openness of the Green Belt and should therefore be discounted.

4.15 IMPACT UPON THE ASKHAM BOG SSSI.

The application site lies some 45 metres from the boundary of the Askham Bog SSSI at its nearest point and there may be some transitory impact during construction from noise and dust generation at the most intensive periods of work. However the SSSI and the Park and Ride site are physically separated by the East Coast mainline which provides a significant physical barrier and the area of the site closest would be occupied by the most intensive area of landscape mitigation and any harm would not be of a serious or permanent nature. The boundary of the site with the East Coast mainline would be provided with appropriate fencing to deter migration of newts and other protected species into the site from the SSSI. The East Coast mainline provides a substantial physical and visual barrier to the development of links between the application of the site and the SSSI. Any new bridge in this location across the railway would add significantly to the impact of the proposal on the open character of the Green Belt in a detrimental fashion notwithstanding the importance of developing public access to the SSSI and should therefore be rejected.

4.16 THE LOCATION OF A SINC WITHIN THE DEVELOPMENT SITE.

The potential SINC comprises two areas of species rich grassland to the north, north-east and east of the site. Species present include the Pyramidal Orchid and the perforated St John's Wort. Construction work is to be very carefully designed and phased in order to minimise disruption to the SINC and long term management arrangement will be put in place to safeguard its nature conservation importance. The area of the SINC forms a significant element of the landscape mitigation for the overall proposal and to re-arrange the built footprint of the site relative to the area of the SINC would increase the impact of the proposal upon the open character of the Green Belt. On balance the terms of Draft Local Plan Policies NE5a) and NE7 would be complied with in relation to the proposed development.

4.17 HARD AND SOFT LANDSCAPE PROPOSALS.

The central section of the site comprising the main concentration of built development would be subject to a mix of hard and soft landscaping incorporating native shrub and bulb planting with small but well defined areas of tree planting demarcating the parking bays and concentrated in the central square associated with the Terminal Building. The landscape detail submitted with the application has been largely indicative, details of species, density and a planting schedule will therefore be required to be submitted for further approval prior to commencement of the development. Details of the proposed boundary fencing to enable it to blend in with the characteristic boundary detail of the surrounding landscape will also be required by condition. In terms of hard landscaping the main parking area would be constructed in conventional tarmac, there would be some use of setts in the hard paved areas associated with the Terminal Building and the main pedestrian walkways. The use of setts would help reduce the tarmac "heat island" effect of the development in relatively open countryside. Details of the setts should again be reserved by condition for further approval. Lighting would be via 35 eight metre high "dark sky" compliant columns which would have a minimal impact upon the visual amenity of the area and would only be operational when the site is in use. Street furniture has been deliberately designed to be small scale with a light weight chrome finish to avoid detracting from the existing and proposed

landscaping. It is furthermore proposed that the Terminal Building would have a sedum or wildflower roof to blend in further with the landscaping proposals.

4.18 SUSTAINABILITY.

The proposed Terminal Building has been designed to be iconic as a reception point for those arriving at the site and an introduction to the City and also as exemplar of sustainable construction. The principal construction material would be timber from sustainable sources, rainwater harvesting would be used to flush toilets and urinals, heating would be provided by either a ground source or air source heat pump and the roof would be constructed in sedum as a pilot project for other Council related developments. A single vertical axis wind turbine would be submitted as part of the scheme. This would parallel in terms of its design and appearance the turbine erected in the grounds of the nearby Tesco supermarket and would provide approximately 10% of the site's overall energy needs. Noise levels from the turbine would not exceed 42 decibels within 10 metres of the base of the mast. The turbine would be located in close proximity to the Terminal Building which has been identified as the most suitable location within the site in terms of wind speeds. The parking area would be constructed on the ground surface minimising the overall need for excavation with associated vehicle movements and the need to dispose of waste materials.

4.19 LAND CONTAMINATION.

The application site comprises a former landfill site and Policy G6 of the Draft Local Plan sets out the detailed approach in terms of dealing with contamination issues prior to development. The applicant has submitted in addition to the Environmental Statement, a Landfill Gas Study and an Assessment of Leachate Capacity. Taking the various reports together the applicant proposes to construct the development in such a manner as to avoid disturbance of the clay cap situated above the former landfill waste, discharges from the site during construction will be very carefully managed so as to minimise the risk of pollution of surface waters with silty or contaminated runoff, monitoring of potential landfill gas and discharge will take place during construction and additional measures will be put in place if required as a result of the monitoring. The Terminal Building itself will also incorporate a range of appropriate gas protection measures. Overall the nature of the development will bring a further degree of protection from leachates arising from the previous landfill operation and subject to the conditions suggested by the Environmental Protection Unit being appended to any permission then the terms of Policy G6 of the Draft Local Plan would thus be complied with in relation to the proposal.

4.20 PROPOSED SURFACE WATER DRAINAGE SYSTEM.

The applicant because of the nature of the site has submitted a detailed Flood Risk Assessment. Indicative details of surface water drainage suggesting the use of swales, filter drains and wet lands have been submitted with the application. The final details of the drainage scheme have not to date been submitted as the written consent of Network Rail may be required to access a suitable surface water outfall. It is therefore recommended that full details of the proposed surface water drainage arrangements be made subject to condition for further approval on any permission.

4.21 ACCESS DESIGN

Concern has been expressed in respect of the access design for the proposal and specifically the impact upon the Copmanthorpe cycleway that passes the site entrance. The scheme has been the subject of a detailed Stage 1 Safety Audit which was submitted as part of the planning application. This identifies vegetation clearance measures to improve visibility at the site entrance as an effective means of dealing with issue of impact upon the Copmanthorpe cycleway. Notwithstanding that, the detailed junction design should be made the subject of further approval by condition on any permission in accordance with the recommendation of the Highway Authority.

5.0 CONCLUSION

5.1 The Park and Ride Facility at Askham Bar has been in existence since 1990 catering for 540 cars and has been a key element of the traffic management strategy for the City as a whole. Considerable pressure has however been experienced in relation to site capacity in recent times and the site as a whole is in need of refurbishment. Permission has therefore been sought to relocate and expand the site to allow for the creation of some 1,250 parking spaces (with 1,100 for immediate occupation). The site lies within the designated York Green Belt and lies above a former landfill site. PPG2 identifies Park and Ride facilities as appropriated development within the Green Belt providing no suitable non-Green Belt sites are available and any impact upon the openness of the Green Belt is minimal. No suitable non-Green Belt sites have been identified and the development has been designed in order to minimise any impact upon the openness of the Green Belt. In order to further minimise the impact of the proposal extensive landscaping and habitat creation measures have also been proposed. As the focal point of the site a terminal building designed according to sustainable principles has been suggested with a vertical axis wind turbine designed to supply 10% of the site's energy requirements located in close proximity. In terms of impact upon the former landfill site the proposal has been designed to give rise to as little disturbance as possible and appropriate measures have been designed to avoid gas leachate into the Terminal Building and the wider surroundings. The scheme is considered to be acceptable in planning terms and approval is therefore recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drawing Refs: CBHAEL500/01 Rev B, HE_DEC08010353_001, HE_DEC08010353_007A, HE_DEC08010353_008, HE_DEC08010353_009, HE_DEC08010353_010, HE_DEC08010353_011, 0863-01, 0863-02, 0863-03. Date Stamped 7th July 2009.

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used on the Terminal Building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

4 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the hard surfacing materials to be used in non-Tarmac areas shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

5 Details of all means of enclosure to the site boundaries 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.

Reason: In the interests of the visual amenities of the area.

6 No development 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, shrubs and other planting. This scheme shall be implemented within a period of six months of the substantive 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: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

7 Prior to the commencement of the development hereby authorised, including all earth movements, introduction of utilities, importing of materials or other building operations, a method statement covering protection measures for the existing trees and hedgerows shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details of protective fencing, phasing of works, site access during site preparation/construction, parking arrangements for site vehicles, storage of materials and location of site cabin. The development shall thenceforth be implemented in strict accordance with the details thereby approved.

Reason: To protect existing trees and lengths of hedgerow which are considered to make a significant contribution to the amenity of the area and the wider development.

8 Notwithstanding the application details hereby approved full details of the wind turbine including height, colouring, location and technical configuration shall be submitted to and approved in writing by the Local Planning Authority before work on site commences. Development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason: To ensure that the development is operated according to sustainable principles and to secure compliance with Policy GP4a) of the York Development Control Local Plan.

9 Prior to the occupation of the Terminal Building hereby approved the developer shall submit in writing a formal BREEAM assessment or equivalent, for the Design and Procurement stages for the building hereby approved. All assessments shall be followed by a BREEAM Post Construction review to be submitted after construction at a time to be agreed in writing by the Local Planning Authority. All assessments shall confirm the minimum "Very Good" rating or equivalent, anticipated in the preliminary BREEAM assessment submitted with the application, and be agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable development, in accordance with the requirements of Policy GP4a) of the York Development Control Local Plan and the Council's planning guidance Interim Planning Statement(IPS) on Sustainable Design and Construction.

10 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits which must be recorded during the construction programme.

11 Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

12 During the development of the site, all demolition and construction works and ancillary operations, including deliveries to and despatch from the site, shall be confined to the following hours:

Monday to Friday 07.00 to 19.00
Saturday 07.00 to 13.00
Not at all on Sundays and Bank Holidays.

Reason: To safeguard the amenity of the surrounding area and to secure compliance with Policy GP1 of the York Development Control Local Plan.

13 Prior to work commencing on site , a construction environmental management plan (CEMP), incorporating measures detailed in Section 7 of the submitted Environmental Statement, shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration and dust resulting from the demolition, site preparation, groundwork and construction phases of the development. Once approved, the CEMP shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To secure the amenity of the surrounding area and to secure compliance with Policy GP 1 of the York Development Control Local Plan.

14 Prior to the commencement of the development hereby authorised , a gas protection system based upon the results of detailed monitoring of landfill gas migration through the site shall be submitted to and approved in writing by the Local Planning Authority. The details of the system shall include provision for the long term verification and monitoring of the gas protection system and shall be implemented in strict accordance with the details thereby approved.

Reason: To ensure that risks from landfill gas to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15 In the event that unexpected contamination is found at any time when undertaking the development it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme a verification report must be prepared, which will be subject to the written approval of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without risks to workers, neighbours and other offsite receptors.

16 Prior to the commencement of the development hereby authorised, full details shall be agreed in writing with the Local Planning Authority of the design of the following junctions:

- i) the new signalised junction of the A1036 Tadcaster Road and the A64 slip road;
- ii) the existing Park and Ride access road roundabout which will form the new access point for bus services.

These details shall be supported by detailed capacity calculations of the performance of the junctions both in the year of opening and 15 years after that date. The design will also require stage 1, 2 and 3 safety audits to be submitted for written agreement by the

Local Planning Authority prior to the site being first brought into use.

Reason: In the interests of highway safety

17 Prior to the commencement of any works, full details shall be agreed in writing by the Local Planning Authority of the Construction of the Park and Ride facility, including cycle parking facilities, drainage, lighting, signing and lining , barrier control equipment, CCTV equipment and surfacing materials.

Reason: In the interests of Highway Safety

18 Prior to the commencement of the development hereby authorised, a detailed method of works statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include the precautions to be taken to ensure the safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting the construction materials, and the hours during which this will be permitted.

Reason: To ensure that the works are out in a safe manner and with the minimum disruption to users of the adjacent public highway.

19 Prior to the commencement of the development hereby authorised, details shall be agreed in writing by the Local Planning Authority of the arrangements for maintaining the movement of traffic in the vicinity of the site, during the periods when construction work is taking place in relation to the provision of new access points serving the Park and Ride facility.

Reason: In the interests of highway safety.

20 Prior to works starting on site a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which shall be agreed in writing with the LPA.

Reason: In the interests of the safety and good management of the public highway.

21 Prior to the development commencing details of the measures to be employed to prevent the egress of mud, water and other detritus onto the public highway, and details of the measures to be employed to remove any such substance from the public highway shall be submitted to and approved in writing by the Local Planning Authority. Such measures as shall have been approved shall be employed and adhered to at all times during construction works.

Reason: To prevent the egress of water and loose material creating a hazard on the public highway.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact of the proposals on the open character and

purposes of designation of the Green Belt, impact of the proposal upon the Askham Bog SSSI, the inclusion of a potential SINC within the development site, proposed hard and soft landscaping associated with the scheme, use of sustainability principles in the design of the scheme particularly in relation to the Terminal Building and associated wind turbine, treatment of possible land contamination within the site, design of the proposed surface water drainage system and design of the access to the site. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GP1, GP3, GP4a), GP6, GP9, GP11, NE7, NE5a) T6 and GB1 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

2. CONSENT FOR HIGHWAY WORKS:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing/Temporary Highway Closure - Section 184 - Stuart Partington (01904) 551361

3. CONTACT UTILITIES:

You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

Contact details:

Author: Erik Matthews Development Control Officer
Tel No: 01904 551416

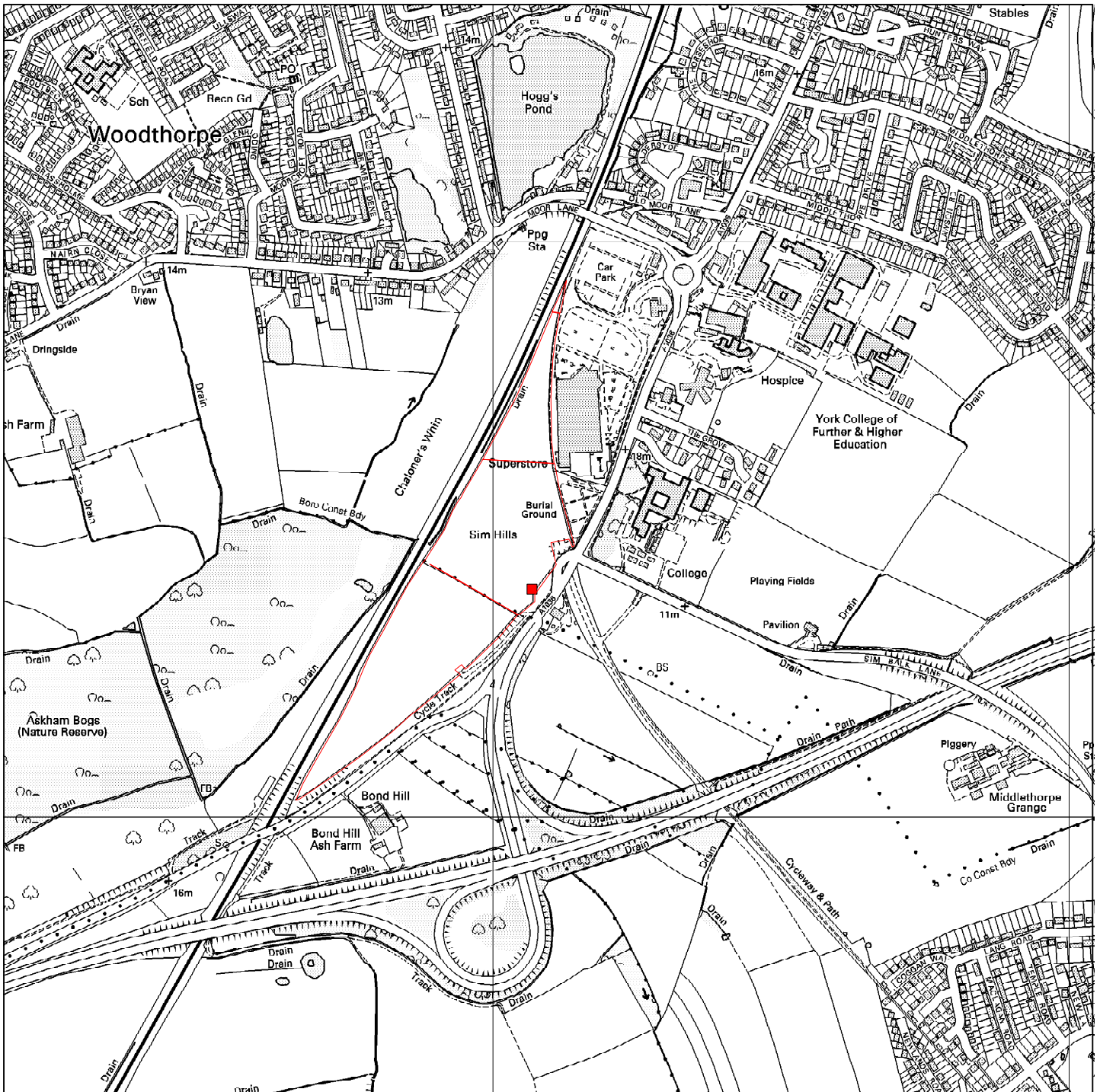
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Sim Hills, Tadcaster Road

09/01313/FULM



GIS by ESRI (UK)



Scale : 1:10000

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	Application Site
Date	14 September 2009
SLA Number	Not Set

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COMMITTEE REPORT

Committee: Planning Committee **Ward:** Heslington
Date: 24 September 2009 **Parish:** Heslington Parish Council

Reference: 09/01472/REMM
Application at: Proposed University Campus Lying Between Field Lane And Low Lane A64 Trunk Road And Hull Road York
For: Reserved matters application for the erection of catalyst building along with access cycle parking and landscaping
By: University Of York
Application Type: Major Reserved Matters Application (13w)
Target Date: 23 October 2009

1.0 PROPOSAL

1.1 This is a reserved matters application for the erection of a knowledge transfer building known as the Catalyst as part of the first phase (Cluster 1) of the new campus. Knowledge transfer is a term used to describe the exchange of ideas, research results and skills between research organisations, business, the public sector and the wider community. The building would provide accommodation for start-up businesses that develop university research and existing businesses that work with university researchers. The application is pursuant to outline planning permission 04/1700/OUT granted by the Secretary of State in June 2007 for the development of a university campus.

