
MEETING	PLANNING COMMITTEE
DATE	29 APRIL 2010
PRESENT	COUNCILLORS R WATSON (CHAIR), D'AGORNE, FIRTH, FUNNELL, HORTON, HUDSON, HYMAN, MOORE, MORLEY, PIERCE, POTTER (VICE-CHAIR), REID, SIMPSON-LAING, B WATSON, WISEMAN AND ORRELL (SUB FOR CLLR JAMIESON-BALL)
APOLOGIES	COUNCILLOR JAMIESON-BALL

44. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
Playing Field, St Mark's Grove, York (109/004466/FUL)	To enable Members to view the proposed siting of the path and associated lighting in relation to adjacent residential development.	Councillors Horton, Hyman, Moore, Orrell, Reid, B Watson, R Watson, Waudby and Wiseman.
Rawcliffe County Infant School, Eastholme Drive, York (10/00148/FULM)	To enable Members to view the site and adjacent access road in view of objections received.	Councillors Horton, Hyman, Moore, Orrell, Reid, B Watson, R Watson, Waudby and Wiseman.
Land Lying to the West of Whitehall Grange, Wigginton Road, York (08/02543/REMM)	To enable Members to view the site in relation to its potential impact on nearby properties and the surrounding area which was in designated Green Belt.	Councillors Horton, Hyman, Moore, Orrell, Reid, B Watson, R Watson and Wiseman.

45. 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 Moore declared a personal non prejudicial interest in relation to Plans item 4a (Playing Field, St Mark's Grove, York) as he had promoted the proposals since 2003. He therefore stood down from the Committee and spoke from the floor.

Councillor D'Agorne declared a personal non prejudicial interest in relation to Plans items 4a and 4c (Playing Field, St Mark's Grove, York and Land

Lying to the West of Whitehall Grange, Wigginton Road, York) as the Cycling Champion and member of the CTC.

Councillor Morley declared a personal non prejudicial interest in relation to Plans item 4d (Proposed University Campus Lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road) as a member of the Heslington East Community Forum.

Councillor Pierce declared a personal non-prejudicial interest in relation to Plans item 4d (Proposed University Campus Lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road) as a member of the Heslington East Community Forum and former member of staff and student of the University.

46. MINUTES

RESOLVED: That the minutes of meetings of the Committee held on 3 February and 25 March 2010 be approved and signed by the Chair as correct records.

47. PUBLIC PARTICIPATION/OTHER SPEAKERS

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

The Chair did however agree to Councillor B Watson speaking on an item within the remit of the Planning Committee although he stated that he felt this was not the correct place in which to raise this issue.

Councillor B Watson stated that his concerns related to the proposed reorganisation of the Planning Enforcement Team. He referred to the recently undertaken Planning Enforcement Scrutiny Review which had been carried out in an effort to speed up the process and reduce the number of outstanding enforcement cases. He stated that a reduction in staff numbers at this point would reduce the Enforcement Teams efficiency and lose valuable experience and expertise.

The Chair confirmed that the Assistant Director (Planning and Sustainable Development) would provide a written reply.¹

Action Required

1. Provide written reply to Member.

MS

48. 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 the consultees and Officers.

48a Playing Field, St Mark's Grove, York (10/00446/FUL)

Members considered a full application, received from Mr Andy Vose, for the construction of a 2.5m wide footpath/cycleway with associated lighting and replacement of an existing footbridge.

Officers provided updated information at the meeting (full details of which are attached to the agenda for this item) relating the following:

- Submission of an amended plan, which showed the path, relocated to a point 2.5 metres away from property boundary's and with the removal of bollard lighting and its replacement with solar panelled lighting.
- No highway objections to the principle of the development.
- Details of the procedure to be followed to change the line of the definitive path.
- An additional condition in respect of the motorcycle barrier and landscaping.
- As solar lighting was no longer proposed a condition requiring control of lighting was no longer required.
- Officers stated that if members were mindful of approving the principle of the amended scheme they suggested that further consultation should be undertaken and power delegated to the Chair, Vice Chair and Assistant Director to approve the application provided that no new issues were raised following re-consultation on the amended scheme.

Councillor Waudby confirmed her support for the submission of an amended plan and referred to an agreement between the Ward Committee and Parish Council for a link path from Staindale Close. Her only concerns related to the materials to be used in the bridge construction, which she felt, should be harder wearing.

Councillor Moore expressed disappointment that the route, previously agreed with local representatives, had not been included in the submitted application. However he also confirmed his support for the amended route now submitted but expressed concern that the link with Staindale Close was not part of the scheme.

