



## Notice of meeting of

### West & City Centre Area Planning Sub-Committee

**To:** Councillors Horton (Chair), Sue Galloway (Vice-Chair), Crisp, Steve Galloway, Galvin, Gillies, Reid, Sunderland and B Watson

**Date:** Thursday, 16 July 2009

**Time:** 3.00 pm

**Venue:** The Guildhall, York

### AGENDA

**Site visits for this meeting will commence at 11.00 am on Wednesday 15 July 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. Exclusion of Press and Public**

To consider excluding the public and press from the meeting during consideration of annex A to agenda item 6 on the grounds that this item contains information that if disclosed to the public, would reveal that the Authority proposes to give, under any enactment or notice by virtue of which requirements are imposed on a person or that the Authority proposes to make an order or directive under any enactment. This information is classed as exempt under Paragraphs 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

### 3. **Minutes** (Pages 5 - 12)

To approve and sign the minutes of the meeting of the West & City Centre Area Planning Sub-Committee held on Thursday 18 June 2009.

### 4. **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 5pm the working day before the meeting, in this case by **5 pm on Wednesday 15 July 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, listed on the details at the foot of this agenda.

### 5. **Plans List**

Members will consider a schedule of reports of the Assistant Director (Planning and Sustainable Development), relating to planning applications with an outline of the proposals and relevant policy considerations and the views and advice of consultees and officers.

#### a) **14 Feasegate York YO1 8SQ (09/00742/FUL)** (Pages 13 - 20)

Use of the highway as an outside seating area in connection with 'Subway' at 14 Feasegate [*Guildhall Ward*] **[Site Visit]**

#### b) **68 Clarence Street York YO31 7EW (09/00622/FUL)** (Pages 21 - 32)

Part single/part two storey pitched roof rear extension and single storey detached building to rear providing 3 no. letting bedrooms above the shop, 2. no letting rooms in detached building at rear [*Guildhall Ward*] **[Site Visit]**

#### c) **Harewood Whin Landfill Site Tinker Lane Rufforth York YO23 3RR (09/00460/FUL)** (Pages 33 - 44)

Retention of Existing Compost Pad Extension [*Rural West York*]. **[Site Visit]**

- d) **Hunters The Estate Agents, 47 York Road, Acomb, York, YO24 4LN (08/02738/FUL)** (Pages 45 - 52)

Change of use from Estate Agents (A2) to hot food takeaway (A5) with rear kitchen extract flue [*Westfield Ward*]. **[Site Visit]**

- e) **OS Field 6031, Millfield Lane, Nether Poppleton, York (09/00474/FUL)** (Pages 53 - 74)

Erection of one-storey club house, extended car parking, cycle park, and bin store. Retention of 1no. storage building. [*Rural West York*]. **[Site Visit]**

- f) **Railway Station, Station Road, York (08/02755/LBC)** (Pages 75 - 120)

Installation of automatic ticket gates, glazed barriers, associated CCTV cameras and signage, alterations to chaplain's office, formation of passageway from short stay car park to Inner Concourse, provision of ATM booths, relocation of various booths and kiosks and associated building works [*Micklegate Ward*] **[Site Visit]**

- g) **106 Albion Avenue, York, YO26 5QY (09/00722/REM)** (Pages 121 - 130)

Reserved matters application for the scale, appearance and landscaping of 1no. dormer bungalow and garage to which outline planning permission (ref 07/02291/OUT) relates. [*Acomb Ward*] **[Site Visit]**

**6. Enforcement Cases Update** (Pages 131 - 222)

Members will consider a report which provides a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by the Sub-Committee.

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

Democracy Officers:

Name: Catherine Clarke and Heather Anderson (job share)

Contact Details:

- Telephone – (01904) 551031
- E-mail – [catherine.clarke@york.gov.uk](mailto:catherine.clarke@york.gov.uk) and [heather.anderson@york.gov.uk](mailto:heather.anderson@york.gov.uk)

(If contacting us by e-mail, please send to both democracy officers named above)

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
- Copies of reports

Contact details are set out above.

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- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
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If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

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## **Holding the Executive to Account**

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Decision Session) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

## **Scrutiny Committees**

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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**WEST AND CITY CENTRE AREA PLANNING SUB COMMITTEE****SITE VISITS****Wednesday 15<sup>th</sup> July 2009****The bus for members will leave Memorial gardens at 11:00am**

<b>TIME</b> <b>(Approx)</b>	<b>SITE</b>	<b>ITEM</b>
11:10	Hunters The Estate Agents, 47 York Road 08/02738/FUL	5d
11:30	106 Albion Avenue 09/00722/REM	5g
12:00	Harewood Whin Landfill Site, Tinker Lane 09/00460/FUL	5c
12:40	OS Field 6031, Millfield Lane (Poppleton Juniors club house) 09/00474/FUL	5e
13:10	68 Clarence Street 09/00622/FUL	5b
13:30- 14:15	Lunch	
14:15	14 Feasegate 09/00742/FUL	5a
14:35	Railway Station, Station Road 08/02755/LBC	5f

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City of York Council

Committee Minutes

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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	18 JUNE 2009
PRESENT	COUNCILLORS HORTON (CHAIR), SUE GALLOWAY (VICE-CHAIR), CRISP, GALVIN, GILLIES, SUNDERLAND, B WATSON AND MOORE (AS A SUBSTITUTE FOR CLLR REID)
APOLOGIES	COUNCILLORS STEVE GALLOWAY AND REID

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## 1. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
Poppleton Community Centre, Main Street, Upper Poppleton	Councillors Crisp, Sue Galloway, Gillies, Horton, Moore and B. Watson.	At the request of Councillor Hudson due to concerns relating to noise nuisance.
St Barnabas Voluntary Primary School, Bright Street, York	Councillors Crisp, Sue Galloway, Gillies, Horton, Moore and B. Watson.	At the request of Councillor Crisp due to significant public interest in the site.
Terry Avenue, York	Councillors Crisp, Sue Galloway, Gillies, Horton, Moore and B. Watson.	As objections have been received and the recommendation is to approve.

## 2. DECLARATIONS OF INTEREST

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

There were 3 declarations of interest in respect of Plans Item 4 a (Poppleton Community Centre):

- Councillor Gillies declared a personal non-prejudicial interest as he had submitted a reference in respect of a lottery bid for the centre.
- Councillor Moore declared a personal non-prejudicial interest as he knew Mr P. Hawkins (the registered speaker) through business and community work.
- Councillor Horton declared a personal non-prejudicial interest as he knew the Chairman of Poppleton Community Centre.