1.2 The building would provide 2,750sqm of accommodation for up to 200 people over three floors. It would be 24m high except where the roof is raised to 25.3m to accommodate a plant room. The building would be located at the western edge of Cluster 1, close to the pedestrian ribbon.

The construction of the catalyst building marks the penultimate stage in the first phase of development at the new campus (Cluster 1). The only other remaining piece of development land at Cluster 1 is in the north-west corner of the site.

It is probably the last major building to be constructed in the foreseeable future as part of the first phase of the campus development (ie Cluster 1).

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYGP4A
Sustainability

CYGP9
Landscaping

CGP15A
Development and Flood Risk

CYNE7
Habitat protection and creation

CYED9
University of York New Campus

CYT4
Cycle parking standards

3.0 CONSULTATIONS

Internal

3.1 Environmental Protection Unit - The various conditions of the outline consent relating to construction should be adhered to at all times during construction.

3.2 Highways - No highway objections to the application subject to conditions, notably regarding provision of transport links including the University Transit System (UTS).

3.3 Environment, Conservation, Sustainable Development (Landscape) - the landscape scheme is in keeping with the Landscape Design Brief. Whilst a landscape scheme and planting schedule have been a fully detailed a planting plan should be provided as a condition of approval to show how the planting schedule will be applied.

3.4 Structures and drainage - No objection to the principle of the application. Development should not begin until (I) details of foul and surface water drainage works for the catalyst building have been submitted and approved (II) part 2a of the central lake and the outlet control centre are complete and in operation.

External

3.5 Heslington Forum including Heslington Parish Council - The university circulated the proposals to forum members on 6 July 2009 prior to submission. No specific comments on the proposals were received.

3.6 Hull Road Planning Panel - No objections.

3.7 The University should be pursuing excellence in the landscaping of the new campus. It should have more specific objectives, either for a high quality ornamental landscape or a high quality naturalistic scheme - this appears to be a hybrid of both.

3.8 Osbaldwick Parish Council - No comments.

3.9 North Yorkshire Police - No comments.

3.10 Environment Agency - No objections providing a sustainable drainage scheme is submitted for approval by the local planning authority.

3.11 Yorkshire Water - No objection in principle to the layout. However the drawings show no drainage proposals.

3.12 Public Consultation - The consultation period expired on 22 September 2009. One objection has been received, from two residents of Field Lane. The objection states that lack of parking will result in staff/visitors parking in local residential streets unless the university urgently provides the 350 additional parking spaces at Grimston Bar and a convenient and frequent UTS from peripheral car parks. The objectors also consider that the multi-coloured patchwork of colours on the north elevation of the new building should be plainer, more like Goodricke College.

4.0 APPRAISAL

4.1 Key Issues

Principle of the Use

Scale and Appearance

Transport

Sustainability

Drainage

Landscape

Phasing of Development

Relevant Local Plan Policies

4.2 Planning Policy Statement 1 (PPS1) sets out the government's overarching planning policies. It sets out the importance of good design in making places better for people and emphasises that development that is inappropriate in context or fails to take the opportunities available for improving an area should not be accepted.

4.3 PPS25 aims to: ensure that flood risk is taken into account in the planning process; avoid inappropriate development in areas at risk of flooding; and direct development away from areas at highest risk.

4.4 The Draft Local Plan including the 4th set of changes was approved in April 2005. Policy GP1 - Development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and vegetation.

4.5 GP4a - Proposals for all development should have regard to the principles of sustainable development.

4.6 GP9 - Where appropriate, development proposals should incorporate a suitable landscaping scheme that is an integral part of the proposals; includes an appropriate range of species, reflects the character of the area; enhances the

attractiveness of key transport corridors; and includes a planting specification where appropriate.

4.7 GP15a - Developers should ensure that the site can be developed, serviced and occupied safely and that discharges from new development should not exceed the capacity of existing/proposed sewers and watercourses.

4.8 NE7 - Development proposals should retain and, where possible, enhance important natural habitats.

4.9 ED9 - The scale, layout and design of the new campus at Heslington East should have regard to, inter alia, a comprehensive landscape scheme including publicly accessible public open space and a comprehensive network of pedestrian/cycle routes between campuses.

4.10 T4 - Seeks to promote cycling and states that all new development should provide storage for cycles in accordance with the standards in the local plan.

Principle of the Use

4.11 Condition 5 of the outline consent restricts development on the campus to university uses, including, among others, knowledge based activities. These can include Science City York uses. They would have to demonstrate that they need to be located on the site due to, for example, the sharing of research ideas, resources or personnel, or undertaking research at the university. The proposed knowledge transfer functions of the Catalyst building qualify as an acceptable use under Condition 5. The co-location of these like minded businesses will provide opportunities for future collaboration and joint venture.

4.12 Condition 5 also requires that the developer shall maintain a register of such knowledge transfer uses. The register must show how each use complies with the criteria for occupation. The accommodation within the catalyst building will be available to selected tenants based on their ability to fulfill these criteria. An up-to-date record will be kept of businesses occupying the building. The record will be made available to the local planning authority in line with the requirements of the condition.

4.13 The use of the site as part of a new campus was accepted when the Secretary of State granted outline consent in 2007. Moreover, the use accords with the adopted development brief, the land use plan approved as part of the outline consent and the masterplan for the campus.

Scale and Appearance

4.14 The building will have an irregular shape with the frontage (north-east elevation) facing Academic Square formed by the other academic buildings of Cluster 1, ie Theatre Film and Television (TFTV), Law and Computer Science. The north and north-east elevations of the new building will be clad in a random mix of clear glazing and coloured panels. The large proportion of glazing will help to maximise natural light into the building. The south and south-west elevations will mainly comprise a solid screen of timber with relatively small windows in order to minimise solar gain. The short, end elevation will feature escape stairs to soften the

interface between the main elevations. The materials and overall design of the building accord with the approved masterplan for the campus and the character of the adjacent buildings. The building will be in keeping with the scale of adjacent buildings and within the height limit imposed by the outline consent.

4.15 Conditions should be attached requiring submission of details of all external materials and external plant and equipment.

Transport

4.16 Service vehicles will gain access to the building via the service loop between the northern service road and the TFTV building. The only car parking will be a single disabled parking space adjacent to the Academic Square. This parking space will be shared with users of the TFTV building. As a condition of the outline consent only 150 vehicles are permitted to use the newly-formed Field Lane roundabout for parking within the new campus. These will be provided alongside the bus interchange.

4.17 48 cycle parking spaces for staff will be provided in a covered secure building to the western side of the service road. Consent for the building is currently being sought as part of a separate application (09/01376/REM). Four cycle spaces will be provided for visitors close to the main entrance to the building and will be monitored by the University's CCTV system. This level of provision accords with council standards.

4.18 Pedestrian and cycle access to the building will be available via the pedestrian-cycle ribbon to the north or via the movement spine to the south. Links will be available to the Heslington West campus and to the existing network of cycle routes throughout the City.

4.19 A stopping point for the University Transit System (UTS) will be provided on the movement spine south of the Catalyst building. This stop will be one of two UTS arrival points for Cluster one. The UTS will link the new campus with Heslington West and peripheral car parks including the proposed new car park at Grimston Bar. The provision of a UTS has been a key element of the university's transport strategy for some years. A condition should be attached requiring the UTS to be operational when the Catalyst building is first brought into use. The condition, which has been attached to the approval of other buildings on Cluster one, such as TFTV and the Hub, is required due to the high number of people forecast to use the building, the associated peak flows, the distance from the proposed bus interchange and the limited on-site car parking.

4.20 The parking and traffic impacts of the new campus (including the current building) on the local area is of great concern to the community forum and some local residents. These concerns were addressed at the inquiry and subsequently by conditions of the outline consent. For example, traffic and parking availability will be monitored annually and mitigation measures agreed where appropriate. Moreover, the university's sustainable travel plan is now due to be updated to take account of the new campus. Officers consider that the measures outlined above, together with the provision of sustainable transport infrastructure and the parking restrictions imposed by the outline consent, will be sufficient to safeguard the local community

from the traffic and parking implications of the Catalyst building and the campus as a whole.

Sustainability

4.21 The sustainability statement submitted with the application is acceptable. It includes: (a) effective carbon management principles and measures to reduce carbon emissions; (b) commitment to achieve at least a BREEAM rating of 'very good'; (c) efficient use of resources via energy and water conservation measures, the use of environmentally friendly materials and a commitment to achieve 10% renewable energy generation; and (d) integrated waste and recycling facilities.

4.22 Conditions should be attached requiring a BREEAM assessment of 'very good', 10% of energy needs to be from renewable sources and Building Regulations Part L to be achieved as a minimum.

Drainage

4.23 The site is in flood zone 1 and should not suffer from river flooding. Surface water from the building would be drained by gravity via proprietary and open channels (swales) to a lake along the southern side of the campus. Drainage details for the building have not been submitted. They can be made a condition of approval.

4.24 Of greater concern is the overall drainage strategy for the campus. Surface water from the campus will be stored in the central part of the lake and released at agricultural rates into local watercourses. On 25 June members resolved to approve the reserved matters application for the central lake (08/02543/REMM) subject to drainage details being delegated to officers. However, sufficient details have still not been provided by the university to show that surface water will be properly attenuated. This is despite the construction of the central lake being well underway. Nor have the temporary drainage arrangements been approved. Consequently the decision notice for the central lake has still not been issued. Officers are continuing to negotiate with the university to secure the details required. The catalyst building will add to the surface water run-off into the lake. Therefore officers recommend that, if members are minded to approve the current application, the decision notice should not be issued until the council has formally agreed satisfactory surface water drainage details for the campus as a whole. Further, that development of the catalyst building should not begin until part 2a of the central lake and the outlet control centre are complete and in operation.

4.25 Condition 20 of the outline consent requires details of foul drainage to be submitted for approval. Foul water from the building would be fed by gravity to the south-west corner of Cluster 1 where it would be pumped by a new pumping station to a new main sewer that would run alongside the northern service road. Yorkshire Water has no objection in principle to the separate systems of drainage on and off site subject to details being submitted for approval.

Landscape

4.26 The landscape scheme, hard and soft, is in keeping with the Landscape Design Brief and the emerging landscape for the rest of the campus. Whilst the landscape proposals, including a planting plan, have been submitted full details should be provided as a condition of approval. Particularly the swale planting and

ground cover amongst grass which, if successfully implemented, should be very effective.

Phasing of Development

4.27 Members have asked to be kept informed of the extent to which the reserved matters applications contribute to the quantum of development approved by the outline consent. Condition 4 of the outline permission limits the developed footprint to 23% of the area allocated for development (the developed footprint is defined as including buildings, car parks and access roads). Previous reserved matters applications for the campus have included a schedule, prepared by the applicant, showing the contribution that the applications make towards the 23% maximum. The schedule is being updated to include the Catalyst building. The updated schedule will be tabled at the meeting.

5.0 CONCLUSION

5.1. The use of the building for knowledge transfer purposes accords with the outline approval for the campus. The building would be in keeping with the scale of adjacent buildings and within the height limit imposed by the outline consent. The materials and overall design of the building accord with the approved masterplan for the campus and the character of the adjacent buildings. The landscape proposals accord with the approved landscape design guidelines for the campus. The application is therefore acceptable. However, whilst the catalyst building will add to surface water run-off the drainage arrangements for the campus as a whole have still not been agreed. Officers therefore recommend that the application be approved but that the decision notice not be issued until the council has formally agreed satisfactory drainage details for the campus as a whole.

6.0 RECOMMENDATION: Approve

1 The development hereby permitted shall be carried out only in accordance with the following plans: KT(PL)A001, A002, A003, A004, A005, A006, A007, A008, A009, A010, A012, L605 and L607 or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

2 No development 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. This 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: So that the Local Planning Authority may be satisfied with the variety,

suitability and disposition of species within the site.

3 Within six months of commencement of development, details of external plant and equipment including soil and vent stacks, heating and air conditioning plant etc, including fume extraction and odour control equipment, with details of any external ducting, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the design and external appearance of the building

4 Unless otherwise agreed in writing with the Local Planning Authority, within three months of commencement of development the developer shall submit in writing and be approved by the local planning authority a formal pre-design BREEAM assessment for the design and procurement stages of the development. The developer shall submit a further BREEAM assessment after construction, at a time to be agreed in writing by the local planning authority. The developer shall submit a completion assessment when issued by the BRE. All assessments shall confirm the minimum 'Very Good' rating anticipated in the preliminary BREEAM assessment submitted with the application

Reason - To ensure the development complies with the principles of sustainable development

5 Within three months of the commencement of development full details of the following shall be submitted to and approved by the local planning authority (i) measures to reduce energy demand for the building hereby approved, and (ii) measures to reduce CO2 emissions to a level lower than required under Building Regulations Part L. The development shall be carried out in accordance with the approved details.

Reason - To ensure the development complies with the principles of sustainable development

6 No building work shall take place until details have been submitted to and approved in writing by the local planning authority, to demonstrate how the applicant will provide, from renewable sources, 10% of the building's total energy demand on land within the control of the applicant. The development shall not be occupied until these works have been carried out in accordance with the submitted details unless otherwise agreed in writing by the local planning authority (as part of an energy strategy for the Heslington East campus). Not later than 12 months after the building has first been brought into use, the applicant shall submit an Energy Statement to the Local Planning Authority, which details the percentage of the buildings energy consumption that has been derived from renewable sources. Thereafter the Energy Statement shall be submitted on an annual basis unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainable development

INFORMATIVE: The applicant is advised that no approval is to be assumed or

implied as to the nature of any particular solution for 10% provision of renewable energy required by this condition.

7 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority within three months of commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

8 Within three months of commencement of the development details shall be agreed in writing with the LPA of shower facilities and locker facilities to be provided for use by cyclists employed within the building. The works shall be carried out in accordance with the approved details prior to occupation of the premises.

Reason: to accord with the University's sustainable transport policy of promoting non-car journeys.

9 Prior to commencement of development, details of foul and surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

Reason - In the interests of the proper drainage of the site.

10 Development shall not begin until (I) part 2a of the central lake and (II) the outlet control centre, both approved under reserve matters application 08/02543/REMM, have been constructed and are operational to the satisfaction of the local planning authority.

Reason: So that the Local Planning Authority may be satisfied with the proper drainage of the site during construction.

11 Prior to occupation of the Catalyst building, the following transport links shall be operational for the benefit of students, staff and visitors seeking access to the premises:

(i) The length of the pedestrian/cycle ribbon that links Cluster 1 with the western end of the Movement Spine.

(ii) Pedestrian/cycle links to Field Lane via the new Central Access Roundabout.

(iii) The University Transit System to a frequency and specification agreed by the local planning authority and providing a link between the Heslington West Campus (including its peripheral car parks) and Cluster 1. The arrival point (Orchard Terminus) shall incorporate a shelter, seating and lighting for the benefit of passengers.

Reason - In the interests of providing sustainable transport options for students, staff and visitors to the site.

12 Unless otherwise agreed in writing with the Local Planning Authority, the only method of piling to be used will be continuous flight auger piling.