Members made a number of points and questioned various aspects of the scheme including:

- Whether planning permission would be required for the suggested link path;
- The Parish Council should liaise with the developer to ensure that the Staindale link path was constructed;
- Confirmation that the trees to be removed were poor specimens of little value with replacements being provided by the Parish Council;
- Detail of the LED low level lighting.

Following further discussion it was

RESOLVED: That subject to further consultation being undertaken in respect of the amendments the Chair, Vice Chair

and Assistant Director be granted delegated powers to approve the application provided that no new material issues are raised during the re-consultation of the scheme. ¹.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to:

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- Principle of the proposal
- Design and landscape considerations
- Traffic, highways and access issues
- Impact on Residential amenity
- Biodiversity

As such the proposal complies with Policies GP1, T2b of the City of York Development Control Local Plan.

48b Rawcliffe County Infant School, Eastholme Drive, York YO30 5TA (10/00148/FULM)

Members considered a major full application, submitted by Learning, Culture and Children's Services, for the erection of a new two storey primary school building in the grounds of the existing school and adjacent playing fields with associated car parking access, landscaping and highway works.

Officers provided updated information at the meeting (full details of which are attached to the agenda for this item) relating to the following:

- Amended Condition 2, 11, 12, 18, 27 and 37;
- Additional Condition in relation to the drainage proposals and the deletion of Conditions 29, 31 and 32;
- To overcome residents concerns trees had been removed from the landscaping scheme within the car park area;
- Environmental Protection had now raised no objections in relation to traffic levels following receipt of additional information;
- Two additional Conditions requested by Sport England;
- Additional Condition requiring details of outside play areas and equipment being submitted and approved by the Local Planning Authority.

The Head Teacher, Rawcliffe Infant Federated with Clifton without Schools outlined the background to the merger of the two schools, which were at present on two different sites. He confirmed that the existing buildings were no longer appropriate for the 21st century curriculum and that moving children from one site to another at age 7 years had a negative impact on their development. Difficulties also existed for parents with children at two sites he therefore urged members to support the scheme, which would provide a modern learning environment for pupils in the area.

Councillor Waudby outlined the history of the proposals which she was now pleased to see at the planning stage. She referred to concerns raised

regarding traffic issues, the existing caretakers bungalow, construction traffic and requested that residents were be kept informed at each stage of the development.

Members questioned various aspects of the scheme including:

- Work undertaken with parents to promote the use of the park and stride scheme;
- Amendments to wording of Conditions 17, 22 and 37;
- Measures to be put in place in respect of public access to the site;
- Concern that the pitch of the flat roofed buildings should be sufficient to avoid ponding or future water penetration;
- Need for bollards to protect verges adjacent to the school entrance.

The Head Teacher confirmed that the promotion of the park and stride scheme had been undertaken by parent education through their children. He stated Year 6 pupils, under supervision, acted, as parking wardens and that site access would be controlled by the site manager.

Members referred to problems related to the present split school site and to the need to provide modern school facilities. The main issue appeared to relate to highways but they felt that these could be alleviated by the proposed mitigation measures.

RESOLVED: That the application be approved subject to the conditions listed in the report and the following amended and additional conditions:

Amended Conditions:

2. The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

Site plan existing	618126/SD/AP/001
Site plan proposed	618126/SD/AP/002
Ground floor plan	618126/SD/AP/003
First floor plan	618126/SD/AP/004
Roof plan	618126/SD/AP/005
Elevations 1	618126/SD/AP/006
Elevations 2	618126/SD/AP/007
Elevations 3	618126/SD/AP/008
Elevations 4	618126/SD/AP/009
Cross section	618126/SD/AP/010
Energy centre GA	618126/SD/AP/011B
3D images	618126/SD/AP/012
Drainage site plan	618126/SD/DC/100
Building drainage	618126/SD/DC/101 A
Fences and gates plan	618126/SD/AS/141 A
Site location plan	0962/001
Location plan	0962/100
Proposed highway improvements	0962/113A
3D view 14	
3D view 17	

Design and access statement

Existing trees on site	2111/1
Tree protection	2111/2
Site levels	2111/8
Detailed landscape proposals	2111/9G
Terrace details	2111/11
Schedule works foundation play area	2111-sw-fplay
Tree works	2111-sw-tree
Flood Risk Assessment	
Transport Assessment	

11. The development hereby approved shall not come into use until a park and stride scheme from Rawcliffe recreation ground to the new school site, the principles of which are detailed within the transport assessment and travel plan, has been implemented to the satisfaction of the Local Planning Authority.

12. The development hereby approved shall not commence until a package of Traffic Regulation Orders, which seek to manage on-street parking in the vicinity of the school site, to be promoted by the Education Authority in consultation with the Highway Authority have been submitted to and agreed in writing by the Local Planning Authority.