**3. MINUTES**

RESOLVED: That the minutes of the meeting held on 14 May 2009 be approved and signed by the Chair, subject to Minute 73 (Declarations of Interest) being amended to read "Councillor Moore declared a personal non prejudicial interest in Plans Item 4c (*Junction between Boroughbridge Road and Plantation Drive*)"

**4. PUBLIC PARTICIPATION**

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

**5. PLANS LIST**

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

**5a Poppleton Community Centre Main Street Upper Poppleton York YO26 6JT (09/00641/FUL)**

Members considered a full application from Mr Robin Tomlinson for a single storey extension to the front to form an extended lounge and entrance foyer after partial demolition of the conservatory (resubmission).

Representations were received from the trustees of Poppleton Community Trust, a registered charity with responsibility for the Poppleton Community Centre. The trustees had submitted a statement which had been circulated to Members and Officers in advance of the meeting and which was also tabled at the meeting. The statement explained that the Trust had suffered financial difficulties over recent years as the centre was not generating adequate income to be self financing and therefore had looked at how better use might be made of the building. It explained that the planned work would include the modification of the bar area to facilitate the operation of a café during the day, demand for which had been proved through detailed market research, and the continued operation of the licensed bar in the evening. However it would also involve the refurbishment and reconfiguration of the toilets and changing rooms.

Mr Hawkins spoke on behalf of the trustees and explained that

- these changes would enable the Centre to generate additional income in order to continue to maintain and develop the facilities available to the residents and make the Trust less dependent on grants.
- Planning permission needed to be in place before they could apply for grants.

- The noise scheme currently in place would eliminate sound from emanating from the building.
- The sliding doors would only be open during the day to enable the café area to extend into the outside space but would be closed in the evening and when music is playing - the trustees would have no problem with a condition being attached to that effect.

In response to a Member's query re noise, Mr Hawkins explained that sound limiting equipment had been purchased and was being used on a temporary basis until installation of noise insulation had been completed. The Environmental Protection Officer provided information on this process. He also raised concerns over the introduction of sliding doors which had less noise retaining properties than the existing wall and would increase existing noise emissions if left open.

Members agreed that the Community Centre was a great asset to the villages and wider community but that the Trust should do as much as possible to ameliorate the noise issue and agreed that a condition should be attached to ensure the sliding doors are closed at 10.00pm.

RESOLVED:

That the application be approved subject to the conditions listed below. <sup>1</sup>

- 1 The development shall be begun not later than the expiration of the three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

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

Drg No. 108. 109 and 110

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 The 3 no. folding/sliding doors shall be locked shut between 22.00 hours and 08.00 hours on any day unless otherwise agreed in writing by the local planning authority.

Reason: To prevent noise from the premises causing undue harm to the living conditions of nearby residents in accordance with policy GP1 of the Development Control Local Plan.

REASON:

The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular

reference to the living conditions of nearby residents, the openness of the Green Belt. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GP1, GB1, GB13 and C1 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

Action Required

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

**5b St Barnabas Voluntary Primary School, Bright Street, York, YO26  
4XS (09/00648/REM)**

Members considered an application for approval of reserved matters for the erection of 8 terrace houses including landscaping, layout, scale and appearance.

Officers advised that condition 5 should be amended to add a reference to the requirement to enclose areas between the sides of houses 4 and 8 and the pavement. They also reported that two further objections had been received since the publication of the report.

Councillor Tracey Simpson-Laing had submitted comments by e-mail which had been circulated to Members and Officers prior to the meeting and copies were also tabled at the meeting. She referred to the destruction of a landmark building with historical importance in relation to education in the city and to the history of Leeman road. She reported that the old school building had been listed to appear on the local list of buildings of local significance or historic interest and asked that before any further decisions were made on the future of the site, that officers investigate the claim that the stained glass window may be the work of George Walton, a contemporary of Charles Rene Mackintosh and the link with the church in relation to its designer.

Comments had also been received from Green Party Member, Andy Chase, a local resident who stated that while he appreciated that permission had been granted for demolition of the building, he asked the developers to consider sensitive and imaginative conversion of the building which was in good condition. He remarked that bats had been observed in the vicinity of the site and requested that bat roosts should be considered in the proposed buildings.

Representations were also received from a York resident in objection to the application. He suggested that more consideration should have been given to the possible conversion of the building in line with the new national policy which had come into force. He advised that a development based on conversion would satisfy the planning criteria and would be much less expensive whereas demolition and a new build would be wasteful in respect of building materials and land footprint.

A letter from the Chief Executive of York Conservation Trust was circulated to Members in support of the above representation asking for the

application to be adjourned in order to allow the Trust time to put together an additional proposal to purchase the building and convert it sympathetically.

Members expressed their pleasure that the developers had taken on board their comments made at the time of the last application regarding the need for more housing suitable for families and also older people. They agreed that the developers had produced a good scheme on what was a difficult site.

Members discussed the following issues

- Need for more housing for families and older people
- the correspondence and request from the York Conservation Trust
- inclusion of bat roosts in new building
- significance of window – concern raised over destroying what could be a precious stained glass window

Members agreed that the window could be removed in its entirety and preserved if it was of significance and asked that an informative be added to this effect.

RESOLVED:

That the application be approved subject to the conditions listed in the report and amended condition and additional informatives listed below <sup>1</sup>

#### **Amended Condition 5**

Details of all means of enclosure to the site boundaries and to each dwelling, which shall include a low level boundary wall around the soft landscaping to the east side of houses 4 and 8, 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.

#### **Additional Informatives.**

##### PHOTOGRAPHIC RECORD

It is asked that prior to demolition an annotated photographic record of the interior and exterior of the building be submitted to the Local Planning Authority.

##### STAINED GLASS WINDOW IN EAST ELEVATION

It is requested that the window is removed and retained as it may be of some value and historic interest. It would be appreciated if local reclamation businesses could be contacted asking whether they wish to acquire the window prior to demolition.

REASON:

The proposal, subject to the conditions listed in the report and the amended condition and additional informatives above, would not cause undue harm to interests of acknowledged importance, with particular reference to the type of dwellings proposed, the appearance of the area, residential amenity, highway safety and flood risk. As such the proposal complies with Policies GP1, GP4, GP15, H3, H4 and NE7 of the City of York Development Control Local Plan.

Action Required

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

**5c Terry Avenue, York (09/00596/FUL)**

Members considered a full application from Mr Mark Harrison for a temporary mooring for a residential house boat opposite the entrance to Rowntree Park Caravan Site.

Officers advised that Condition 2 should be amended to refer to the mooring being for the applicant's household only.