Reason - To protect the Sherwood Sandstone aquifer

13 HWAY18 Cycle parking details to be agreed

14 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (including cycles) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

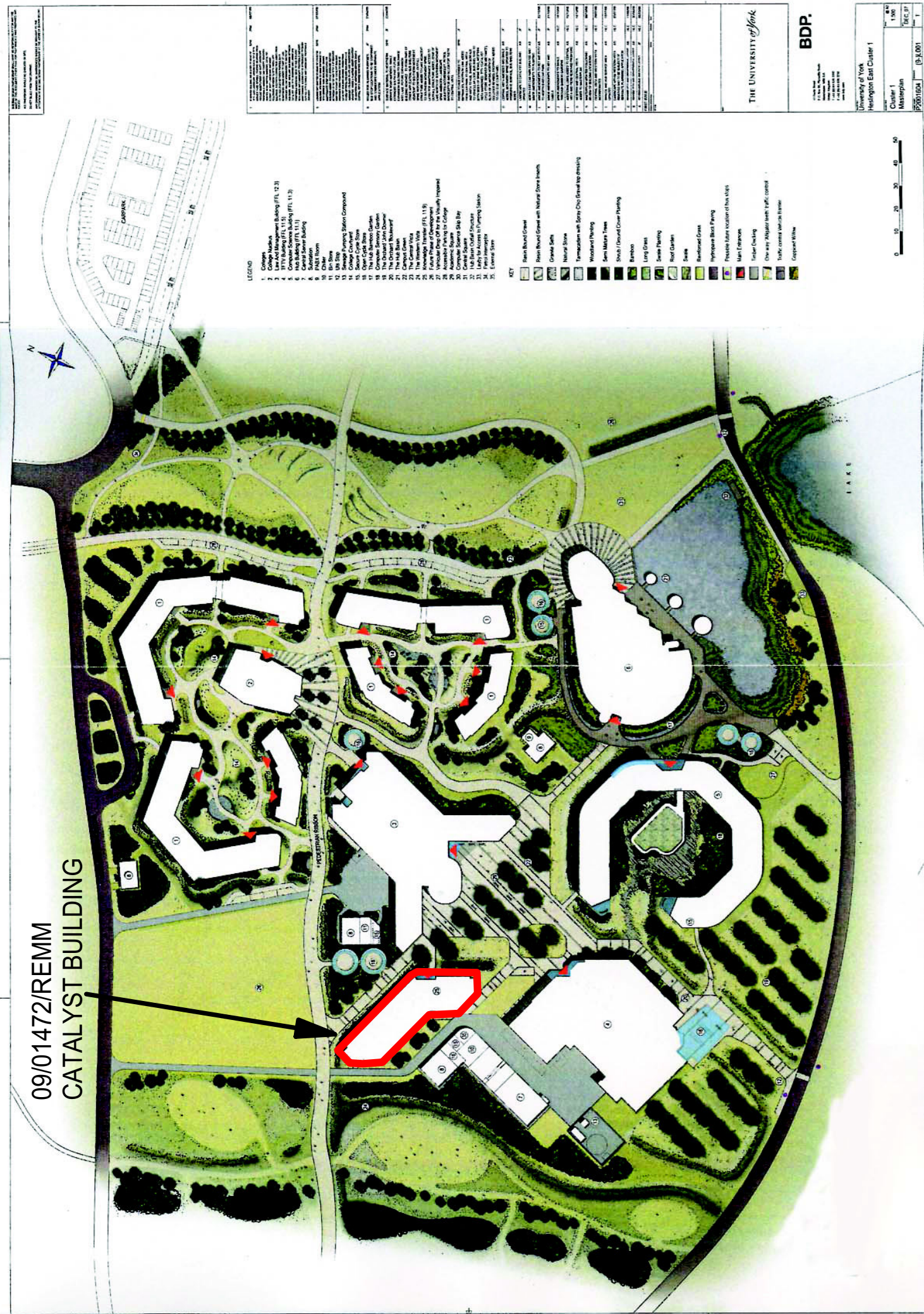
15 HWAY31 No mud on highway during construction

7.0 INFORMATIVES:

Contact details:

Author: Kevin O'Connell Development Control Officer

Tel No: 01904 552830



09/01472/REMM
 CATALYST BUILDING

LEGEND

1. College
2. College Building
3. College Building (FL 12, 13)
4. TTY Building (FL 11, 12)
5. Computer Science Building (FL 11, 12)
6. Central Server Building
7. Information Systems Building
8. Other
9. Other
10. Other
11. B10 Store
12. Storage Pumping Station Compound
13. College Courtyard
14. Open C&G Store
15. The Hub Bamboo Garden
16. The Hub Bamboo Garden
17. The Hub Bamboo Garden
18. The Hub Bamboo Garden
19. The Hub Bamboo Garden
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30. The Hub Bamboo Garden
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33. The Hub Bamboo Garden
34. The Hub Bamboo Garden
35. The Hub Bamboo Garden

KEY

- 1. Rain Shrub Cover
- 2. Rain Shrub Cover with Natural Stone Paths
- 3. Rain Shrub Cover with Natural Stone Paths
- 4. Rain Shrub Cover with Natural Stone Paths
- 5. Rain Shrub Cover with Natural Stone Paths
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- 35. Rain Shrub Cover with Natural Stone Paths

THE UNIVERSITY of York

BDP.

University of York
 Heslington East Cluster 1

Cluster 1
 Masterplan
 R/C D/P
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Planning Committee**24 September 2009**

Report of the Assistant Director (Planning and Sustainable Development)

**FULFORD ROAD CONSERVATION AREA APPRAISAL:
CONSULTATION DRAFT****Summary**

1. This report requests that a draft appraisal of the Fulford Road Conservation area is approved for public consultation. A copy of the appraisal is at **Annex A**.

Background

2. Fulford Road Conservation Area was designated in 1975. The date coincided with a review of the Central Historic Core Conservation Area which resulted in an extension of the designated area to include the city walls, bars and several of the major approach roads into the city centre. The Fulford Road Conservation Area does not extend as far as the walled city centre and it became an area designated in its own right, its special characteristics being strongly influenced by the historic military presence along the route. Prior to the production of this draft appraisal the character of Fulford Road conservation area had been summarized in a conservation statement within the City of York Draft Local Plan.
3. This draft appraisal has been developed from an initial report dated May 2008. The earlier report was commissioned around the time of the appraisal for Fulford Village Conservation Area. The two conservation areas share the same central spine road and it was considered important to understand how factors affecting both areas might contribute to the special character and appearance of each area. Unfortunately in 2008 resources did not allow both pieces of work to be taken to conclusion and only Fulford Village proceeded to full appraisal. The remaining work is being funded from the existing budget of the Design Conservation and Sustainable Development Section.
4. The appraisal offers an opportunity to re-assess the designated area and its boundaries and to evaluate and record its special interest. PPG 15 "Planning and the Historic Environment" 1994 section 4.4 states, "the more clearly the special architectural and historic interest that justifies designation is defined and recorded, the sounder will be the basis of local plan policies and development control decisions, as well as for the formulation of proposals for the preservation and enhancement of the character or appearance of an area". The appraisal should provide a basis for making sustainable decisions about the area through the development of management proposals.

5. The Fulford Road draft conservation area appraisal is attached at **Annex A**. The document has been carried out by an independent conservation consultant. The format and content of the report have been discussed with officers in the Design Conservation and Sustainable Development Section of the City Strategy Directorate.
6. If adopted the appraisal would form part of the review process incumbent on Local Authorities under section 69 of the Planning (Listed Buildings and Conservation Areas) Act. An important part of this process is a reassessment of the conservation area boundary.
7. Chapters 2-3 describe the context and development of the village and draw attention to factors which have contributed to the character of the area as it is today.
8. Chapter 4 of the appraisal reviews the boundary of the conservation area. The recommendation is that several amendments to the Conservation Area are therefore proposed, and are shown labelled A-H on the map in **Annex B**. Of the eight areas put forward for consideration, five of them would consolidate the boundary enclosure of the road itself and improve the definition of the north end of the designated area. The remaining three areas (B,C &D) would include new areas of housing of special historic, architectural or social interest.
9. Chapter 5 describes the general character of the area, as revised. Chapters 6-7 present a more detailed analysis of the area as it appears through two identifiable sub-areas:
 - Northern area – Fishergate to Alma terrace, and Alma Terrace to Hospital Fields Road; and
 - Southern area – Hospital Fields Road to Fulford Cross, and Fulford Cross to St Oswald's Road.
10. The final part, Chapter 8, contains suggestions which could be incorporated into a future management strategy.

Consultation

11. This report seeks approval for a consultation process to take place. If Members agree the draft appraisal, then a public consultation will be carried out based upon the methods used for other conservation areas. This would take place over a six week period as follows:
 - A letter to consultees including Conservation Area Advisory Panel, the Local Ward Members, Fishergate Planning Panel, Fulford Parish Council and appropriate amenity bodies (see list of consultees in **Annex C**).
 - A leaflet summarising the appraisal, with a tear-off comments slip, will be distributed to all properties within and surrounding the existing conservation area (approximately 1668 households). The map in **Annex D** shows the existing Conservation Area boundary, proposed amendments, and suggested

delivery area for the leaflet.

- Copies of the appraisal document will be made available at the Council offices 9 St Leonard's Place, York Central Library, Fulford Library, the Council website and suitable local venues (subject to agreement).
- We propose to attend the Ward Committee meeting on 6th October, rather than hold a separate meeting, and consider that this along with the extensive delivery area of the leaflet will provide sufficient coverage for the Appraisal.
- A press release will be sent to the York Press.

Options

12. Option 1 – approve the draft document for consultation purposes and to approve the method and range of consultation
13. Option 2 – amend the draft document and/or change the method and range of the consultation process
14. Option 3 – do not approve the draft document for consultation

Analysis

15. Unless any obvious omissions or inaccuracies can be identified within the draft document, or concerning the consultation process proposed, option 1 would allow the consultation process to start in October. Subsequently feedback from this process would be assessed comprehensively rather than in stages as implied by option 2. Option 3 would halt the statutory process and this should only be considered in exceptional circumstances

Corporate Priorities

16. The appraisal would assist in improving the actual and perceived condition and appearance of Fulford Road Conservation Area. It would also provide a more informed basis for decision making and for policy formulation.
17. The appraisal would contribute towards the Local Authority's statutory obligations with regard to conservation areas in their control.

Implications

18. **Financial** – Production of the consultation documents and delivery costs would be met by existing budgets
19. **Human Resources (HR)** – No known implications
20. **Equalities** – Different formats of the consultation leaflet will be made available on request. Documents will be lodged in accessible locations.
21. **Legal** – No implications at this stage

- 22. **Crime and Disorder** – No known implications
- 23. **Information Technology (IT)** – No implications
- 24. **Property** – No implications

Risk Management

- 25. There should be no additional risks

Recommendations

- 26. Members are asked to approve the draft Fulford Road Conservation Area Appraisal, as proposed in Annex A, for use as a consultation document. It is also requested that Members approve the consultation method proposed.

Reasons:

- (1) the document has been prepared in accordance with current guidance from English Heritage. It has adopted a rigorous approach to the assessment of the Fulford Road Conservation Area and as a consultation document it is clearly written and capable of being amended where required
- (2) the boundary review has been carried out in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and it has adopted relevant criteria a set out in PPG 15 and also as described in the latest guidance documents from English Heritage
- (3) the proposed consultation process would be based on previous practice

Contact Details

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Design Conservation and
Sustainable Development

Chief Officer Responsible for the report:

Mike Slater
Assistant Director (Planning & Sustainable
Development)

**Report
Approved**



Date 11 September 2009

Specialist Implications Officer(s) none

Wards Affected – Fishergate

All

For further information please contact the author of the report

Background Papers:

PPG 15 Planning Policy Guidance: Planning and the Historic Environment HMSO
1994

Guidance on conservation area appraisals - English Heritage 2006

Annexes

Annex A - Fulford Road Conservation Area Appraisal consultation draft

Annex B - Map showing the proposed amendments to the existing conservation area

Annex C - List of consultees

Annex D – Map showing the proposed consultation area

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FULFORD ROAD CONSERVATION AREA APPRAISAL



CONTENTS

1	INTRODUCTION	Page 2	This Conservation Area Appraisal was prepared in July 2009 by Lindsay Cowle (Conservation Consultant) on behalf of the City of York Council. The format and content were agreed with the Design, Conservation and Sustainable Development Section of the City of York Council, and the document was approved by the Council in ?
2	LOCATION AND CONTEXT	Page 3	
3	HISTORICAL DEVELOPMENT	Page 5	
4	CONSERVATION AREA BOUNDARY	Page 9	This Appraisal acknowledges the historical assistance provided by various books on the area, in particular:
5	GENERAL CHARACTER	Page 14	CM van Wilson – ‘The History of a Community’, 1984
6	THE NORTHERN AREA	Page 17	CM van Wilson – ‘Beyond the Postern Gate: a History of Fishergate and Fulford Road’, 1996.
7	THE SOUTHERN AREA	Page 23	Ivan Broadhead – ‘Beyond the Bars’, 1989
8	FUTURE MANAGEMENT SUGGESTIONS	Page 28	The history of the military barracks draws on a private study ‘The Army and a City’ by G Heelis 1956. Reproduction of old photographs is with the consent of York City Library.

2 LOCATION AND CONTEXT

2.1 Fulford Road Conservation Area is a linear conservation area on the southern outskirts of the city which closely follows a 1 kilometre section of the A19 trunk road leading southwards to Selby and the modern A64 York by-pass. It is roughly parallel to the River Ouse half a kilometre away to the west, the river (and the route following its bank) having been a major approach to the city throughout history. At its northern end the A19 collects traffic circulating round the ancient defensive walls of the city centre and leads it through the Conservation Area, initially to Fulford Village which lies immediately to the south. No significant roads connect to the A19 along the route.

2.2 The area is relatively low-lying and topographically featureless, rising no more than 50 feet or so above the River Ouse, which although well inland is little above sea level. It is stands on a slightly elevated ridge of glacial sand and gravel, with glacial outwash deposits and alluvium in the lower areas. Leaving the city there is a distinct fall in level in the centre of the Area, which is regained on approaching Fulford village.



Fulford Road context map- York City Centre (top) Fulford village (bottom)

- 2.3 The Conservation Area lies within a fully built-up area of the city suburbs. Its character varies along the A19 road which forms its 'backbone': some areas are strongly military, reflecting the two important army barracks which were established here in the late 18th and late 19th centuries, parts of which have since been redeveloped for office and industrial use. Otherwise residential uses predominate, mostly in the form of Victorian terraced or mid-war housing. Due to their convenient location on a main entrance to the city many residential properties have been converted to hotels or guest houses.
- 2.4 The Conservation Area has relatively 'loose' boundaries in many areas and has no definite focal point or community. At its south end it adjoins the Fulford Village Conservation Area (as extended in 2008) which retains its distinct character as a village and community. At its north end it adjoins the New Walk / Terry Avenue Conservation Area which leads off to the River Ouse, but otherwise it merges into busy streets of less townscape interest.
- 2.5 Apart from the adjoining Conservation Areas the Area does not include or adjoin any areas with special designations. However, it focusses on a major vehicular route into the city which is crossed (at Hospital Fields Road) by two major east-west cycle ways (routes 65 and 66 of the National Cycle Network) leading to and from the new Millennium Bridge over the River Ouse to the west.
- 2.6 Due to the volume of traffic now entering the city from the south the Conservation Area is experiencing some pressure from through traffic, which conflicts with its character and reduces its amenity to residents and visitors: traffic reduction measures are therefore being explored. It is also experiencing some pressure from residential development. This is therefore an appropriate time to reassess the character of the Conservation Area and ensure that its special character is not compromised.



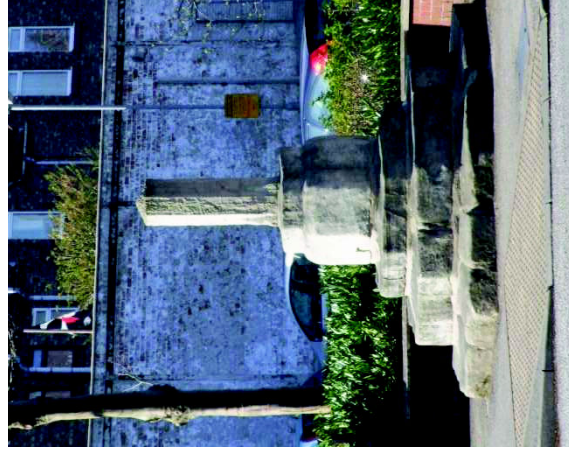
3 HISTORICAL DEVELOPMENT

3.1 Fulford Road Conservation Area is a distinctly linear conservation area which straddles the main A19 trunk road leaving York in a southerly direction, connecting the city historically to the village of Fulford en route for Selby and Doncaster. Until relatively modern times it was included in the parish of Fulford, which finished close to the city walls.

3.2 It is thought that the road is of Roman origin, providing a route to and from the city a short distance east of the River Ouse where it could utilise the firm and well-drained ground offered by the gravel ridge, although archaeological evidence is lacking. However, despite intensive Roman occupation of the city and of activity in Fulford there is no evidence of Roman or earlier presence in the area between.

3.3 Following the Roman occupation it is possible that another route with small settlements existed closer to the river, on less reliable ground, which may account for the original parish church (- the 12th century or earlier Church of St Oswald -) just outside the southern end of the Conservation Area.

3.4 During the mediaeval period the area remained undeveloped and provided common grazing land shared between the City and St Mary's Abbey, by then the major landowner in Fulford: the ancient Fulford Cross (which mostly survives, opposite the Infantry Barracks) dates from around 1484 and probably defines the boundary of the grazing rights. The cross was then a major feature, probably used as a meeting place and for ceremonial purposes, and in 1541 the city leaders received Henry VIII here on their knees, in penance for their support for a local rebellion.