18. Prior to the commencement of the development or within such longer period as may be agreed in writing by the Local Planning Authority prior to commencement a management plan for the future management, maintenance and review of the playing fields has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The management plan shall include, but not be limited to, providing details of the review of any playing pitch model or strategy that should it identify a need for current senior pitches in the locality and no other sites be forthcoming provision for the fence shown on approved plan 618126/SD/AP/002 to be removed and that land used flexibly for this purpose.

27. 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	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays.	

31. The development permitted by this planning permission shall only be carried out in accordance with the approved revised Flood Risk Assessment (FRA) by Atkins dated 18 March 2010 and the following mitigation measures detailed within the FRA:

1. A Sustainable Drainage System will be used to attenuate surface water run off from the site. A flow control device will restrict surface water run-off rates from the swales to 22.7 l/s for the entire site.

2. Provision of a Flood Warning and Evacuation Plan to be submitted to and approved by Emergency Planners at the Local Authority. When it is available the School should be signed up to the Agency's Flood Warning service for this area.

3. Finished floor levels will be set no lower than 12.050m above Ordnance Datum (AOD).

New Conditions:

29. The Development hereby approved shall not begin until details of the surface water drainage works have been submitted to and approved in writing by the Local Planning Authority; thereafter the development shall be carried out in accordance with the approved details before the development is first occupied.

1. Calculations and invert levels of the existing surface water system together with details of calculations and invert levels of the proposals for the new development.

2. A topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum, to ensure that there will not be any detriment to the drainage of existing properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.

3. Existing and proposed surfacing.

4. Details of run off rates including calculations of both the existing and proposed rates.

5. Surface water run-off from the development shall be attenuated to 70% of the existing rate, in accordance with a scheme to reduce run off to be submitted to and agreed in writing by the Local Planning Authority (based on 140 l/s/ha of connected impermeable areas). If connection. The scheme submitted shall include storage volume calculations, using computer modelling, allowing for a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 20% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

6. Details of future management / maintenance of the proposed drainage system.

7. Details of the temporary additional attenuation to accommodate surface run-off from the site in a 1:100 year storm (but without the 20% for climate change) during the construction phase.

36. Prior to commencement of the development a scheme to protect and ensure the continuity of the national curriculum for sport shall be submitted to and approved in writing by the Local Planning Authority after

consultation with Sport England. The scheme shall ensure that facilities remain at least as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality and include a timetable for implementation. The approved scheme shall be complied with in full throughout the carrying out of the development.

37. Prior to the commencement of development details for the phasing of development, including the provision of the sports facilities shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development shall be carried out in accordance with the approved details.

38. Prior to the commencement of the development or within such longer period as may be agreed in writing prior to commencement details of external play areas and play equipment shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to:-

- Principle of the proposal
- Design and landscape considerations
- Traffic, highways and access issues
- Impact on Residential amenity
- Playing field provision and community use
- Drainage/Flood Risk
- Sustainability
- Crime prevention
- Biodiversity

As such the proposal complies with Policies GP1, GP3, GP4a, GP9, GP11 ED1, ED11 of the City of York Development Control Local Plan.

48c Land Lying to the West of Whitehall Grange, Wigginton Road, York (10/00143/FULM)

Consideration was given to a major full application, submitted by Mr Paul Thackray, for the construction of up to 600 vehicle space car park and ride facility with associated access, passenger terminal building and ground mounted photovoltaic solar array.

Officers updated and reported receipt of the following information since the agenda had been published:

- Request by the Environmental Protection Unit for the inclusion of an additional condition in respect of an acoustic noise barrier;
- Emailed concerns raised by Cllr D Merrett in relation to cycle lane provision on Wigginton Road and the provision for pedestrians at the Stirling Road entrance to the site.

Representations in support of the application were made by the applicant who reminded the Committee that the Park and Ride schemes were integral to the Local Transport Strategy in seeking to reduce congestion and traffic delay to and from the city centre as well as minimising pollution levels. He explained that the main purpose of the site was to catch traffic on the B1363 corridor and relieve pressure on other Park and Ride sites. He also confirmed that once approved further consideration would be given to bus stop siting.

Councillor Waudby confirmed that she welcomed this Park and Ride site, which she hoped, would remove some traffic on the outer ring road. She asked for some deterrent to commuter parking and access to Clifton Moor and that buses would be scheduled at times to coincide with hospital visiting.

Officers confirmed that some of the issues raised by Cllr Merrett did not directly relate to the planning application but could be examined at the detailed design stage as part of the highway works.