Representations were received from a local resident in objection to the application. He circulated photographs of the stretch of river in question showing the current openness of the area and the view further along to where barges are currently moored. Speaking on behalf of residents of Marlborough Wharf, he pointed out that although the application site was on the west bank of the river it would be those people living in properties on the east bank who would be affected as they would overlook the site. He stated that the application site was in the conservation area, further out of town than other barges and would have no parking. He raised concerns that there was no planning guidance regarding this type of application and that if granted, this could create a precedent.

Representations were also received from the applicant in support of his application. He asked Members to consider the application within the bigger picture endorsed by City of York on river usage and, in respect of the conservation area, reminded Members that this would be a temporary arrangement and there had been no objections from any agencies with control over the river.

The Chair drew Members attention to the Council's policy regarding riverside development at paragraph 4.8 of the report. Members remarked that it was important to encourage the use of the river and that the mooring of barges and other boats would enhance and add to the vibrancy of the river. Members questioned whether this boat would impact on the fishing on this stretch of river but appreciated that only a very short stretch of the river bank would be affected.

Officers reminded Members that, in certain situations, personal circumstances can be taken into account when considering an application

and that this was a temporary arrangement for a period of 3 years as there was no other option at the present time for the applicant.

RESOLVED:

That the application be approved subject to the conditions listed in the report and the amended condition below: <sup>1</sup>

**Amended Condition 2**

The mooring shall be used for the applicant's residence, the Cormallen, only and no other vessel.

Reason: In the interests of amenity.

REASON:

Planning permission is granted for a temporary period only while a permanent mooring location is sought in a more appropriate location and as special circumstances have been put forward, which, in addition to the requirement for a temporary consent only, outweigh the harm that would occur to the openness of the green belt and character and setting of this part of the Terry Avenue New Walk conservation area.

Action Required

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

Councillor D Horton, Chair

[The meeting started at 3.00 pm and finished at 4.40 pm].

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**COMMITTEE REPORT**

**Committee:** West/Centre Area                      **Ward:** Guildhall  
**Date:** 16 July 2009                                      **Parish:** Guildhall Planning Panel

**Reference:** 09/00742/FUL  
**Application at:** 14 Feasegate York YO1 8SQ  
**For:** Use of the highway as an outside seating area in connection with 'Subway' at 14 Feasegate  
**By:** Mr Michael Page  
**Application Type:** Full Application  
**Target Date:** 15 July 2009

**1.0 PROPOSAL**

1.1 This application seeks permission for the use of the highway as an outside seating area in connection with Subway with the provision of 6 tables and 12 chairs. The area will extend 2.8m into the highway and will occupy the entire shop frontage being 7.1m. An entrance will remain from the front of the seating area into the premises.

1.2 This unlisted property is situated in Feasegate, which is part of the Central Historic Core Conservation Area. The adjacent premises - Rioco cafe at 10 Feasegate - have a similar seating arrangement which was approved in 1998 - ref: 98/01127/FUL.

1.3 A revised seating plan was submitted on 05.06.09 which shows 6 tables and 14 chairs. The opening hours for the seating areas have been agreed to 11:00 - 16:00 Monday to Saturday and 12:00 to 16:00 on Sundays.

1.4 The application was called in by Cllr Brian Watson.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006  
Conservation Area GMS Constraints: Central Historic Core 0038  
City Boundary GMS Constraints: York City Boundary 0001  
DC Area Teams GMS Constraints: Central Area 0002  
Scheduled Ancient Monuments GMS Constraints: SMR No. 537; South Angle Tower Of Roman Fortress SE602518

2.2 Policies:

CYHE3  
Conservation Areas

CYS6  
Control of food and drink (A3) uses

CYGP1  
Design

### **3.0 CONSULTATIONS**

#### INTERNAL

3.1 Highway Network Management - No objections to the proposal, although as part of the seating is proposed in the highway, it would be subject to a Pavement Cafe Licence which is renewable annually.

3.2 Design, Conservation and Sustainable Development - Proposals in line with original approval of 10/12 Feasegate would be deemed acceptable in terms of projection into the highway. Restricted opening hours similar to previous approvals should be conditioned as well as street furniture.

#### EXTERNAL

3.3 Safer York Partnership - No objections providing that operating hours and conditions mirror those of other pavement cafe facilities in York.

3.4 North Yorkshire Police Traffic Management - No obstruction would be caused although full emergency access should be maintained as Feasegate is on the Fire Brigade response route to the eastern city centre area.

3.5 Guildhall Planning Panel - No objections to the proposal.

3.6 Publicity - the application was advertised by site notice, press advert and neighbour notification letter. Two objections have been received from:

- 12 Feasegate - the business above Subway. The entrance to 12 Feasegate is a small doorway only and the addition of seating to the other side of this door will practically hide the entrance thereby having a detrimental effect on the business.
- 23a Feasegate - concerns regarding litter from takeaway wrappers.

### **4.0 APPRAISAL**

#### KEY ISSUES

- Effect on the character and appearance of the conservation area
- Principal of proposed seating area
- Amenity
- Highway safety

## RELEVANT PLANNING POLICY

4.1 Draft Local Plan Policy HE3 states that within conservation areas, proposals will only be permitted where there is no adverse effect on the character and appearance of the area.

4.2 Draft Local Plan Policy S6 states that planning permission for the extension, alteration or development of premises for A3 uses (food and drink) will only be granted in York City Centre provided there is no unacceptable impact on the amenities of surrounding occupiers as a result of traffic, noise, smell or litter.

4.3 Draft Local Plan Policy GP1 states that development proposals will be expected to (i) respect or enhance the local environment, (ii) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

## EFFECT ON THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA

4.4 The application proposes infilling an area of pavement and highway to add to the outdoor seating facilities in the street. There is already outdoor seating along Feasegate at Rioco cafe and Costa Coffee either side of Subway. Therefore it is considered that the proposed seating area would be of acceptable impact, provided the associated furniture is satisfactory. Security railings to mark the enclosure, tables and chairs of appropriate design, and a reasonable match to the existing furniture on Feasegate would be at a low level, and would maintain important views and not detract from the appearance of the street. It shall be required by condition that any furniture shall have to be agreed to in writing by the Local Planning Authority.

## PRINCIPAL OF PROPOSED SEATING AREA

4.5 The principle for external seating is already established on this side of Feasegate. The proposed area would infill only and project no further into the highway than the seating area previously approved next door at Rioco.

4.6 The seating area would be separated from Rioco by the entrance to the first floor hairdressers next door. Costa Coffee, whilst adjacent to Subway, restricts its seating to within the frontage of the premises and does not project onto the highway. It is quite clearly defined as belonging to Costa even though there are no barriers provided. As such it would be unlikely that customers would be confused as to which premises the proposed seating area is associated with, provided it is marked by it's own enclosure.