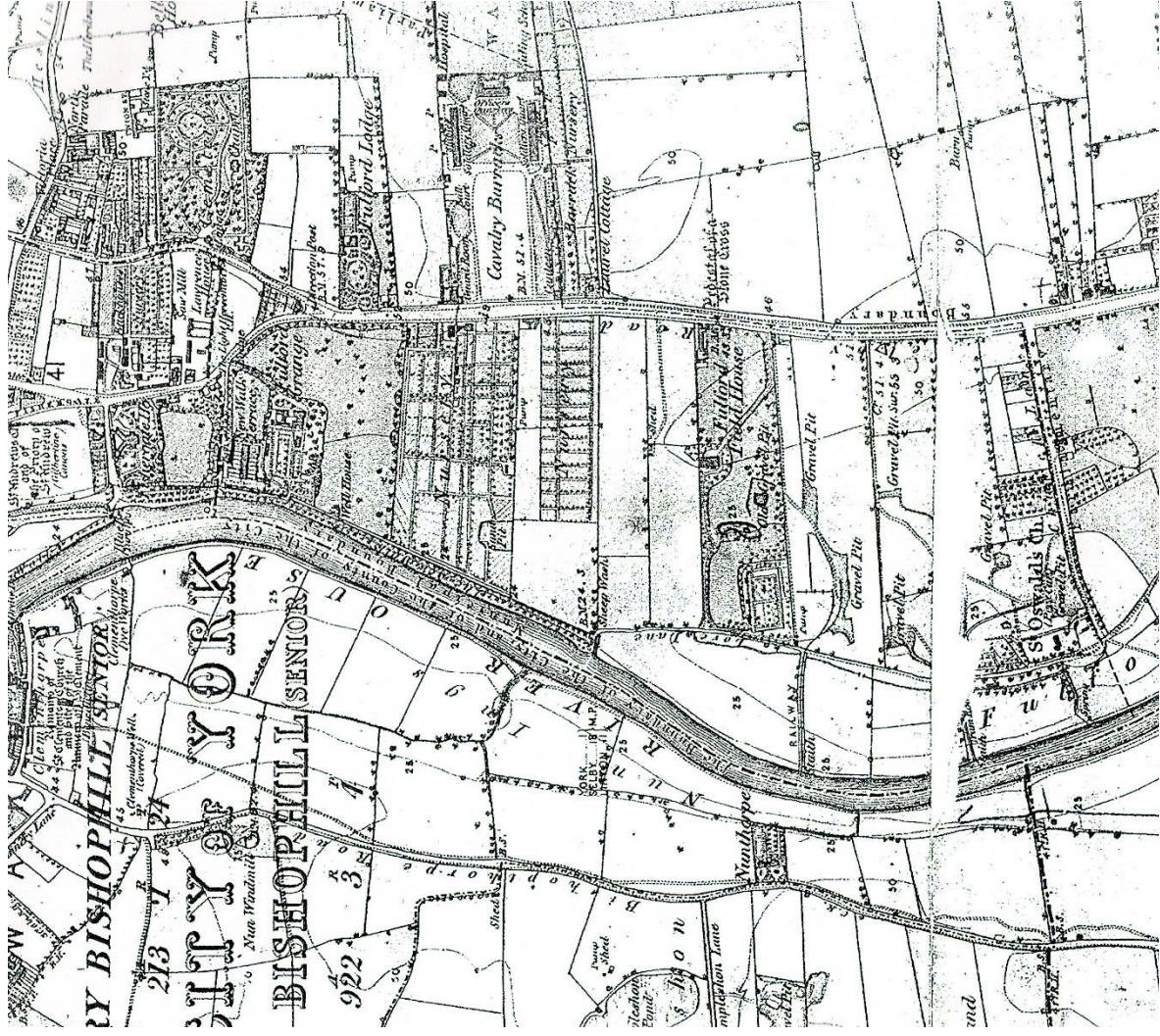
The ancient Fulford cross

3.5 In 1759 the common land was Enclosed to become part of Walmgate Stray, and the land to either side of Fulford Road was divided into fields with roughly parallel boundaries. These separate land holdings would dictate the form of much of the built development during the following century. It is likely that St Oswald's Road was created at that time, following one of the new boundaries, to create a new route to St Oswald's Church which better suited the new pattern of land ownership.

3.6 The OS Map of 1853 (- the first detailed map of the area -) shows the fields bounding the river being used mostly as either nurseries or gravel pits, with the city housing suburbs starting to appear on Fishergate, and two or three high status houses in large grounds.

3.7 The most important arrival by that time was the Cavalry Barracks, built on the east side of Fulford Road in 1795 on open land. This was the start of a military presence which would dominate the character of the area until the present day.

- 3.8 The Cavalry Barracks were opened in 1795 to house troops of the militia who had previously been billeted in inns around the City and the neighbouring countryside, and reliant on a notice in the gazette to assemble for inspection. By 1793 Britain was preparing for war with France, and barracks were needed in order to have troops on hand and immediately available for muster.
- 3.9 Fulford barracks was one of 101 barracks built in England between 1793 and 1804 by the Barracks Master General and designed by James Johnson and John Sanders, the official barracks architects. It occupied 19 acres, of which 12 acres provided barracks for 4 troops (232 men and horses) of the Ancient British Fencibles and 7 acres to the south provided a nursery garden. The Barracks Inn (now the Fulford Arms) soon appeared next door.
- 3.10 During the second half of the 19th century the barracks site was more intensively developed to include married quarters, a church and a prison, extinguishing the nursery garden, and a Military Hospital was built on the opposite side of Fulford Road.



Ordnance Survey map 1853

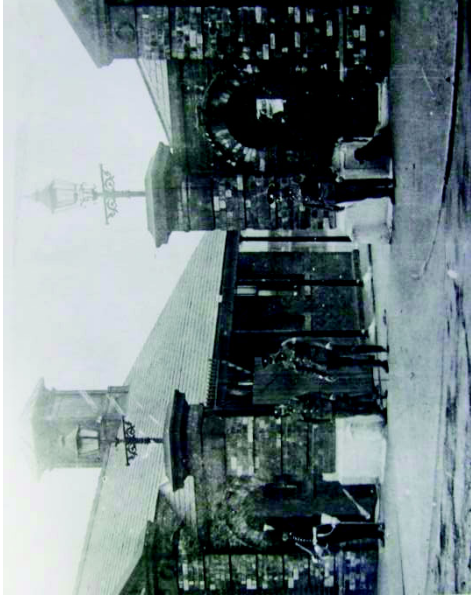
3.11 Terraced housing had extended into the area from the city and several uses and buildings had sprung up around the barracks (notably in Wenlock Terrace), meeting the growing demand for accommodation and commodities. Civilian and military appear to have integrated well: the barracks were open to the public on Sundays and visits and military parades had become big social events. At the southern end of the area Fulford was becoming an attractive residential area and housing had appeared along St Oswald's Road and on Fulford Road nearby.

3.12 In 1877-80 a much larger site (35 acres) adjoining the south side of the Cavalry Barracks was developed as an Infantry Barracks, re-named the Imphal Barracks in 1951 in commemoration of campaigns in Burma. The site was developed under the new 'Cardwell Reform' policy of combining regular and reserve battalions on the same site. The West Yorkshire Regiment 14th Foot (- soon after renamed the Prince of Wales Own Regiment -) occupied the north side and the 2nd West York Light Infantry occupied the south side, with a shared parade ground in between.

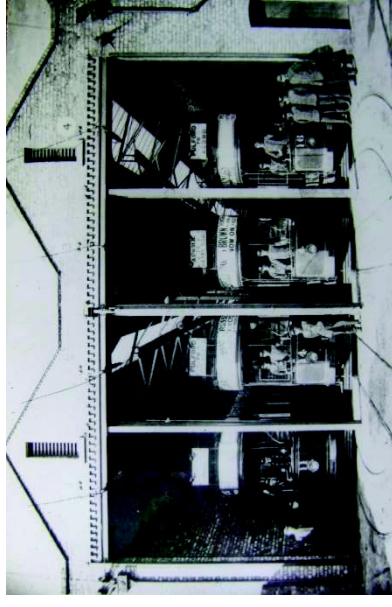
3.13 The Infantry Barracks were designed at the War Office by Major HC Seddon, and the highly defensive Keep fronting onto Fulford Road is one of the most distinctive and impressive buildings in the area.

3.14 By 1878 the military base was of such high status that the Northern Command Headquarters was moved from Manchester to Tower House in Fishergate, a short distance to the north. The Royal Army Ordnance Corps established its base behind the Military Hospital in 1890.

3.15 In 1880 the first horse-drawn trams appeared in York, with steam trams to Fulford, further hastening the spread of the city suburbs. The tram depot was located opposite the Infantry Barracks, behind Fulford Cross, presumably to help link the barracks to the Command Headquarters and the city centre. The terraced housing around Alma Terrace became a popular living area for the tram drivers and conductors. The trams were electrified in 1910.



Cavalry Barracks original main entrance c1910



Fulford Road tram depot 1911

- 3.16 The northern part of the civil parish was amalgamated with the borough of York under the York Extension and Improvement Act of 1884 and the area effectively became part of the city. The east side of Fulford Road from the Cavalry Barracks to Fulford village was planted with trees to enhance the approach to the city centre.
- 3.17 In 1913 the first 'Council houses' were built in Alma Grove to rehouse families displaced by the clearance of Pavement when Piccadilly was created, and further Council housing followed behind the tram depot at Fulford Cross. Residential expansion was not confined to working class housing but still included high status private villas such as Westfield House (later the Gimcrack Hotel, a popular venue for the military), Ousefield, Danesmead, and the smaller but well designed houses opposite such as The Limes. In the 1930's new middle class private housing estates appeared in Kilburn Road, Maple Grove and Broadway / Broadway West.
- 3.18 The military establishments continued to expand during the early 20th century with the appearance of the Royal Army Medical Corps on a site adjoining the hospital, and further staff accommodation: however, the dominant military presence declined in the latter part of the century with the closure of the Cavalry Barracks and the removal of most buildings other than the front guard houses. The Military Hospital, RAOC and RAMC sites were also vacated. New industrial, office and residential buildings have appeared but the former uses are still embodied in the street names (Hospital Fields Road, Ordnance Lane etc).
- 3.19 The tram depot, which closed with the disappearance of the trams in 1935, has been removed and replaced by retail units.

4 CONSERVATION AREA BOUNDARY

4.1 The existing boundary of the Conservation Area is shown on the map overleaf. It is centred on the military barracks and related uses which were built here from the late 18th century onwards, and which were of great importance to the city; but it also includes 19th and early 20th century housing built along the A19 trunk road which give a distinctive character to this city approach.

4.2 The Conservation Area was designated in 1975 and has remained unaltered despite considerable changes within the locality and a better understanding of its history; as part of this Conservation Area appraisal the extent of the Area and the appropriateness of its boundary has therefore been re-assessed.

4.3 The Conservation Area is unusually long and narrow, with some fragile sections, and modern redevelopment has added to that fragility. Even so, it is considered that the Area still retains a special character, and that it continues to justify a high degree of control.

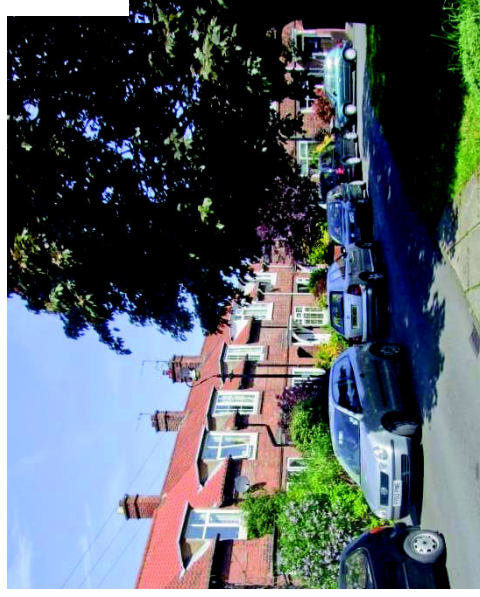
Together with the Fulford Conservation Area to the south, and the New Walk / Terry Avenue Conservation Area to the north, the Area will continue to secure the protection and enhancement of this important approach to the city centre.

4.4 In addition, it is now appreciated that the Area has an exceptionally rich diversity of housing types, which adds to its interest, and that some adjoining areas of housing should be included in the area to increase its substance and value. The range includes early 19th century rural villas, Victorian detached and semi-detached villas, Victorian two, three, four and five-storey terraces, 19th century military housing, early 20th century detached and semi-detached housing, and early 20th century council housing.

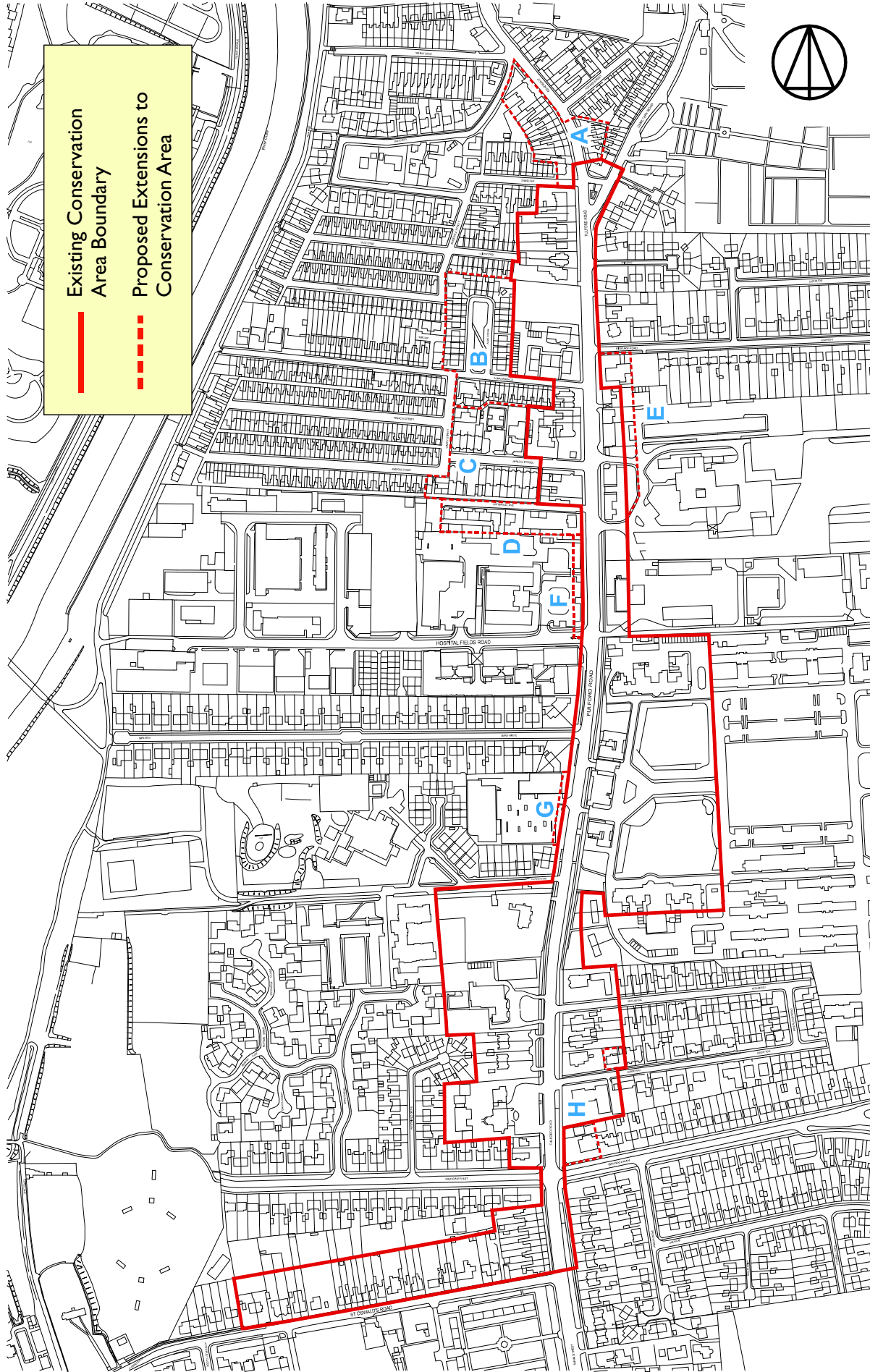
4.5 Several adjustments to the Conservation Area are therefore proposed, and are shown labelled A-H on the map overleaf.



Southern end of Fishergate (Area A)



Alma Grove (Area B)



A - Southern end of Fishergate

- 4.6 This includes Nos 89 -101 Fishergate (on the east side) and Nos 126-152 Fishergate (on the west side), which are continuous curved terraces of mid-late Victorian houses. The curve leading out of Fishergate is a distinctive feature of the road and gives these buildings prominence from both directions.
- 4.7 Whilst these houses are similar to many others of the same date in York Nos 89 -101 are relatively unspoiled and due to their curved layout they act as a visual 'stop' to the Conservation Area when looking northwards along Fulford Road. Nos 126-152 are visually less well related to Fulford Road but are nevertheless presentable houses which terminate with the Priory Hotel, a late 19th century ornate building with good quality stone detailing.

- 4.8 The addition of Nos 126-152 to the conservation area would close a short gap which currently exists between the Fulford Road Conservation Area and the New Walk / Terry Avenue Conservation Area on the west side of the main highway.

B - Alma Grove

- 4.9 This includes a development of 30 houses built by the City Council in 1913 and arranged around three sides of a landscaped open square. In a city noted for its role in social housing provision (especially the Joseph Rowntree Foundation) this is a development of some social interest.

- 4.10 The western side of the square is enclosed by Alma Terrace, which mostly consists of unexceptional terraced housing but which at this point includes a former late 19th century police station, now converted to a guest house ('Copper's Lodge'). The building dominates the western side of the square and is of some architectural and social interest, being strategically placed close to the army barracks and what were then the less salubrious residential areas nearby.

- 4.11 It is considered that the area has sufficient architectural and social interest to justify its inclusion in the Conservation Area, particularly in association with Wenlock Terrace (see **C** below).

C - Wenlock Terrace

- 4.12 This includes the terrace of twelve 5-storey houses on the south side of Wenlock Terrace and the five identical houses on the north side. These are very large houses, attractively and individually detailed and unique to York. They were built speculatively in the late 19th century to appeal both to the high-ranking officers of the military barracks and the higher social strata of the city's populace.

- 4.13 During the early 20th century two houses in the southern terrace were combined to create a soldiers' rest home, shown on the 1931 OS map, which has some importance in military / nursing history. Stables for the officers were provided in the south-west corner, (Nos 1-7 The Stables in Ambrose Street, since converted mews flats) and other buildings in the street have been occupied by the military at various times.