Members questioned various aspects of the proposals including:

- Disruption that would be caused with the two phased development of the site;
- How the vehicle capacity of the site had been calculated;
- Proposed Park and Ride route into the city centre;
- Confirmation that the car park would be closed at night and supervised during the day to ensure that owners of parked vehicles did use the Park and Ride service;
- Safety concerns regarding cyclists;
- Confirmation that lighting would be dark sky compliant and only in use during hours of operation;
- Concerns that the landscaping scheme should preserve the openness of the site;
- Concerns that the service would not penetrate into the city centre;
- As ponds were part of the scheme that, if required, barriers were erected in an effort to prevent Greater Crested Newts from accessing areas used by vehicles. Officers confirmed that the Countryside Officer would liaise with the applicant in relation to this point.

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

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the open character and purposes of designation of the Green Belt, justification for and sustainability of the scheme, impact upon the landscape setting of a principal approach to the City, impact upon the natural environment and local biodiversity, impact upon the safety and convenience

of highway users in the vicinity of the access points to the site, provision for pedestrians and cyclists entering and leaving the site, impact of the chosen mode of renewable energy generation over and above the alternative available possibilities and impact of the proposal upon the amenity of nearby residential properties and the surrounding landscape. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GP1, GP3, SP8, GP4a), GP9, GB1, T6 and GP5 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

48d Proposed University Campus Lying Between Field Lane, Common Lane, A 64 Trunk Road and Hull Road, York (08/02543/REMM)

Members considered a major reserved matters application, submitted by the University of York, for the construction of the central lake and raising of Kimberlow Hill at the Heslington East campus.

Officers reminded the Committee that this application had been considered at their meeting on 25 June 2009 when the application had been approved subject to Officers being given delegated powers to approve the final details of certain submitted plans. Officers confirmed that some of the revised plans and the phasing of construction work conflicted with previously agreed conditions and the application had therefore to be brought back for members' consideration.

Officers updated that since the agenda had been published the plans had continued to be updated and that final plans had now been submitted. An updated list of recommended conditions was circulated (copy attached to the agenda).

Representations in support of the application were received from the applicant agents. He explained that Arup had been involved in the scheme since November 2009 and that work had moved forward with the provision of a temporary drainage system to protect the site during the construction period. Technical issues had caused delays but drawings had now been revised and the phasing reduced to one single phase for completion by July 2010, the temporary drainage works would be redundant after this time.

Members questioned the authorities recourse if work was not completed by the October 2010 deadline. Officers confirmed that the authority could take enforcement action if they felt it was expedient to do so.

In answer to questions, Officers confirmed that recent visits had shown that all the temporary drainage works were connected and that the drains had been cleared and were functioning properly.

Following further discussion it was

RESOLVED: That the committee resolution of 25 June 2009 be superseded and that the application be approved subject to the amended conditions set out below:

1. The development hereby permitted shall be carried out only in accordance with the approved plans numbered: DD110317.L.401/F(A), 70072/SK67, 770072/SK68, 70072/SK69, 70072/SK73, 700072/SK74, 70072/SK75, 70072/SK76, 70072/SK77, 70072/SK70, 70072/SK71, 70072/SK72, 70072/107/D, 70072/180/F, 70072/183/E, 70072/LO1C, 70072/132/D, H128-YU-005/B, MMD-264263-S-DR-H128-YU-010/E, CP000318-A/B, H128-002/P1, MMD-264263-C-DR-H128-YU-240/D, MMD-264263-S-DR-H128-YU-274/C, MMD-264263-S-DR-H128-YU-270/F, 70072/229, 70072/238, H128-YU-100/C, MMD-264263-C-DR-H128-YU-100/A, 70072/241/B and H128-YU-SK101/AB

2. The works hereby approved shall be constructed and be fully operational in their entirety prior to 1 October 2010. The temporary drainage works, as described in the agent's letter dated 15 December 2009 and the accompanying ARUP report dated 1 December 2009 and in drawing no. H128-YU-SK101/AB received on 17 March 2010, shall be retained in place and operational until the central lake and the discharge controls contained within the outlet control centre are completed and fully operational.

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 principle of the use, sustainability, drainage, landscape and topography, ecology and biodiversity, and movement and access. As such the proposal complies with Policies GP1, GP4a, GP9, GP15A, NE7 and ED9 of the City of York Local Plan Deposit Draft.

49. APPEALS PERFORMANCE AND DECISION SUMMARIES

Consideration was given to a report, which had also been presented to both Planning Sub-Committees informing Members of the Council's performance in relation to appeals determined by the Planning Inspectorate in the 4 month period up to 31 March 2010. The report also provided a summary of the salient points from the appeals together with a list of outstanding appeals as at 31 March 2010.

RESOLVED: That the reports contents be noted.

REASON: To update Members on appeal decisions within the CYC area and informed of the planning issues surrounding each case for future reference in determining planning applications.

R WATSON, Chair

[The meeting started at 4.30 pm and finished at 6.35 pm].