4.7 The entrance to 12 Feasegate at first floor level is situated between Subway and Rioco and is currently adjacent to one seating area. Concerns have been raised by the owner of this business that the proposed seating area may reduce the accessibility and visibility of this business, however it is clearly advertised by fascia board and A board. The applicant has confirmed that the seating area will be confined to the window frontage of the property therefore leaving adequate access to the upstairs business.

4.8 The introduction of a seating area would not be detrimental to the amenity of customers or owners Rioco or Costa, and would not affect the vitality of the street. The main issue would be that of competition for trade, which is not a material planning consideration in this instance.

#### AMENITY

4.9 The applicants have agreed that the trading hours for the outside seating area will be restricted to 11:00 - 16:00 Monday to Saturday and 12:00 to 16:00 on Sundays as the area will be located within the public highway. Noise from people, such as raised voices, is already likely to occur to a certain extent because of the city centre location, and adjacent outside seating areas.

4.10 Objections have been raised regarding the possibility of litter caused by the outside seating area as Subway is a take away rather than a cafe as Rioco. However the proposals include the placement of an outside bin to dispose of food wrappers, which should minimise litter in the street.

#### HIGHWAY SAFETY

4.11 Two outdoor seating areas have already been approved on this side of Feasegate. This proposed area would infill between two existing areas and would not encroach any further into the highway than at present. However Feasegate is on the Fire Brigade response route to the eastern city centre and as such this area must remain clear for emergency access. As it is not projecting any further than at present the proposed seating area is not considered to impede pedestrians or vehicles using the highway. Also as the remaining premises within Feasegate are retail it is unlikely that there will be a requirement for further outside seating areas in Feasegate in the near future.

### 5.0 CONCLUSION

5.1 The proposed development would not have an adverse affect on the character and appearance of the conservation area. There would be no additional harm to highway safety. Approval is recommended.

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

2 PLANS1 Approved plans - Drawing received 05.06.09

3 The pavement cafe shall be restricted to the area of 2.8 metres from the building's front elevation by 6.8 metres as shown on the submitted drawing received 05.06.09

Reason: In the interests of highway safety and to allow for the flow of pedestrians, in accordance with policy S6 of the City of York Draft Local Plan.

4 The opening hours of the outdoor seating area shall be confined to the following hours: 11:00 - 16:00 Monday to Saturday and 12:00 to 16:00 on Sundays.

Reason: In the interests of amenity.

5 The seating shall be protected at all times by barriers throughout the period of the operating hours. Outside these hours, all equipment associated with the use, including the barriers, shall be removed from the public highway and stored in the premises or another location agreed in writing by the Local Planning Authority.

Reason: In the interests of users of the public highway and to avoid clutter, in the interests of the character and appearance of the conservation area.

6 Prior to the use hereby permitted commencing, dimensions and materials of the proposed tables, chairs, barriers and any other associated furniture shall be submitted to and agreed by the Local Planning Authority. The agreed furniture shall be used at all times unless agreed otherwise with the Local Planning Authority.

Reason: To ensure the preservation of the character and appearance of the Central Historic Core Conservation Area.

## **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 the character and appearance of the Conservation Area, the amenities of nearby occupants and highway safety. As such the proposal complies with policies GP1, HE3 and S6 of the City of York Development Control Local Plan Deposit Draft, incorporating the 4th set of changes.

#### 2. INFORMATIVE:

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:

Cafe Licence - Section 115 - Anne-Marie Howarth (01904) 551418

**Contact details:**

**Author:** Elizabeth Potter Development Control Assistant

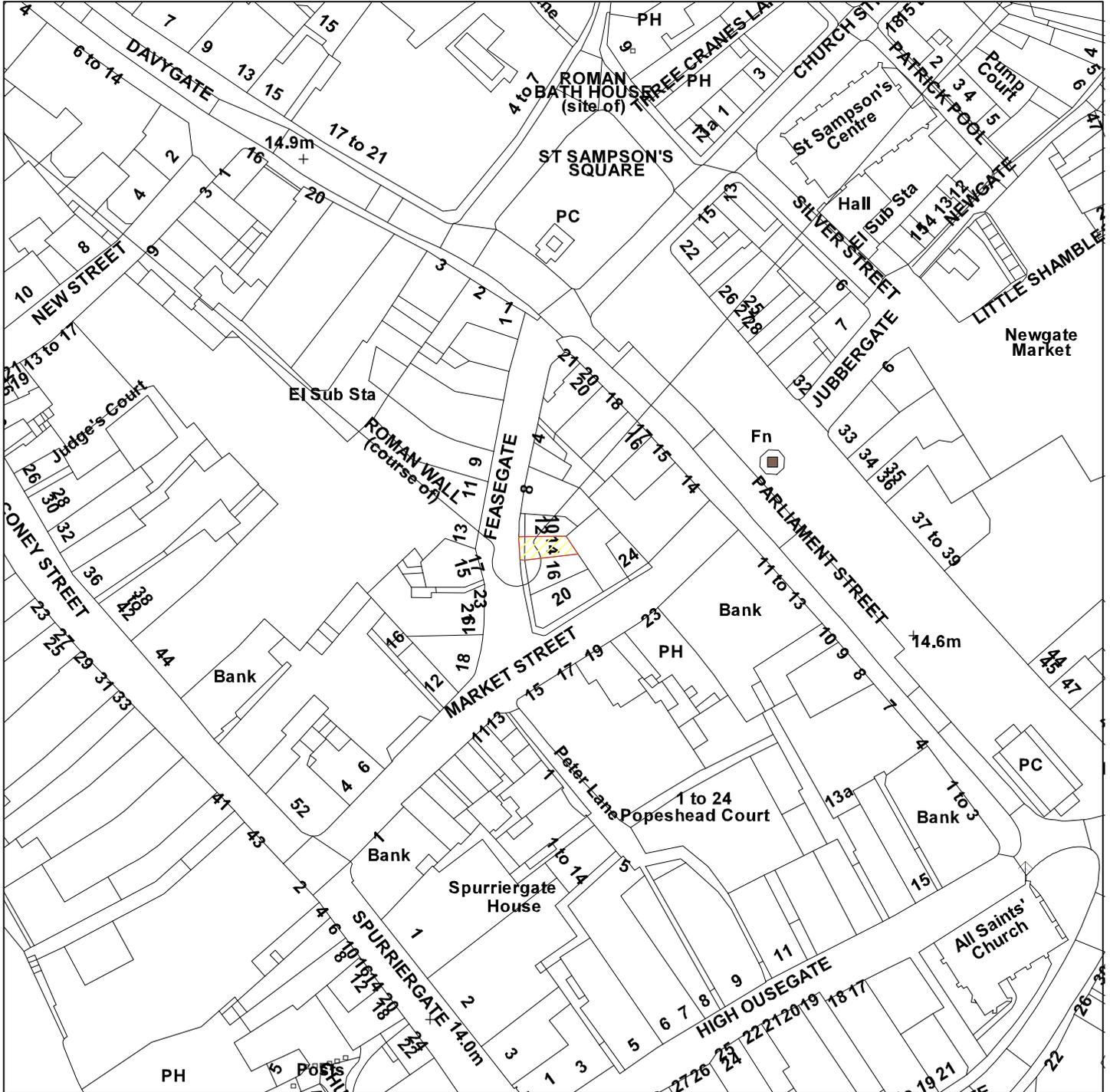
**Tel No:** 01904 551350

# 14 Feasegate, YO1 8SQ

09/00742/FUL



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Scale : 1:1250

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<b>Organisation</b>	City of York Council
<b>Department</b>	Planning & Sustainable Development
<b>Comments</b>	Application site
<b>Date</b>	02 July 2009
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Committee:** West/Centre Area                      **Ward:** Guildhall  
**Date:** 16 July 2009                                      **Parish:** Guildhall Planning Panel

**Reference:** 09/00622/FUL  
**Application at:** 68 Clarence Street York YO31 7EW  
**For:** Part single/part two storey pitched roof rear extension and single storey detached building to rear providing 3 no. letting bedrooms above the shop, 2. no letting rooms in detached building at rear.  
**By:** Mr Chris Georgiou  
**Application Type:** Full Application  
**Target Date:** 4 June 2009

**1.0 PROPOSAL**

## APPLICATION SITE

1.1 The application relates to 68 Clarence Street, a terraced unit with commercial at ground floor, residential above and a yard/garden at the rear. The site is surrounded by terraced houses on Townend Street to the north, two storey flats on Backhouse Street to the east and the rear of 66, to the south: this area is hardstanding and used for car parking.

## PROPOSALS

1.2 Planning permission is sought for a rear extension to the host building and the creation of a free-standing building in the rear yard area, to create additional living accommodation. There would be 3 bedrooms and living accommodation above the shop unit and 2 further bedrooms with living accommodation in the free-standing new building. The building works would be as follows:

- Demolish the existing single storey rear outshot and replace it with a part single/part two storey extension. The extension would project 2.2m from the rear elevation, so it would end in line with extensions at the buildings to each side.
- 8m beyond the rear extension add a single storey building to provide a further 2 bedrooms and living area. The building would be single storey, the width of the rear yard/garden, by 8.6m.
- There would be a single storey outbuilding between for bin storage.

## SITE HISTORY

1.3 There have been three unsuccessful applications to develop in the rear yard of 68 Clarence Street.

1.4 In 2008 application 08/00179/FUL was refused. The application proposed to partially demolish the existing building and replace it with a deeper two storey

building (2.5 storey at the rear) with a double pitched roof. There would also be a link to a single storey rear extension. The development was to create 2 x 1-bed flats in the main building and a 6-bed unit in the rear outshot.

1.5 The proposal was deemed to: constitute overdevelopment, offering inadequate levels of amenity for future occupants, harm the appearance of the area and residential amenity and fail to deliver the type of housing identified as being required in the city.

1.6 In 2007 application 07/01382/FUL, for a part single, part two storey detached building to the rear, for use as a 6 bed house in multiple occupation was refused. The scheme was deemed to constitute overdevelopment that would be harmful to the appearance of the area and residential amenity.

1.7 In 2005 permission was refused for a single storey dwelling on this site - 05/01538/OUT. It was refused as it was deemed the proposal would be overdevelopment of the site that would offer limited amenity to future occupants and would compromise the residential amenity of the surrounding occupants.

## COMMITTEE

1.8 The application comes to planning committee at the request of Councillors B. Watson, Looker and Simpson-Laing, on the grounds of overdevelopment.

## 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

2.2 Policies:

CYGP1	Design
CYGP4A	Sustainability
CYGP10	Subdivision of gardens and infill development
CYGP11	Accessibility
CYH3C	Mix of Dwellings on Housing Sites
CYH4A	Housing Windfalls
CYL1C	Provision of New Open Space in Development
CYT4	Cycle parking standards

## 3.0 CONSULTATIONS

### CONSERVATION

3.1 This site lies in the Central Area of Archaeological Importance and in an area which has produced significant Roman, medieval, and post-medieval deposits. The site lies on the north side of the medieval walled area and outside the Roman

legionary fortress in a medieval suburb of the City. It probably occupies part of the area which was known as the Horsefair in the medieval period. Documentary sources refer to a number of medieval foundations in this area: the chapel of St Anne, the hospitals of St Peter, St Anthony and St Mary. The Roman deposits include burials.

3.2 Three sites (26 Clarence Street, the York St John Extension, and the Arclight building) in this area have been evaluated. At 26 Clarence Street two trenches have been excavated, one on the Clarence Street frontage and the other adjacent to the rear boundary of the site. The main deposits consist of the remains of the 19th century terraced housing which formerly occupied the site. Below these deposits are a series of features (a possible ditch and pits) which have produced exclusively Roman material. These features and deposits lie at and below 1400mm below the existing ground surface. At the former Wheelbase Garage the evaluation indicated the presence of Romano-British layers at about 1.4m below the present ground surface sealed by a significant build-up of post-medieval material.

3.3 There has been no archaeological evaluation of this site. However, it is possible to use the existing information to predict the survival of deposits on this site. The development proposal therefore will have an effect on archaeological deposits which are preserved within the boundaries of the site. These deposits do not merit preservation in-situ. An archaeological watching brief on all other groundworks for the development will be necessary. This watching brief should be secured by means of the standard condition ARCH 2 on any planning consent which may be granted.

#### HIGHWAY NETWORK MANAGEMENT

3.4 Ask that adequate space be provided for cycles. Advise that the (on-street car parking) respark zone is heavily subscribed. It is unlikely future occupants of this development would be eligible for resident parking permits.

#### PLANNING PANEL

3.5 Object. The original scheme was considered to be overdevelopment of the site that would harm the levels of amenity presently enjoyed by neighbours.

#### SAFER YORK PARTNERSHIP

3.6 Within 100 m radius of the site 35 crimes were recorded between April 2008 and 31.3.09, 3 of which affected properties in close proximity to the application site, 2 burglaries, 1 of criminal damage. As such it is recommended ground floor windows are fitted to British Standard 7950 - Secured By Design Standard.

#### PUBLICITY

3.7 The application was publicised by letters of neighbour notification. The deadline for comments was 6.5.09.

3.8 Four objections have been made on the following grounds:

- Access and storage collection problems as access is via a narrow passage from Townend Street
- Noise disturbance
- Security
- Loss of light
- Lack of demand
- Can sewage infrastructure accommodate the proposed development?