4.14 The houses in Wenlock Terrace are very similar to an adjacent terrace fronting onto Fulford Road, which is included in the Conservation Area but which comprises flats over shop units rather than full height dwelling houses. There is equal justification for Wenlock Terrace to be included in the Area, together with the former stables.

D - Ordnance Lane

4.15 This includes the eastern part of Ordnance Lane and a long narrow site running alongside containing houses and flats probably built for staff of the military hospital which it adjoined (now the Shepherd Construction office site). The buildings to the rear have some quality and architectural interest, as well as some social interest. The area would not justify conservation area status in isolation but in association with the Wenlock Terrace housing it is considered to add further interest and diversity, and to justify inclusion.

E - Cavalry Barracks Site

4.16 The majority of this site has been redeveloped in recent years, leaving only the guard rooms on the frontage, and in places nothing more than the high boundary wall. The existing Conservation Area extends rather deeper into the site in order to include the mature trees which add strength to the frontage, but the boundary is indeterminate and either cuts through or excludes some critical trees.

4.17 It is considered desirable to relate the boundary to existing site features (- the internal road layout -) and ensure inclusion of the critical trees.

4.18 At the same time it is proposed that the new boundary be extended northwards through the Fulford Arms carpark and the rear of the Christian Science Church at the corner of Kilburn Road. The purpose is not to protect the church but to ensure greater control over this corner site, which marks the start of the Conservation Area on the

east side of Fulford Road and if ever redeveloped would require a building form compatible with the public house and barracks adjoining. Consent for redevelopment has recently been granted which meets this requirement.

F - Frontage to Hospital Fields

4.19 This site has been redeveloped in recent years as offices for Shepherd Construction. It occurs at a point where the Conservation Area is fragile due to new development on both side: of the road, and where a firm definition of the highway boundary is essential.

4.20 As part of the redevelopment a strong boundary wall has been provided, backed by occasional trees: however, these features lie outside the Conservation Area boundary, and it is considered desirable to protect them by setting the boundary 5 metres behind the highway frontage. The mature trees further within the site are already protected by Tree Preservation Orders.

G - Frontage to retail store complex

4.21 This site (formerly the tram depot) has been developed in recent years as retail outlets around two sides of a shoppers' car park. The old Fulford Cross is located just to one side of the carpark entrance. The complex is of modern design, unrelated to the Conservation Area, and has required screening from Fulford Road.

4.22 As part of the redevelopment a tree screen has been provided, set within walled shrubbed areas. However, the trees lie outside the Conservation Area boundary and are unprotected: in addition, the existing boundary does not acknowledge the cross and the need to control a zone around it to ensure a proper setting. It is therefore considered desirable to protect the trees and setting of the cross by setting the boundary 5 metres behind the highway frontage.

H - Derwent Road / Broadway

4.23 Two minor adjustments are proposed in this area. At present the Conservation Area includes No 1a Derwent Road, which is a modern bungalow built to the rear of No 145 Fulford Road. Whilst it stands in the rear part of what was historically one plot it is now independent and out of character with the Conservation Area and the boundary ought to be adjusted to exclude it.

4.24 At the same time the Conservation Area excludes the original house No 151 Fulford Road ('Broadway Lodge'), at the corner with Broadway, which is a symmetrically designed and presentable detached house of the 1930's: it also occupies a conspicuous corner site at the entrance to the Conservation Area. It is therefore considered desirable to include this house (and of necessity No 149) in the Conservation Area. No 151 has been extended in recent years to include Nos 1-3 Broadway, but it would not be appropriate to include them in the Area.



Wenlock Terrace (Area C)



Retail complex frontage (Area G)

5 GENERAL CHARACTER

- 5.1 Fulford Road is a large scale road which leads out of the city centre with a great sense of purpose. As a major route to and from the city centre since mediaeval times it has attracted diverse uses which for strategic reasons have required on the one hand proximity to the city centre and on the other hand ease of departure to other parts of the country, or space, or amenity.
- 5.2 Its attractiveness as a residential area between the city centre and Fulford has been long established and has resulted in a diversity of housing ranging from large early 19th century semi-rural villas to densely planned Victorian terraces and mid-war housing developments. The strategic value of the area is reflected in the high number of hotels and guest houses, in common with other major radial routes such as the A1036 further west.
- 5.3 However, unlike the other main radial routes which have mostly retained their basic suburban residential character or which follow attractive strays into the city, the character of the road has been greatly dictated by the Cavalry and Infantry Barracks built in the late 18th and 19th centuries. The barracks have in turn attracted other specific forms of use and architecture which do not appear elsewhere in the city.
- 5.4 As a consequence the Fulford Road Conservation Area has a more functional and purposeful appearance than equivalent routes into the city centre. It has a diverse character which changes along its length, making it difficult to generalise other than to describe it as lining a large scale and very busy radial route, the highway itself being of generous width and enhanced by broad landscaped verges and the mature trees which line most of the eastern side.

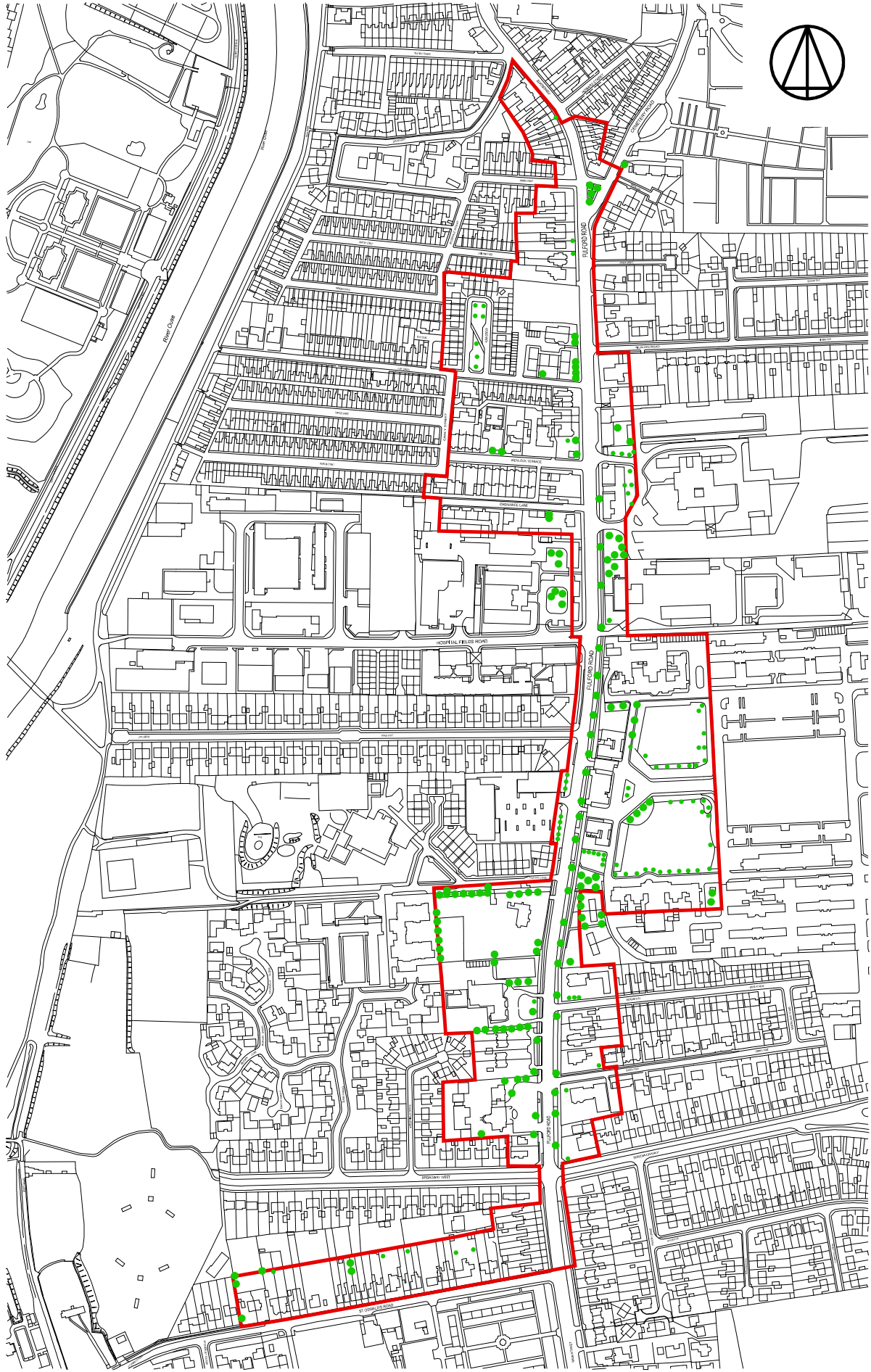
- 5.5 A useful way of appraising the area is to regard it as comprising 4 sections travelling north to south viz:

Fishergate to Alma Terrace, which is primarily residential in character;

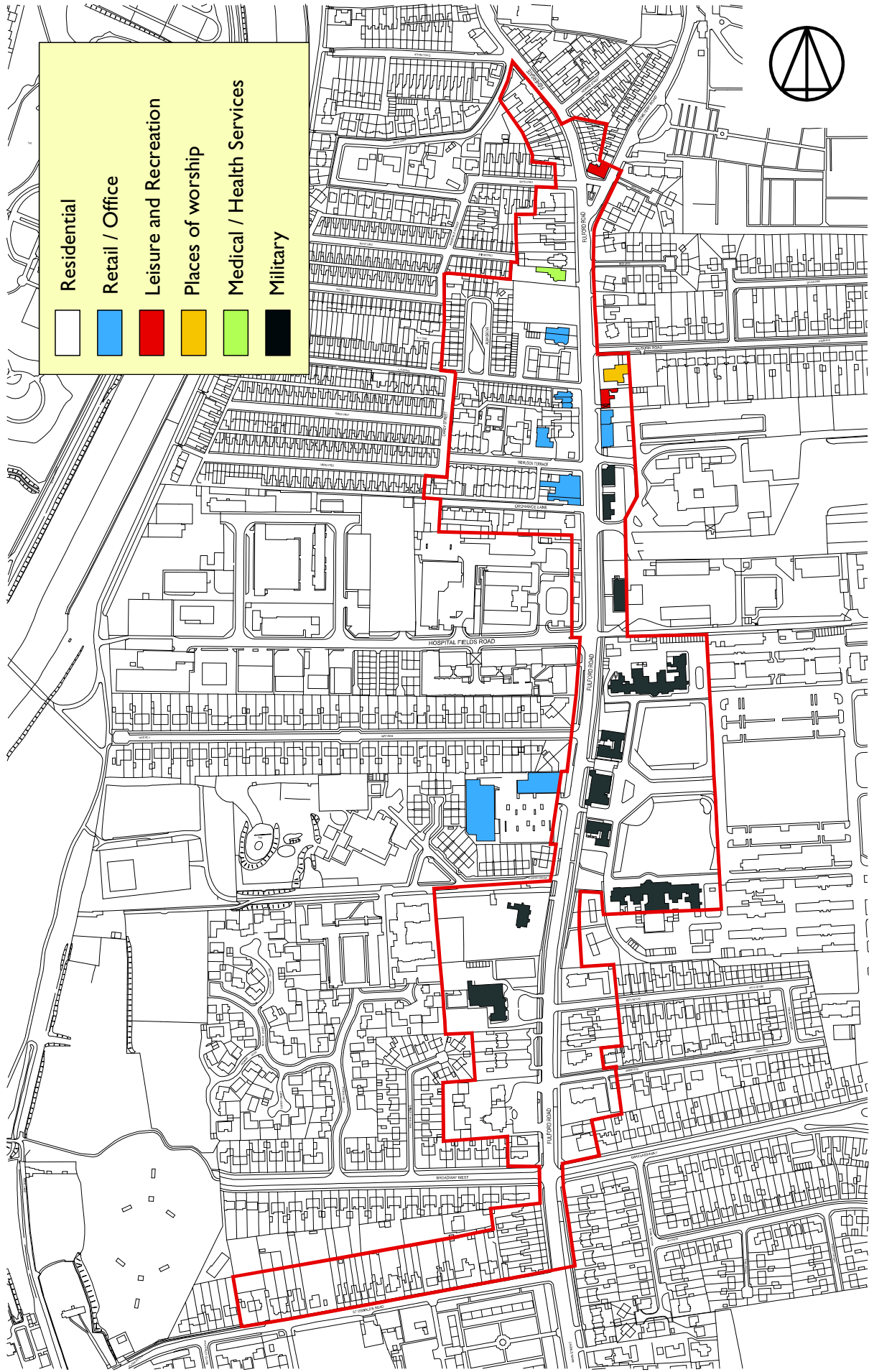
Alma Terrace to Hospital Fields Road - the former Cavalry Barracks etc (These two sections comprise the Northern Area described in Section 6)

Hospital Fields Road to Fulford Cross - the Infantry Barracks; and

Fulford Cross to St Oswald's Road, which is residential in character (These two sections comprise the Southern Area described in Section 7.0)



Map showing visually prominent trees



Map showing building uses

6 THE NORTHERN AREA (see plan page 22)

Fishergate to Alma Terrace

6.1 The Conservation Area begins with the Priory Hotel on the west side of Fishergate, which appears to comprise two large original houses built in 1875. They are particularly attractive and distinctive due to their ogee gables, polychrome brickwork, decorative stone dressings, and ornate ground floor bay windows.

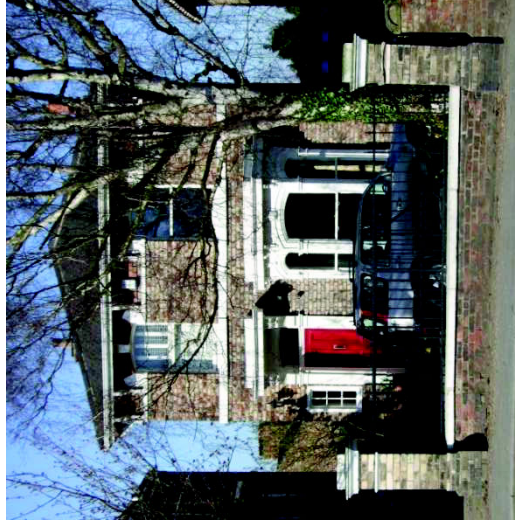
6.2 The remainder of Fishergate is lined by opposing terraces of mid Victorian houses, those to the west set behind attractive walled and railed gardens. They are typical of York for their age, having decorative door surrounds, bay windows, eaves details and brickwork, but they are unusual in being curved to follow the sweep of the road, which is a distinctive feature of the townscape, and their roofs are still uninterrupted by later dormers. The eastern block helps to form a visual 'stop' to Fulford Road when looking north. The shopfront and forecourt to No 152 at the corner of Grange Street are rather alien and could benefit from improvement.

6.3 Fishergate is joined by Cemetery Road to become Fulford Road, with the Grade II listed Conservative Club in between, facing a walled amenity area where the roads meet. The Club was built as a house around 1810, standing in isolation: it has been altered by later bay windows and marred by modern windows but it provides a visual 'stop' to the north end of Fulford Road, together with the trees in the amenity area.



Priory Hotel, Fishergate

6.4 Travelling southwards Fulford Road is quickly established as a wide, busy road with houses on either side. Those to the east comprise 1930's housing which is outside the Conservation Area but those to the west comprise substantial detached and semi-detached villas in spacious attractive gardens fronted by decorative iron gates and railings. They are similar to those in Fishergate but of larger size and higher status. Some have charming or interesting details such as semi-circular headed dormer windows or roof turrets. Nos 156 -158 are larger scale houses in yellow brick decorated with polychrome and moulded brick, decorative panels and decorative dormer windows.



Victoria Villa, Fulford Road

6.5 The villas are followed by a large vacant site which requires sensitive infill. Beyond are two semi-detached Grade II Listed houses now combined for office use (Linby House): No 182 was built in the 1850's, with its symmetrical front façade and classical porch curiously facing south, sideways to the road: No 180 was added to the rear in the early 20th century. They are fronted by mature trees which become more characteristic of the Area moving southwards.

6.6 This section of Fulford Road finishes with the Arncliffe Mews retirement home at the corner of Alma Terrace. Although large in mass, and of modern design, its scale has been reduced by careful massing to fit in with the Conservation Area and prevent it from being too obtrusive.

6.7 The Conservation Area makes a detour along Alma Terrace, which on the south side consists of a terrace of standard yellow brick houses typical of late Victorian York. The purpose of the detour is to include Alma Grove, which is a complex of 30 houses built in 1913 around three sides of a landscaped area.

These are the first Council houses to be built in the city, originally planned to surround a bowling green which did not materialise. Many have been altered over time and with sale to their tenants but their basic form is unchanged.

6.8 Alma Grove is given added character by the former police station 'Coppers Lodge' facing into the square from Alma Terrace. This late 19th century solid red brick building, with its near symmetry, decorative chimneys and arched windows, was built here to maintain order in the terraced housing spreading out from the city centre and offering convenient distractions for soldiers from the barracks. A shed to the rear appears to be the former police stable recorded as being here.

6.9 The lane behind Alma Terrace is one of a decreasing number of lanes still paved in decorative blue Victorian paviments made from furnace slag, and has survived much as it was when first laid.