## 4.0 APPRAISAL

### 4.1 KEY ISSUES

- Principle of development
- Type of units proposed
- Appearance/Design
- Residential amenity
- Highway safety
- Sustainability
- Drainage

### PRINCIPLE OF DEVELOPMENT

4.2 Policy H4a of the Local Plan states that proposals for land not already allocated on the proposals map will be granted permission where: the site is within the urban area and is vacant, underused or it involves infilling, redevelopment or conversion of existing buildings; the site has good accessibility to jobs, shops and services; and it is of an appropriate scale and density to surrounding development and it would not have a detrimental impact on existing landscape features.

4.3 The rear yard / garden constitutes previously developed land, as defined in PPS3: Housing and is within walking distance of the city centre. As such in principle the site is suitable for residential development. The impact and appearance of the scheme are covered in paragraphs 4.6 to 4.23.

### MIX OF UNITS AND NEED FOR THE DEVELOPMENT

4.4 H3c of the Local Plan states that a mix of new house types, sizes and tenures will be required on all new residential development. The mix should meet local housing needs and be appropriate to the location of the development.

4.5 The application proposes a residential unit in the rear yard. There is already residential accommodation above the ground floor hairdressers. A 2-bed unit is proposed which will contribute to the demand for housing in the city. The existing yard/garden area is overlarge for a shop with living accommodation above. The scheme is not overdevelopment, but makes prudent, more effective use of the land, which is previously developed; a requirement of PPS3: Housing, and on this basis the amount/type of development proposed is accepted.

## APPEARANCE

4.6 National policies relevant to the proposal are PPS1 Delivering Sustainable Development and PPS3 Housing.

4.7 PPS1 states that it is the Government's objective to "ensure high quality development through good and inclusive design" (paragraph 5). It goes on to state in paragraph 34 this applies to all development and "design which is inappropriate to its context, or which fails to take the opportunities available for improving the character and quality of an area should not be accepted".

4.8 PPS3: Housing states that the planning system should deliver high quality housing that is well designed and built to a high standard. Development should be distinctive, maintain character and make efficient and effective use of land. The policy statement advises more intensive development is not always appropriate, but if done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.

4.9 Of the Local Plan GP1: Design and GP10: Subdivisions and infill development are relevant.

4.10 GP1 states that development proposals must, respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with the surrounding area; avoid the loss of open spaces which contribute to the quality of the local environment; retain, enhance, or create urban spaces; provide and protect amenity space; provide space for waste storage.

4.11 GP10 states permission will only be granted for sub-division or infilling to provide new development where this would not be detrimental to the character and amenity of the local environment.

### Existing building

4.12 It is proposed to add an extension to the rear that fits with the neighbouring extensions to each side. The two-storey element follows the rear building line and roof of the two-storey extension at no.66. The existing outshot, which blocks light to the rear of no.70, due to its length and roof slope will be replaced with a 2m shorter extension which slopes down toward the side boundary. Materials and details will match those on the existing house. The scale, shape and detailing of the proposed rear extension are acceptable and implementation would improve upon the current appearance of the rear elevation.

4.13 A rear dormer is proposed. This will be level in height with the dormer at no.70 and aligned with a first floor window on the host building. It will have a flat lead roof and sides. The location, size, shape and materials of the dormer are acceptable.

### Proposed building

4.14 With the proposed extension added to the host, the remaining area to the rear would be 20m deep. A new building is proposed in this area which would be the width of the plot by 8.5m, 2.8m tall to the top of the parapet walls and 3.7m to the

ridge of the pitched roof. The extension would have hidden gutters behind the parapet wall and a low pitched roof. Access would be from the alleyway leading from Townend Street, the cycle store would be in the rear extension to the existing building.

4.15 Many of the rear plots beyond the buildings fronting Clarence Street have been built in (Mews style buildings), due to their depth. There are a mix of single and two storey buildings. It has been problematic to develop at the host site as it is toward the end of the terrace, has no rear access and is backed onto from the north (Townend St) and east (Backhouse St).

4.16 Due to the height, shape, with the low pitched roof beyond the parapet wall, it is considered the proposed building would be sympathetic and reasonably respect its setting. At under 2.9m tall the walls of the extension would not be significantly higher than the 2m tall wall that runs along the back of 46-50 Townend Street or the single storey outshots on those buildings. The building would be of appropriate materials.

#### RESIDENTIAL AMENITY

4.17 Residential amenity is covered in policies GP1 and GP10 which require developments ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or overdominance

4.18 L1c states developments for all housing sites will be required to make provision for the open space needs of future occupiers. For sites of less than 10 dwellings a commuted sum payment will be required for off site provision.

4.19 No.70 Clarence Street would benefit from the removal of the existing rear outshot on the host building as less overshadowing would occur as a consequence of the replacement extension. No.66 has an existing two-storey outshot, which the proposed extension would be level with in building line. Overall the rear extension would not harm residential amenity.

4.20 The proposed building in the rear yard due to its height would not have a material effect on the surrounding houses. To the north, nos. 46 and 48 Townend Street would be nearest the building. No undue loss of light would occur, as the side wall to the proposed building would only be around 800mm taller than the rear boundary wall to these houses and 1m further away. Windows are orientated/located so no undue overlooking would occur.

4.21 Although outlook from the bedrooms in the proposed building would be limited (windows would be 2m from a brick wall around 1.8m high) this would be akin to a bedroom at a basement level, and not unacceptable. Otherwise levels of light and outlook would be reasonable and adequate space (bedrooms are 8.6 sq m in area, the internal area overall would be 39 sq m), both indoor and outdoor, would be provided.

4.22 The cycle store would be within the extension to the existing building and could accommodate 7 or 8 cycles; the bin store would be in the form of a permanent

outbuilding in the rear yard. Both are of acceptable size and are convenient for users.

4.23 The applicants agree to make a contribution toward open space in the locality. The new unit would have two bedrooms. According to the guidance document for open space contributions, a contribution of £1,242 is required.

## HIGHWAY SAFETY

4.24 GP11 Accessibility, asks that new developments demonstrate that suitable provision will be made for access for people with mobility problems.

4.25 Access to the new building would be through the alleyway, which is around 1m wide at its narrowest point. For disabled persons, an access route needs to be 900mm wide. As such the access is suitable.

4.26 Car parking does not need to be provided; the Local Plan advises it is the choice of the developer to provide car parking and sets maximum standards, in line with national policy. The application site is close to services and the city centre and it would be reasonable to expect that occupants would not own a private car. As such the proposal accords with the objectives of PPG13: Transport, which are to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and reduce the need to travel, especially by car

## SUSTAINABILITY

4.27 Based on discussions, with the applicants and the submitted sustainability statement, the following measures are proposed:

- The developers will accord with the principles of the considerate constructors scheme.
- All electrical appliances/white goods to be installed shall be energy saving recommended.
- Water efficient appliances will be installed in the bathroom.
- Insulation of the building will exceed Building Regulation requirements.