6.10 This section of the Conservation Area is primarily of architectural and townscape interest, but with a degree of social interest.



“Coppers Lodge” (old police station)



Alma Grove 1913 Council houses

Alma Terrace to Hospital Fields Road

6.11 Alma Terrace marks a changing point in the Conservation Area, where the predominantly residential character so far is overtaken by the military establishments to the south. The late 18th century Cavalry Barracks and its associated nursery garden which once dominated the east side of the road have now largely disappeared leaving only the later guard houses and walls on the frontage, but the military influence is still tangible.

6.12 The main entrance to the Barracks has unfortunately been closed up with a brick wall but the late 19th century guardrooms either side survive and are distinctive due their formal pediments and their polychrome brick and stone detailing: the lead clad turret behind the northern guard house is an attractive feature, and the small barred windows in the former cells are evidence of their security role. The mature trees behind the guardrooms and boundary walls add strength to this side of the road.

6.13 Within the site nothing of the original Barracks survives, although the large and decorative 'Coade stone' coat of arms which originally adorned the front of the 1796 Officers Mess was relocated to the Infantry Barracks in 1970 and re-displayed east of the parade ground, outside the Conservation Area.

6.14 The Fulford Arms public house just north of the barracks site - originally the Barracks Tavern) is of some historical and social interest, having served the military since it was built around 1830. The Conservation Area boundary passes behind the public house and through the rear of the Christian Science church at the corner of Kilburn Road: this is not intended to protect the church per se (which is of neutral value to the area) but to ensure that any redevelopment is compatible with the Area and relates to the public house adjoining.



Cavalry Barracks, former entrance



Coade stone coat of arms

6.15 On the west side of the road the Grade II Listed Holly Lodge guest house was built in the mid 19th century together with two adjoining cottages (Nos 200-202 Fulford Road) with ornate timber porches. It seems likely that they were built for the owner and workers of a large nursery on the site, no doubt serving the Barracks as military demand began to exceed supply. Holly Lodge is of classical vernacular design whilst the cottages have a semi-rural charm which is unusual for this context.

6.16 Holly Croft, now accessed from Wenlock Terrace, is another large classical vernacular house built in the 1850's behind Holly Lodge. Although built for a private businessman it was owned by the army throughout most of the 20th century, at one time housing the Command Paymaster.

6.17 The combination of Holly Croft, Holly Lodge and the adjoining cottages, together with the high walls bounding the main houses and the mature trees near Fulford Road, make an interesting and attractive contribution to the Area.

6.18 Wenlock Terrace was laid out and built in 1882-3 and is quite exceptional in York. It comprises a terrace of 12 massive houses on the south side and a terrace of 4 similar houses on the north side, each house being 5 storeys high with family rooms on three floors and servants rooms in the basements and attics. They are boldly modelled with turreted bay windows, and ornamented with polychrome brick and stone dressings: the Gothic style doorways have stone columns and labels, nearly all the details being of a different design. The block facing Fulford Road is similar but contains flats over a row of shops.

6.19 When first built Wenlock Terrace was one of the most prestigious addresses in the city, built to house high ranking army personnel and the top strata of York society. At the western end, in Ambrose Street, are the former stables for the residents, recently converted to mews-type flats and houses but retaining much of their original character and detailing, including the 'taking in' door at loft level. Most of the original gas lights in Wenlock Terrace still survive, converted to electricity.



Holly Lodge



Holly Croft

6.20 The short block of four houses on the north side of Wenlock Terrace is particularly significant in military history as being a Soldiers Home during the First and Second World Wars. The home founded by Miss Mabel Campbell-Walker, referred to as the 'Florence Nightingale of the Twentieth Century', who ran it with a band of volunteers as a rest home where soldiers could find shelter, entertainment and religious guidance, and to accommodate the relatives of patients in the adjoining military hospital.

6.21 Some of the walled and railed basement areas are somewhat run down and could benefit from repair and restoration. At the entrance to the street there is a derelict building and overgrown yard on the south side which badly needs upgrading.

6.22 This section of Fulford Road terminates with the site of the 1854 military hospital, finishing at Hospital Fields Road. The site has been cleared and

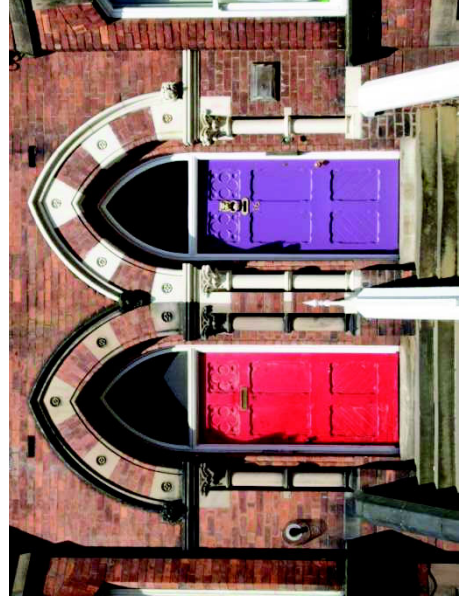
redeveloped in recent years as an office block and is not included in the Conservation Area, but a strong wall with railings has been built on the curtilage to give a clear boundary to the highway and evoke the former military use.

6.23 Just before the new office development Ordnance Lane runs off to the west, originally leading to the Royal Army Ordnance Depot established behind the hospital in 1890. The Lane itself is utilitarian but it includes an interesting and robust terrace of flats and maisonettes built in 1903 for married hospital staff, and a later 1920's house (No 9) presumably for higher ranking personnel.

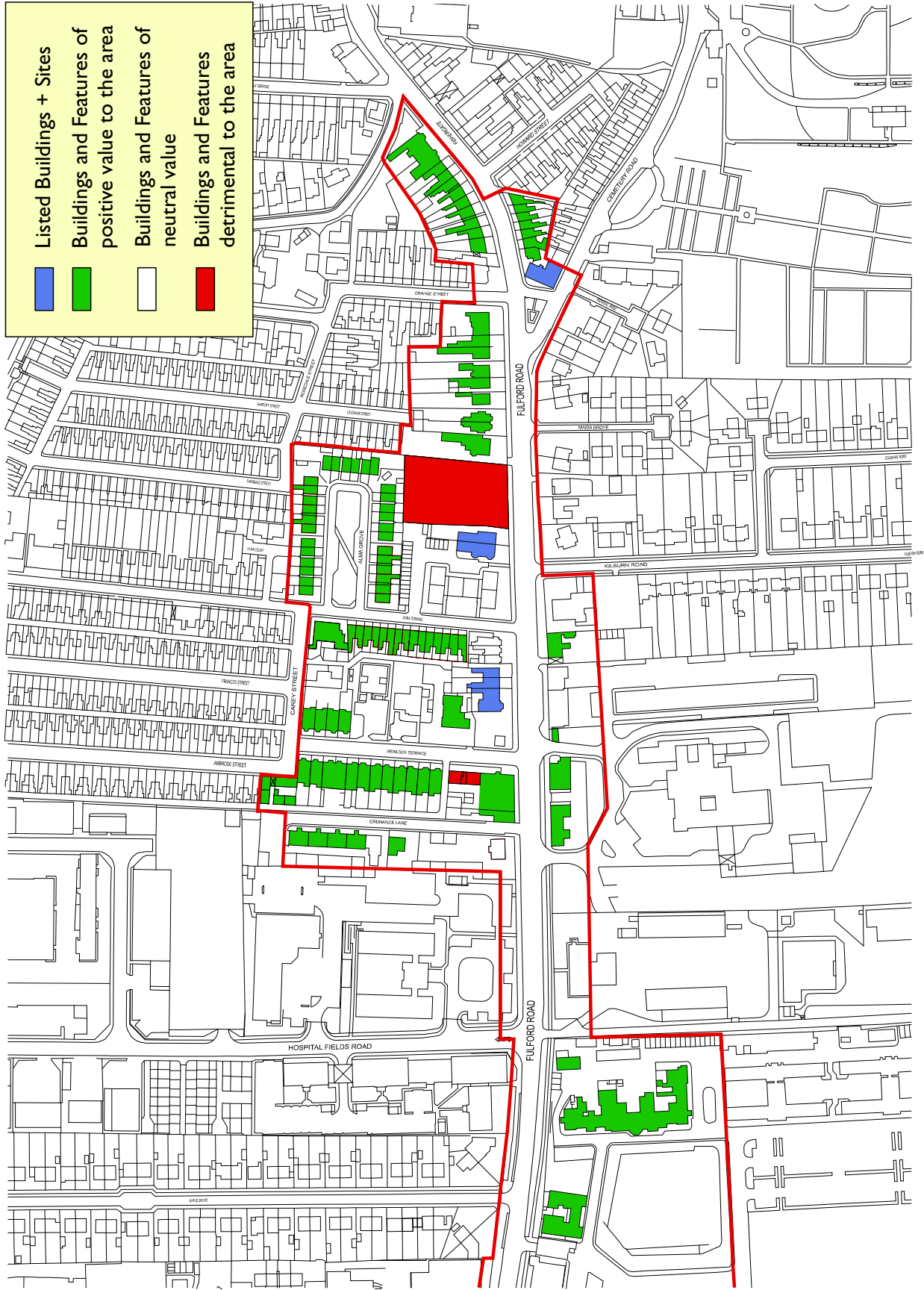
6.24 This section of the Conservation Area is of considerable architectural and social interest, with high military associations.



Wenlock Terrace – typical column head



Wenlock Terrace – entrance doorways



Map of Northern Area

7 THE SOUTHERN AREA (see plan page 27)

Hospital Fields Road to Fulford Cross road

7.1 The entire eastern part of this section of Fulford Road is occupied and dominated by Imperial Barracks, built as the Infantry Barracks in 1877-80. It is softened by the wide grass verges either side of the road, and the regularly spaced mature trees planted along the eastern verge after the First World War. It has a less urban feel due to the absence of buildings hard against the highway and the fall and rise in the road. The powerful presence of the Barracks on the east side compensates for the relative lack of interest on the west.

7.2 The Barracks are very clearly defined by the thick, buttressed walls along the northern boundary (a public path and cycleway) and the robust walls and railings along Fulford Road. Internally, the front part of the site is softened by the wide lawns and a wealth of mature trees.

7.3 The buildings visible within the Barracks site are of varying scale, those near the frontage generally being of small scale

and informal massing, with larger scale and more powerful blocks flanking the parade ground within. But there is a consistency of material and detail throughout, using a palette of reddish brown brick, blue engineering brick dressings, and pitched Welsh slate roofs with corbelled eaves and verges. They project an appropriate image of permanence and solidity.

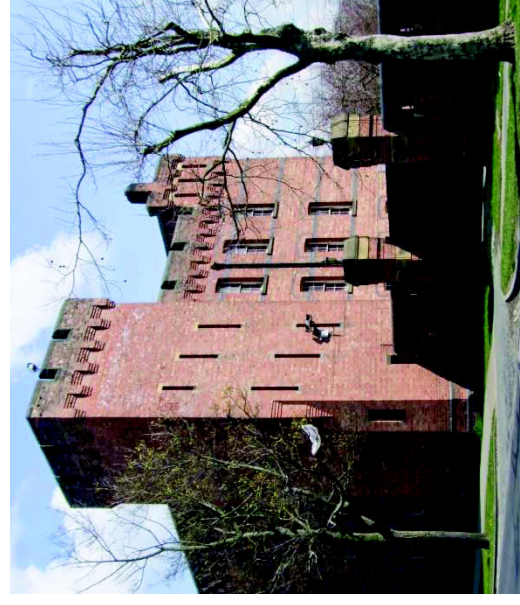
7.4 The Barracks Keep (Listed Grade II) is the most prominent and distinctive building in the Conservation Area. Its materials are similar to those used elsewhere but it has a battlemented flat roof, corner towers and small barred windows, all giving a defensive mediaeval appearance. It protects entrance gateways either side with massive gate piers.

7.5 The historic interest of the complex decreases eastwards due to replacement with new buildings, and the Conservation Area therefore only includes the western part of the site and its related original buildings, stopping at the parade ground / carpark, which have the main visual impact on Fulford Road. The only feature of

historic interest in the eastern part of the site is the 1796 coat of arms brought from the Cavalry Barracks in 1970 and mounted in a low brick display panel.



Barrack building



Keep

7.6 The western side of Fulford Road is mainly occupied by 1930's and modern residential developments which are excluded from the Conservation Area. Of these, the modern block of flats on Hospital Fields Lane is compatible with the Area in terms of its scale and materials but Maple Grove has a splayed entrance which is disruptive.

7.7 The western side is further disrupted by a modern retail complex and its carpark, built on the site of the former tram depot (1880). However it is gradually becoming more screened by trees planted behind the frontage, which will be protected by inclusion within the revised Conservation Area boundary.

7.8 The ancient Fulford Cross now stands rather incongruously next to the carpark entrance, half encircled by a raised shrub bed. The cross is an Ancient Monument and a Grade II Listed structure erected around 1484 probably to mark the boundary of grazing rights held by the City (to the north) and St Mary's Abbey (to the south). It has lost its head but the lower

part of the shaft and its stepped plinth are still intact.

7.9 Although much modernised on its western side this section of the Conservation Area has considerable townscape and historic interest, with a predominantly military character. On the west side it finishes at the road also (confusingly) known as Fulford Cross.

Fulford Cross road to St Oswald's Road

7.10 South of the Barracks Fulford Road rises gently upwards to the south and briefly becomes almost rural in character, with mature trees and stretches of hedgerow lining the east side and concealing two large detached houses of high status. 'Danesmead' of 1904 and 'Ousefield' of 1899 were both designed by the notable local architect Walter Brierley and are Listed Grade II. The elaborate bay windows and neo-Georgian details of Ousefield can be glimpsed from the road. They are now in army ownership and exude an air of quiet exclusivity and privacy.



Fulford Road south of Fulford Cross



Ousefield

7.11 A short distance beyond Ousefield is a large late Victorian villa, built of white brick and complete with its stable block, originally known as 'Westfield'. It was converted in 1936 to become the more commonly known 'Gimcrack' licensed hotel, providing a popular resort for army officers, but it has recently been converted into flats.

7.14 The remainder are early 20th century houses, now mostly converted to guest houses. The Limes (No 135) is particularly attractive due to its bay windows, leaded front porch and corbelled gable chimneys: it was designed by the notable local architects Penty and Penty in 1903. Other houses have interesting details – the classical porch to No 137, and the subtly tapering chimneys to Midway House.

7.12 Between Ousefield and the old Gimcrack Hotel the Conservation Area includes two pairs of 1930's semi-detached houses (Nos 286-292) set well back from the road: the purpose is not to protect the buildings per se but to ensure that any future replacements respect the existing building line and character of the area.

Former Gimcrack Hotel



7.13 By comparison, the east side of Fulford Road has a much more suburban character, with closely spaced detached and semi-detached houses set within shorter gardens behind low front walls or hedges. De La Salle House (No 147) is the former vicarage to St Oswald's church, built in the late 19th century with its front wall topped by a cast iron railing of twisted rope carrying decorative swags.

7.15 Broadway and Broadway West are unfortunate intrusions in the Conservation Area, being the product of 1930's housing development which also extends beyond the road junction towards Fulford on the east side. Fulford Road changes character at this point, with fewer trees and a more open aspect.

7.16 Despite the later intrusions the extension of the Conservation Area as far as St Oswald's Road beyond is historically appropriate since the latter marked the old parliamentary boundary of York, and the county and borough boundaries of York after the Act of 1884.



The Limes

7.17 A very large terrace of Victorian houses (Nos 298-314 Fulford Road and No 1 St Oswald's Road) stands on the west side of Fulford Road and although some distance away acts as a visual 'stop' when looking southwards along Fulford Road from the Fulford Cross area. Whilst most of its detailing is typical of York (joinery, bay windows, front railings and gates etc) the block is unusually large and the two-storey bays add to its scale.

7.18 This section of the Conservation Area terminates with St Oswald's Road, which branches off westwards towards the River Ouse. It is a spacious and quiet residential cul-de-sac with a very strong sense of identity, quite different in character to anything else in the Area. It appears to be a road created after the 1759 Enclosure Act to link Fulford Road to the 12th century Church of St Oswald close to the River Ouse, before the existing Victorian church was built in Fulford village: the old church has been converted to a dwelling and lies beyond the Conservation Area boundary.

7.19 Whilst the houses vary considerably in their design, ranging from detached houses to humbler short terraces, there is a consistency of scale and materials which gives unity to the whole. The houses are two storeys high apart from No 11 which is three storeys high and out of character. They are mostly mid 19th century in date but become later towards the west, culminating in a large detached yellow brick house of late 19th / early 20th century date. They appear to have been popular with army personnel when first built.

7.20 Roofs are pitched and clad in blue-grey slate, mostly aligned parallel to the street, with large brick chimneys marking party walls and gable ends. Walls are of reddish-brown local clamp brick with vertical sliding sash windows, and many larger houses have bay windows of various designs. Many of the short front gardens are bounded by decorative cast iron railings, high hedges or ornamental shrubs.

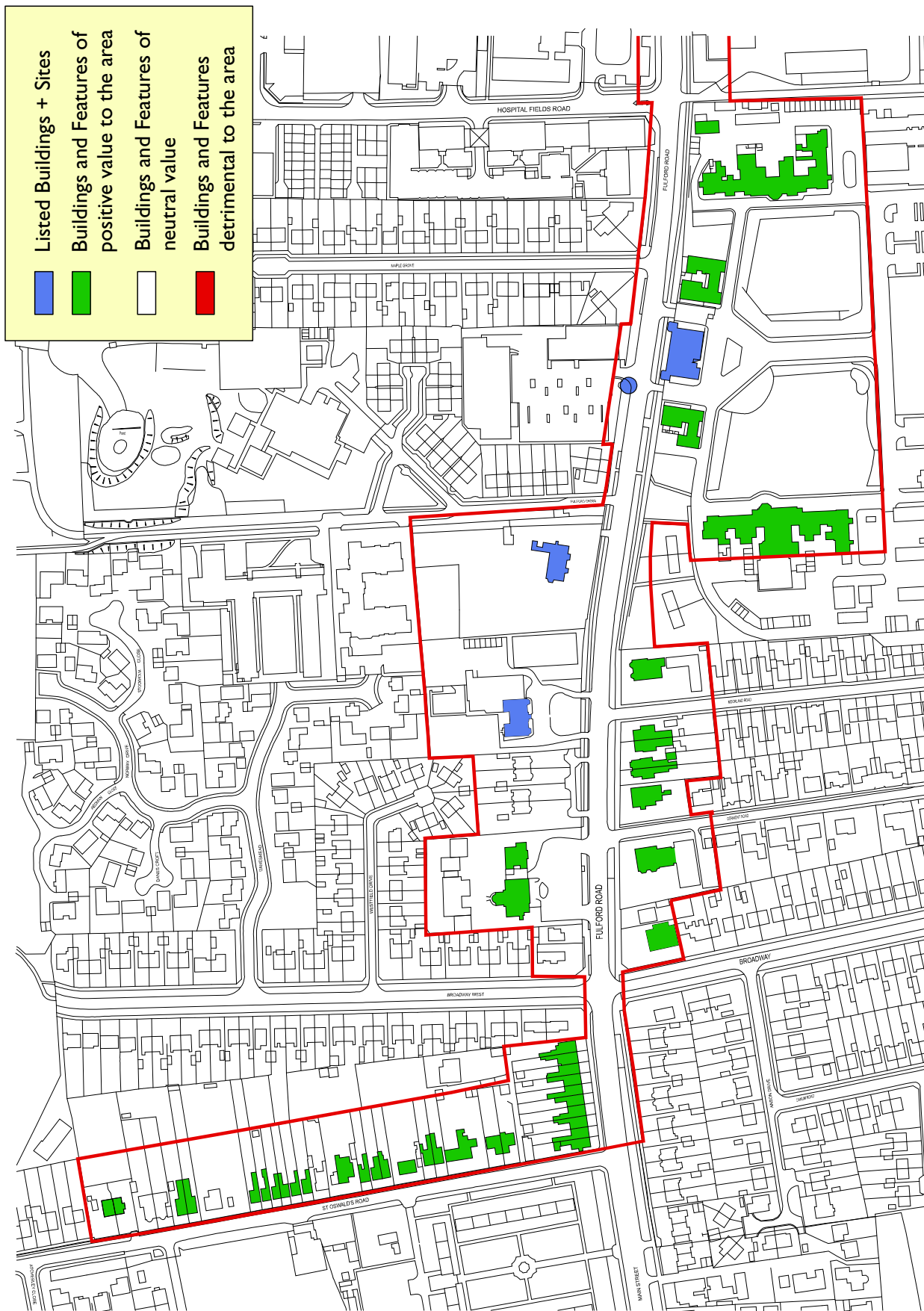
7.21 Gaps between the houses generally reveal long gardens containing mature trees indicative of their original semi-

rural setting. One unusually wide and deep plot has had a new house built to the rear, but further rear development would be detrimental.

7.22 This section of the Conservation Area has considerable townscape and architectural interest.



St. Oswalds Road

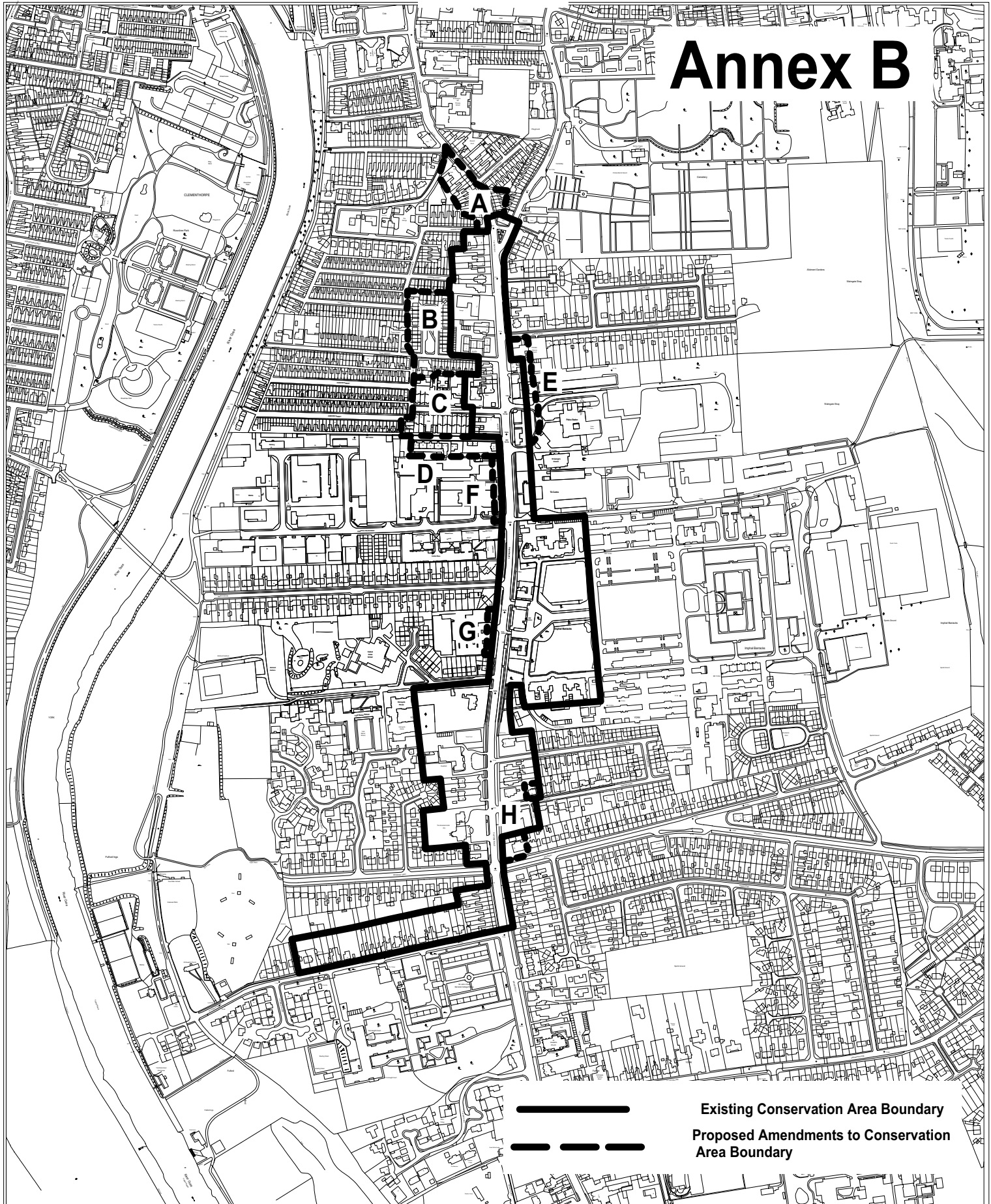


8 FUTURE MANAGEMENT SUGGESTIONS

- 8.1 In some sections the Conservation Area has become particularly fragile due to redevelopment, sometimes on both sides. Where new development is proposed outside the Area but affecting its setting it is important to secure new development which strives to preserve or reinforce the character of the Area, and which in particular has robust frontages with minimal breaks, in order to avoid disrupting the firm highway boundary.
- 8.2 The design of new buildings needs to observe closely the characteristics of the Area and be guided by them: and development control policies should attempt to restore traditional forms and details where these have been lost.
- 8.3 Where original front boundary walls are important features they should be retained and encouragement given to their reinstatement where lost eg in Fishergate, Wenlock Terrace and St Oswalds Road.
- 8.4 Article 4 Directions might be worth considering where the buildings have remained relatively unaltered by for example modern, dormer windows, windows and wall finishes eg in Fishergate, Wenlock Terrace and St Oswalds Road.
- 8.5 Large parts with the Conservation Area are still occupied by the military. Planning control in these areas is subject to negotiation with the Local Planning Authority rather than the normal planning control processes and a mutual understanding of duties and priorities is essential.
- 8.6 The high volume and speed of traffic passing through the Area detracts from its appearance and amenity, and makes crossing the road an obstacle: measures to reduce and slow the traffic would be very desirable, if designed to be compatible with the character of the Area. Any kerb re-alignment and surface demarcation to identify cycle or bus routes etc should be done sensitively in liaison with the Council's Conservation Officer.
- 8.7 The tall steel lighting standards lining Fulford Road are reasonably discreet but are in very poor condition and need redecorating: any replacements should be of an equally discreet appearance. Wenlock Street is still lit from original decorative cast iron lamp posts which ought to be retained: those in Alma Terrace and Alma Grove are more modern but fit the scale and character of the street and any replacements should be equally well chosen.
- 8.8 The highway is vulnerable to intrusion by utility services. Some footpaths are heavily patched by trenching and could benefit from re-surfacing eg between Maple Grove and Fulford Cross, where it would also appear possible to narrow the footpath and reinstate the grass verges.
- 8.9 It would be a great asset if the multitude of overhead telephone wires in Alma Grove and St Oswalds Road could be put underground or routed out of sight.

- 8.10 Some seats on the footpath are of crude modern design, consisting of timber planks set into concrete frames. The timber is rotting and the seats should be replaced with something more appropriate. Litter bins are designed for being wall mounted but in most cases are free standing and look untidy: they ought to be replaced with a free-standing design.
- 8.11 The walled amenity area at the junction of Fishergate and Cemetery Road is in poor condition and poorly presented: the walls need repair and the area re-landscaped.
- 8.12 Information plaques would be an asset to explain the history of the area, eg outside each of the military barracks, in Alma Grove, and in Wenlock Terrace. The plaque commemorating Fulford Cross is too high for children and inaccessible for wheelchairs, and perhaps ought to be lowered and brought forward to the pavement.

Annex B



 Existing Conservation Area Boundary
 Proposed Amendments to Conservation Area Boundary



CITY OF YORK
COUNCIL
 9, St Leonards Place, York, YO1 2ET
 Telephone: 01904 551550

CONSERVATION AREA 7 - Proposed Amendments

<small>SCALE</small> NTS	<small>DRAWN BY</small> PSL	<small>DATE</small> 20/8/2009
<small>Originating Group</small>	<small>Project</small>	<small>Drawing No.</small>
		CA7PE

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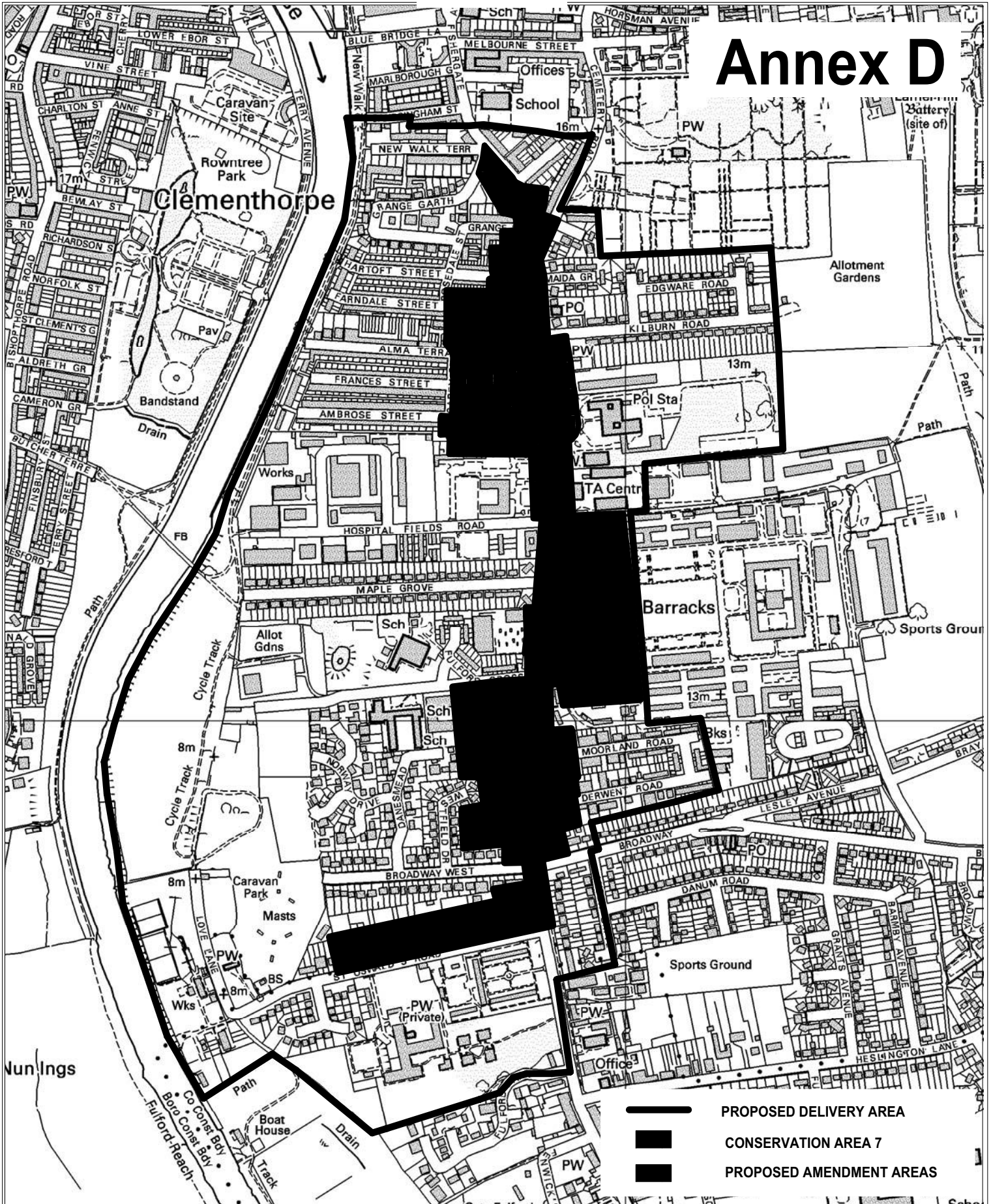
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ANNEX C – Consultee List for Fulford Road Conservation Area Character Appraisal, Sept 2009

NAME	POSITION	ORGANISATION
Cllr D'Agorne	Fishergate Ward Councillor	City of York Council
Cllr Taylor	Fishergate Ward Councillor	City of York Council
Clerk currently vacant	c/o Ward Councillors	Fishergate Planning Panel
Mrs J M Fletcher	Clerk	Fulford Parish Council
Major Fowler	Site Manager	Imphal Barracks
Sir	Site Manager	North Yorkshire Police
Sir	Site Manager	Territorial Army Centre
TBC	Applicant	Christian Science Church, Kilburn Road
Mrs M Cade	Manager	Connaught Court (RMBI)
Andrew White		Royal Masonic Benevolent Institution HQ
Mr A Ware	Clerk to Trustees	Sir John Hunt Almshouses
Sir	Store Manager	Aldi Store
Sir	Store Manager	Iceland Store
Sir	Manager	Bathrooms By Design
Sir	Site Manager	Shepherd Construction Ltd
Sir		Yorkshire Water Services
Sir		Northern Electric Distribution Ltd
Sir		National Grid Transco
Alison Sinclair	Chair	York Open Planning Forum
Verlie Riley	Coordinator	Conservation Area Advisory Panel
Lynne Walker		Council for British Archaeology
Dr G Woolley	Chair	CPRE (York and Selby District)
Ms Alison Fisher		English Heritage
Mr Steve Roskams		York Archaeological Forum
Mr Peter Brown	Director	York Civic Trust
Mr David Brinklow	Chairman	Yorkshire Architectural & Archaeological Society
Susie Cawood	Chief Executive	York & NY Chamber of Commerce
Barry Potter	Chair	York Natural Environment Panel
Sir	Coordinator	Twentieth Century Society
Michael Slater	Assistant Director	CYC City Strategy
Martin Grainger	Principle Forward Planning Officer	CYC City Development
Derek Gauld	Principle Development Officer	CYC City Development
Esther Priestley	Landscape Architect	CYC DCSD
Bob Missin	Countryside Officer	CYC DCSD
John Oxley	City Archaeologist	CYC DCSD
Simon Glazier	Team Leader East Area Planning Team	CYC Development Control
Jonathan Carr	Head of Development Control	CYC Development Control
Ian Stokes	Principle Transport Planner - Strategy	CYC Transport Planning Unit
Howard Watson	Area Engineer	CYC Highway Development
Dave Webster	Project Leader (Fulford Cycle Route)	CYC Development & Transport
Karen Streeton	Support Services Manager	CYC Development Control
Pete Audin	Head of Local Land Charges	City of York Council
Quentin Baker	Head of Legal Services	City of York Council
Oliver Collins	Neighbourhood Pride Officer	CYC Neighbourhood Pride

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Annex D



9, St Leonards Place, York, YO1 2ET
Telephone: 01904 551550

CONSERVATION AREA 7 - Proposed Delivery Area

SCALE 1:5000
Originating Group

DRAWN BY PSL
Project

DATE 20/8/2009
Drawing No.