## DRAINAGE

4.28 Details of the proposed means of drainage from the proposed building can be requested through a planning condition.

## 5.0 CONCLUSION

5.1 The proposed buildings are of reasonable design and appearance and would be in-keeping with the character of the area. There would not be a material impact on residential amenity or highway safety. The proposal takes reasonable steps to operate sustainability. Overall the scheme is seen to be acceptable and approval is recommended.

**COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve

- 1 Development start within three years
- 2 Approved plans - 01B date stamped 16.6.09, 02C, 03D stamped 25.6.09.
- 3 The eaves level of the building shall not exceed 2.8 metres in height, and the ridge level 3.7 metres in height when measured from ground floor level in the alley behind nos. 44-52 Townend Street.

Reason: In the interests of residential amenity.

- 4 The development shall be carried out using the following materials:

Rear extension

- Bricks and roof tiles to reasonably match those on the existing building, including the colour, texture and bonding of brickwork and the mortar treatment to be used.
- Dormer to have lead roof and sides.
- Doors to bin and cycle stores to be timber.

New building

- Bricks to reasonably match those on the existing building, including the colour, texture and bonding of brickwork and the mortar treatment to be used, unless approved otherwise by the Local Planning Authority.
- Roof to be in either slates, reclaimed or reconstituted slates or tiles to reasonably match those on the existing house unless approved otherwise by the Local Planning Authority.
- Rain water goods to be cast iron.

Reason: In the interests of visual amenity.

- 5 Windows to the existing building shall have sill and lintel/arch details to match those on the existing building.

The window frames and their sills to the free-standing building shall be recessed, set within their reveals.

All doors and windows at ground floor level shall be security-tested to Secured By Design standards - British Standard 7950 and Product Assessment Specification 24.

Reason: In the interests of appearance and safety/security of future occupants.

- 6 LAND1 New Landscape details required

7 DRAIN1 Drainage details to be agreed

8 With regards the outbuilding, development of the type described in Classes A, B, D and E in part 1 of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) Order 2008 shall not be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of appearance and given the size of the application site the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2008.

9 The development shall be carried out in accordance with the sustainability statement received 16 June 2009 in particular:

- a) Construction will accord with the principles of the considerate constructors scheme.
- b) All electrical appliances/white goods to be installed shall be energy saving recommended (see Energy Saving Trust for further information).
- c) Water efficient appliances will be installed in the bathroom(s): dual flush toilets, showers with nominal flow rates of less than 9 litres/minute and flow restricted spray taps.

Reason: In the interests of sustainable development, in accordance with policy GP4a of the Local Plan.

10 S106OS Section 106 Open Space - 1,242

11 ARCH2 Watching brief required

## 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 the appearance of the area, residential amenity and highway safety.

The proposal complies with Policies GP1, GP4a, GP10, GP11, H3c, H4a, L1c and T4 of the City of York Development Control Local Plan.

### Contact details:

**Author:** Jonathan Kenyon Development Control Officer  
**Tel No:** 01904 551323

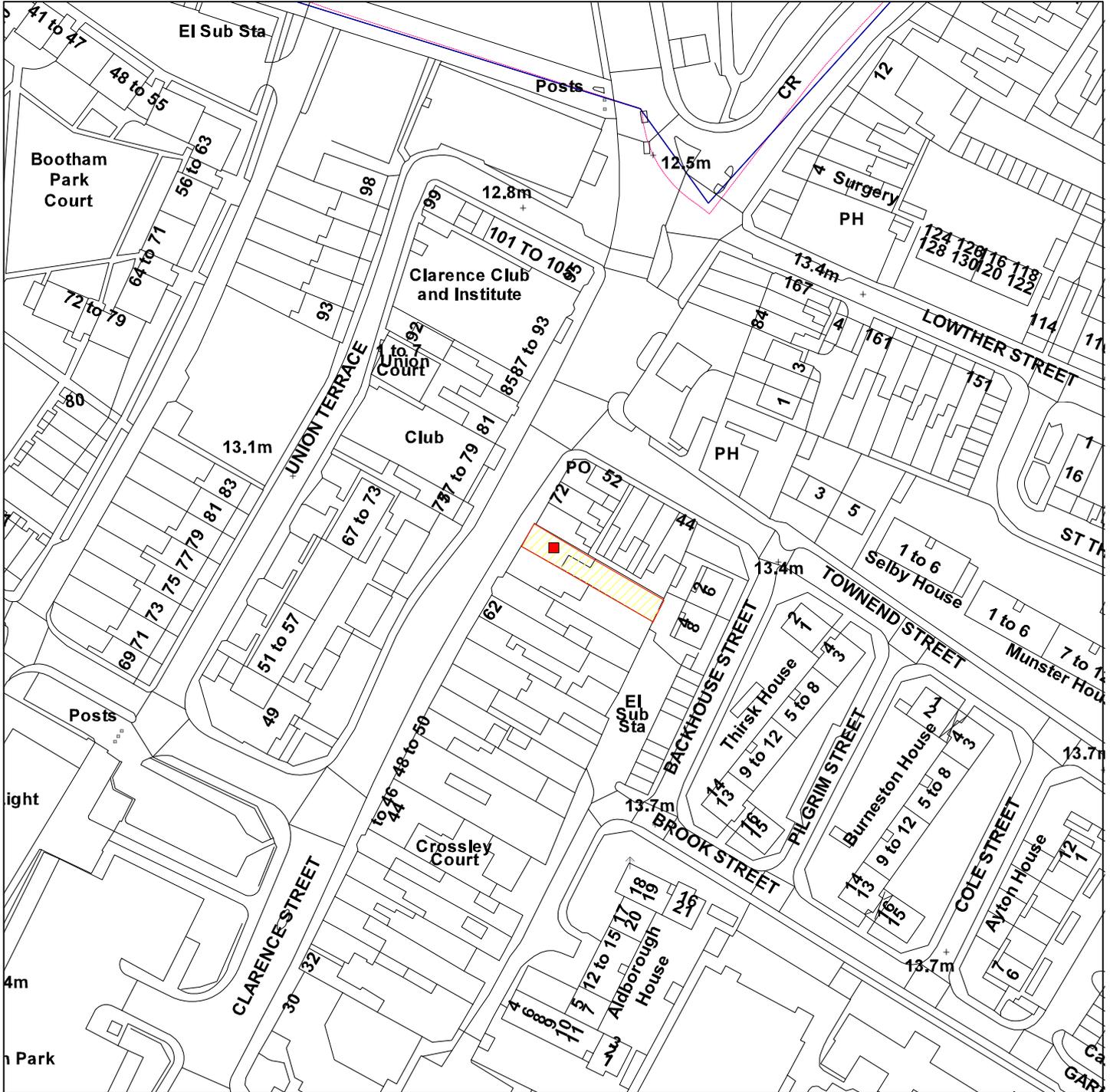
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# 68 Clarence Street, York