CA7DA

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East Area Planning Sub Committee	10 th September 2009
West and City Centre Area Planning Sub Committee	17 th September 2009
Planning Committee	24 th September 2009

Appeals Performance

Summary

- 1 This report (presented to both Sub Committees and Main Planning Committee) informs Members of the Council's performance in relation to appeals determined by the Planning Inspectorate in the 12-month and 3 month periods to 31st July 2009 and provides a summary of the salient points from appeals determined in the 3 month period. Going forward it is intended that a quarterly report will be presented to regularly update Members on appeals determined in the previous 3 month period.

Background

- 2 Appeals statistics are collated by the Planning Inspectorate on a quarterly basis. Whilst the percentage of appeals allowed against the Council's decision is no longer a Best Value Performance Indicator, it has been used to abate the amount of Housing and Planning Delivery Grant (HPDG) received by an Authority performing badly against the average appeals performance. To date, there has been no abatement of this Council's level of HPDG as a result of appeals performance, as performance has been close to the national average for a number of years.
- 3 Members will be aware that appeal decisions are currently circulated directly to Members when received. However the decisions are not accompanied by an analysis of appeal performance or a case summary. The summaries of appeals determined in the last 3 months to 31st July 2009 at Annex A of the report is provided following requests from Members for a precis of the relevant points for future reference in considering applications. Details as to whether the application was dealt with under delegated powers or Committee (and in those cases the original officer recommendation) is included with each summary.

- 4 As this is the first appeals performance report, it contains statistics on appeals decided in the 12 months to 31st July, as well as the 3 month period as below. Whilst the Inspectorate breaks down the appeals by type in reporting performance, the table below includes all types of appeals such as those against refusal of planning permission, against conditions of approval, enforcement notices, listed building applications and lawful development certificates. The intention is to present updates on appeal performance with summaries on a quarterly basis.

**Fig 1 : Appeals Decided by the Planning Inspectorate
For 12 and 3 months to 31st July 2009**

	East Area		West Area		Combined	
	12 mths	3 mths	12 mths	3 mths	12 mths	3 mths
Allowed	7	0	15	3	22	3
% Allowed	21.21%	0%	45.45%	50%	33.33%	27.27%
Part Allowed	2	0	2	2	4	2
% Part Allowed	6.1%	0%	6.1%	33.33%	6.1%	18.18%
Dismissed	24	5	16	1	40	6
% Dismissed	72.27%	100%	48.48%	16.66%	60.61%	45.45%
Total Determined	33	5	33	6	66	11
Withdrawn	2	1	2	1	4	2

Analysis

- 5 The table shows that for the year up 31st July 2009, a total of 66 appeals relating to CYC decisions were determined by the Inspectorate. Of those, 33.33% were allowed and 6.1% part-allowed (e.g in the case of an Advertisement Consent application for a shop, an Inspector may approve a fascia sign but not a hanging sign). This rate of appeals allowed is about the current national average. However for the last 3 months of the period, the proportion allowed was 27.27%, which is a notable improvement.
- 6 Whilst the number of appeals is very similar for the two teams, there is a discrepancy between the number of appeals allowed in each area. The figures were to some extent affected by the upholding of a contentious triple appeal in the West area at Stud Farm in Middlethorpe during this period.

Consultation

- 7 This is essentially an information report for Members and therefore no consultation has taken place regarding its content.

Options

- 8 This is the first information report on appeals, and so whilst in future there will be no specific options provided, views are sought here as to the content, frequency and format of future reports as follows: -

Option A - Receive quarterly reports with the annex of case summaries as presented (recommended).

Option B - Receive reports in an amended format, as may be resolved by Members, with different performance information and/or frequency e.g. 6 monthly.

Option C - Do not receive future appeals performance reports.

Corporate Objectives

- 9 The report is relevant to the furthering of the Council's objectives of making York a sustainable City, maintaining its special qualities, making it a safer city, and providing an effective organisation with high standards.

Implications

- 10 Financial – There are no financial implications directly arising from the report
- 11 Human Resources – There are no Human Resources implications directly involved within this report and the recommendations within it other than the need to allocate officer time towards the provision of the information
- 12 Legal – There are no known legal implications associated with this report or the recommendations within it.
- 13 There are no known Equalities, Property, Crime & Disorder or other implications associated with the recommendations within this report.

Risk Management

- 14 In compliance with the Council's risk management strategy, there are no known risks associated with the recommendations of this report.

Recommendation

- 15 That Members agree to Option A, to approve the format, content and frequency of this update report.

Reason: So that Members can continue to be appraised of appeal decisions within the CYC area and be informed of the planning issues surrounding each case for future reference in determining planning applications.

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Report Approved Date

28th August 2009

Specialist Implications Officer(s) None.

Wards Affected:

All

For further information please contact the author of the report

Background Papers: None

Annexes: Annex A – Appeal Cases Summaries

ANNEX A**Appeal Summaries for Cases Determined 1st May 2009 to 31st July 2009**

Application No: 08/01238/FUL
Appeal By: Mr Daniel Scott
Proposal: Two storey side extension and single storey rear extension with skylight after demolition of existing garage
Site: 2 The Covert York YO24 1JN
Decision Level: Delegated

Delegated refusal of an application for a single storey rear extension and a two-storey side extension to a two storey semi-detached house. The proposed side extension was not subservient to the existing property in terms of massing and scale and was considered to be too large and dominant when viewed in the street scene contrary to policy H7 and the Householder Design Guide SPG.

The Inspector considered that the design objectives behind the SPG were laudable but that it was difficult to achieve consistency against the background of the variety of design that he had seen within the estate. His opinion was that the cul-de-sac was symmetrical and the proposed design would match that of the semi on the other side of the street; the proposed design would therefore assist in creating a balanced approach to the cul-de-sac as a whole. He concluded that the extension would not have a detrimental impact on the appearance of the dwelling or wider street scene. He added that there would be other situations within the estate, where such an approach would not be appropriate and he did not consider that allowing the present proposal undermined the importance of the SPG.
Appeal Allowed.

Application No: 08/02281/FUL
Appeal By: Ms Tracey Sinclair
Proposal: Single storey rear extension, two no. rear dormers and rooflight windows to front and rear
Site: 63 Huntington Road York YO31 8RL
Decision Level: Delegated

Delegated refusal of an application for a single storey rear extension, two no. rear dormers and front and rear roof lights at a two-storey terraced house. The refusal reason concerned the siting of the two dormers in the rear roof slope which were considered to be incongruous and harmful to the character and appearance of the conservation area.

The Inspector considered that, viewed from Diamond Street, the uniformity of the unaltered roofs was a pleasing part of the character of the conservation area and that there would have been a sound case for resisting any dormer windows in the roof slope. However, he noted that permission had been granted for a single dormer window by an earlier permission and that this introduced the principle of dormers in the terrace and undermined the Council's case. The two dormers would introduce a degree of symmetry that a single dormer would not and as such the proposal would not be harmful to the character and appearance of the conservation area. **Appeal Allowed**

Application No: 08/01962/FUL
Appeal By: Mr Raymond Fresson
Proposal: First floor front extension over existing garage
Site: 18 College Road Copmanthorpe York YO23 3US
Decision Level: Delegated

The detached dwelling lies within a row of similar dwellings, with a strong building line, all of which have small single storey front extensions in place. The application sought a first floor front extension over an existing garage. The reasons for refusal were: The proposal would be an unsympathetic addition to the front elevation of this detached dwelling. The massing of the proposal would not harmonise with the uniformity of surrounding buildings and would be unacceptable having a detrimental impact on the host dwelling and the visual amenity of the surrounding area and that which neighbouring residents could reasonably enjoy.

The Inspector noted that there are a variety of dwelling types in the street with no predominant house type or pattern. Several of these have been previously extended. Whilst the proposed extension would bring the first floor elevation forward by 1.8m the ground floor building line would be retained. It was not considered that the proposal would have a significantly harmful effect on the street scene. The design is considered sympathetic to main dwelling. **Appeal Allowed.**

Application No: 08/02274/FUL
Appeal By: Mr Patten
Proposal: Two storey side extension and first floor extension to part of the existing dwelling (resubmission)
Site: Knoll Cottage Cinder Lane Upper Poppleton York
Decision Level: Delegated

The appeal was determined by the method of written representations

The key issues were identified as: whether the proposal was inappropriate development in the Green Belt, the effect of the proposed development on the openness of the Green Belt, the effect on the character and appearance of the surrounding area and the Green Belt and whether harm by reason of inappropriateness would be outweighed by other considerations so as to amount to very special circumstances to justify the development.

The application for a substantial two storey extension to an essentially single storey property had previously been refused as having a detrimental impact upon the local street scene and being inappropriate development in the Green Belt by virtue of its scale and design.

The inspector having weighed up the case put forward by the appellant notably the nature and scale of recent and proposed development in the vicinity, decided to dismiss the appeal on the basis that the proposal by virtue of its scale and design represented inappropriate development within the Green Belt and additionally had a materially adverse impact upon the openness of the Green Belt and the character and appearance of the surrounding area. **Appeal Dismissed.**

Application No: 08/01478/FUL
Appeal By: Mr Peter Addyman
Proposal: Three storey rear extension, including external steel staircase. Also detached double garage
Site: 15 St Marys York YO30 7DD
Decision Level: Delegated

The application related to a 4-storey (including basement) terraced house in the conservation area. A rear extension covering just over half the width of the house a 2-storey extension was proposed at ground and first floor level, which would extend outward 3.4m. A smaller element was also proposed at ground floor level. Although the extensions were described as single and two-storey, in appearance they were taller as the ground floor level immediately outside the house was at basement level.

The rear of the house had an ordered and simple form, as it had not been extended and due to the arrangement and design of windows. Also within the terrace predominantly there were no extensions at the height proposed which interrupted the building line, although there were some old extensions which were prominent and detracted from the appearance of the terrace.

The application was refused as due to the shape, detailing and scale of the extension, it would detract from the appearance of the house and the terrace. Also as the taller extension was adjacent to the side boundary, it would be overbearing and overdominant over the neighbour.

The inspector ruled :-

- Due to the size of the extension it would appear 'obtrusive' & 'dominant'.
- The window design and arrangement would 'complicate and clutter' the rear elevation.
- Despite no objection from the neighbours (flats), the extension due to its height and projection from the building would be overdominant & overbearing.

Appeal Dismissed.

Application No: 08/02546/ADV
Appeal By: Mr Tony Pinkstone
Proposal: Display 2 No. externally illuminated built up logo signs, 1 No. double sided externally illuminated projecting sign and 2No. internally illuminated poster cases (resubmission).
Site: Tru Nightclub 3 Toft Green York YO1 1UA
Decision Level: Delegated

Consent was refused for a side hung sign and 2 internally illuminated poster cases.

Signage is low key on this street and it was considered the projecting sign, due to its modern design would detract from the appearance of the area and the overall amount of signs and illumination made them over dominant. The inspector agreed that the hanging sign harmed the appearance of the building / street, and that a more traditional sign would be more appropriate.

Because there were only 2 poster cases on the premises, their size was restrained and the illumination subtle, the inspector found these were an appropriate means of advertising upcoming events and did not detract from the appearance of the building or area.

Appeal Part Allowed (poster cases) Part Dismissed (hanging sign)

Application No: 07/01843/CLU
Appeal By: Barbara Wood
Proposal: Lawful Development Certificate for the existing use of the riverbed as residential boat mooring and use of riverbank as residential curtilage with uses ancillary to boat mooring
Site: M V Gringley Fulford Reach Mooring St Oswalds Road York YO10 4PF
Decision Level Delegated

CYC had issued a Certificate for the residential mooring for one houseboat but refused to certify that the adjacent riverbank could lawfully be used for purposes ancillary to the boat mooring. The site had the appearance of a yard and garden with a car, domestic storage and other domestic paraphernalia associated with the houseboat. Submitted evidence including Council tax records showed occupation of the houseboat since 1997.

The Inspector felt a distinction between the two continuous use of the mooring for domestic purposes since 1997 as opposed occasional, casual use, was required to demonstrate a lawful use. Submissions including photos suggested since 2003. Evidence from the Parish Council and a local resident convinced the Inspector that before 2000, the moored boats here were largely screened by vegetation and that a garden did not fully develop until 2003. Further photographs taken in 1999 showed the appellant's houseboat moored elsewhere along the river. The inspector concluded that the appellant did not occupy the mooring continuously prior to 2000, and so the residential use of the land adjoining mooring cannot have been continuous. **Appeal Dismissed.**

Application No: 08/02559/FUL
Appeal By: Mr Martyn Inwood
Proposal: Erection of detached dwelling (resubmission)
Site: Stockton Lodge Sandy Lane Stockton On The Forest York YO32 9UT
Decision Level Delegated

This application proposed the erection of a detached, 1.5-storey, 5-bedroom dwelling with attached, pitch-roofed double garage. Access would be from Sandy Lane via an existing crossover, which would continue to be used for accessing the agricultural land to the rear. The proposal was refused on the grounds that, its size, scale, design and narrow, back land location result in an over-prominent and incongruous form of development that would be out of keeping with the character and appearance of the street scene, contrary to Central Government advice in Planning Policy Statement 1: "Delivering Sustainable Development" and Planning Policy Statement 3: "Housing" and policies GP1, GP10 and H5a.

The inspector agreed that the applicant had failed to demonstrate that the site could not accommodate two dwellings, and therefore should not provide for a level of affordable housing. The inspector considered that the outstanding drainage issues could be conditioned, and open space provision secured through a section 106, or unilateral undertaking. However, she did not consider that would outweigh the harm to the character and appearance of the surrounding area, and the implications for affordable housing provision. **Appeal Dismissed.**

Application No: 08/01844/FUL
Appeal By: Mr Martin Cockerill
Proposal: Extension to existing farmhouse to form self contained living accommodation for employee
Site: Providence Farm Stamford Bridge Road Dunnington York YO19 5LQ
Decision Level Delegated

Application was refused on the grounds that the proposal represented inappropriate development in the Green Belt due to the disproportionate size of the extension over and above the size of the original building and that this harmed the openness of the Green belt. Appellants argued that the footprint was not increasing and that the first floor extension merely filled in a gap that was unseen anyway from public views. It was also claimed that greater weight should be attached to the need for the extension because it was required in connection with a full time stud manager who could foal the horses at short notice or in case of emergency.

Council argued that this did not represent Very Special Circumstances and that the appellant had not provided sufficient information to prove this need. With regard to the impact on the green belt the Council argued that whilst the footprint of the property was not increasing the first floor extension extended the ridge line of the house and that if filled an otherwise quite extensive gap between the appeal building and a two storey barn next door, so extending the built form of the site. The Council disagreed that this extension could not be seen from public views and showed the Inspector from where the extension would be visible. The Inspector agreed with the Council on all points and dismissed the appeal. **Appeal Dismissed.**

Application No: 09/00082/FUL
Appeal By: Mr Anthony Clarke
Proposal: Raise roof to create second floor extension (resubmission)
Site: 37 St Marks Grove York YO30 5TS
Decision Level Delegated

This application proposed the extension of 37 St. Marks Grove through the addition of a second floor and a side dormer. The dwelling had previously been extended through a two storey side extension which created two additional bedrooms bringing the total to five. It was considered that the proposed raised roof extension with dormer would, by virtue of its design and height, harm the character and appearance of the street scene. St. Marks Grove is characterised by dwellings of a consistent design and scale located within a rhythmic pattern. The proposed extensions were considered to upset the balance of the street scene through the addition of an incongruous design feature on a dwelling which follows the design principles of the surrounding area.

The inspector considered the key issue in this case was the effect of the proposed development on the character and appearance of the street scene. She considered that, as the extension would result in both the eaves and ridge height being notably higher than surrounding dwellings, it would impact adversely on the streetscene. She did not afford full weight to policies GP1 and H7, given the status of the local plan. However, she did consider the proposal would conflict with Government advice in PPS1. *Delivering Sustainable Development.* **Appeal Dismissed.**

Application No: 08/00181/FUL
Appeal By: Mr Kevin Marsden
Proposal: Erection of 2 no.two storey pitched roof detached dwellings after demolition of existing dwelling and garage
Site: 8 Hall Rise Haxby York YO32 3LP
Decision Level Committee (Officer Recommendation Approve)

This application was refused on the grounds that its siting, design, external appearance and materials of construction would constitute a form of development that would be incongruous, out of keeping and inappropriate in its context. As such, the visual appearance and amenity of the area would be compromised by the development.

The Inspector agreed with the Council's reasons for refusal. In his opinion, although this is a corner site and the degree of prominence is somewhat reduced on the Station Road frontage by the existing trees and vegetation, the plot facing Hall Rise would be clearly visible from Station Road junction and from Hall Rise. In the context of the area he considered that the proposed design and external materials conflict with those of neighbouring properties and introduce a style and design that is out of keeping with the character of the area. The scale of the development would also be visible and incongruous when viewed alongside neighbouring development. Hence the inspector concluded that the proposal would be harmful to the character and appearance of the area and contrary to the aims of policy GP1 of the draft local plan. **Appeal Dismissed.**