09/00622/FUL



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<b>Organisation</b>	City of York Council
<b>Department</b>	Planning & Sustainable Development
<b>Comments</b>	Application site
<b>Date</b>	03 July 2009
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT****Committee:** West/Centre Area**Ward:** Rural West York**Date:** 16 July 2009**Parish:** Parish Of Rufforth With  
Knapton**Reference:** 09/00460/FUL**Application at:** Harewood Whin Landfill Site Tinker Lane Rufforth York YO23  
3RR**For:** Retention of Existing Compost Pad Extension.**By:** Mr Mark Hall**Application Type:** Full Application**Target Date:** 12 May 2009**1.0 PROPOSAL**

## 1.1

Harewood Whin comprises a substantial waste disposal by landfill operation located in an area of open countryside within the designated York Green Belt to the west of the City Centre. The site, which also encompasses a range of recycling and green waste composting activities, operates under a series of permissions dating back from the mid 1980s, the current principal permission being given in 2003. A proposal was submitted in late 2007 to construct a composting area comprising three concrete pads at the southern edge of the complex but a decision has not been issued on this proposal due to an outstanding unresolved objection from the Environment Agency in relation to bio-aerosols. The current proposal envisages the retention of an extension to the existing concrete composting pad to the north of the recycling building at the north western edge of the site to handle the current throughput of green waste material suitable for composting whilst the issues surrounding bio-aerosols in relation to the application site at the southern edge of the complex are resolved.

**2.0 POLICY CONTEXT**

## 2.1 Development Plan Allocation:

Air safeguarding : Air Field safeguarding 0175

Contaminated Land :

City Boundary : York City Boundary 0001

DC Area Teams : West Area 0004

2.2 Policies:

CYGB1

Development within the Green Belt

CYMW5

Landfill/Landraising - considered on merits

### **3.0 CONSULTATIONS**

INTERNAL:

3.1 Highway Network Management raise no objection to the proposal;

3.2 Structures and Drainage Consultancy raise concerns in respect of the lack of information relating to drainage of the application site submitted with the application;

3.3 Environmental Protection Unit express some concern with respect to the proposal on the grounds of the impact of odours and bio-aerosols generated by the composting activity. They suggest that in view of the level of complaint being received in relation to composting activity at the site that a change be seriously considered to the method of working at the site to one incorporating forced aeration in line with the recommendations of the DEFRA Good Practice and Regulatory Guidance on Composting and Odour Control for Local Authorities(2009).This is justified on the basis of the need to follow the "precautionary principle" as outlined in PPS 23 "Planning and Pollution Control". Conditions attached to any approval should be used to ensure that the applicant uses an intensive method of odour abatement with suitable management controls.

EXTERNAL:

3.4 Marston Moor Internal Drainage Board were consulted with regard to the proposal on 25th March 2009. No response has been forthcoming.

3.5 Rufforth with Knapton Parish Council object to the proposal on the grounds that the work has been undertaken in advance of planning permission being granted ; the environmental safeguards put forward for the composting proposal at the southern edge of the site would not be put into place noise and smell nuisance for nearby residents would significantly increase and the proposal would facilitate a substantial increase in industrial activity on what is a Green Belt location.

3.6 One letter of objection has been received on the grounds that work has been undertaken in advance of planning permission being given.

### **4.0 APPRAISAL**

4.1 KEY CONSIDERATIONS:

Impact of the proposal on the open character and purposes of designation of the York Green Belt;

Impact of the proposal upon the amenity of neighbouring properties by virtue of noise and traffic generation and the generation of bio-aerosols;

Impact of the proposal on the surrounding pattern of surface water drainage;

Retrospective nature of the application.

#### GREEN BELT POLICY:

4.2 Policy GB1 of the York Development Control Local Plan sets a firm policy presumption in favour of development which would not by virtue of its scale, location or design conflict with the open character or purposes of designation of the York Green Belt and is for an appropriate Green Belt use including limited infilling or re-development of existing major developed sites and other essential engineering works including waste disposal. The current proposal seeks to regularise the expansion of the existing hard-surfaced compost pad by some 3455 sq metres. The composting operation lies within the restored section of the site towards its northwestern edge north of the existing re-cycling building. The existing compost pad has been expanded to the west and south on a level section of the site. It is sheltered in long and short distance views from outside of the site by the existing green waste stockpile and preparation area and the surrounding topography of the restored tip area.

4.3 The proposal involves the modest expansion of the existing composting operation to more effectively handle the existing through-put of green waste through the site. Some 59,536 tonnes of green waste are currently being processed at the facility based upon figures up to 31 Dec 2008, of which some 16,453 tonnes were from the City of York Council area. By reason of its location within the site and the nature of the development as a modest expansion of the existing developed footprint it would not have an adverse impact upon the open character or purposes of designation of the York Green Belt. As a limited waste disposal operation the proposal would constitute appropriate Green Belt development within the terms of the Draft Local Plan policy. As such the proposal complies with the terms of Policy GB1 of the York Development Control Local Plan. Furthermore Policies ENV 12 and 13 of the Yorkshire and Humber Regional Spatial Strategy place particular emphasis upon the need to provide an adequate range of sites to deal with the various types of waste arising in close proximity to the source area. The current proposal would secure the fulfilment of those criteria.

#### IMPACT UPON AMENITY OF NEIGHBOURING PROPERTIES:

4.4 Policy MW5 of the York Development Control Local Plan sets a firm policy framework for the consideration of waste management facilities requiring a range of considerations to be taken into account. These include the need for the facility, its proposed location, its impact on adjoining land uses and the duration of the proposal, the proximity principle whereby waste is disposed of as close as possible to where it is produced and appropriate measures are taken to minimise the environmental

impact of visual intrusion, noise, dust, odour and wind blown material. The current proposal envisages the extension of the existing open air composting pad to accommodate the increasing volume of green waste passing through the site whilst the concerns surrounding the proposed green waste composting facility at the southern edge of the site are resolved.

4.5 The composting process involves the shredding of the received green waste into smaller particles and its open air storage in moist regularly turned piles or windrows lying on a hard concrete surface. The length of the process takes on average 6 to 12 weeks. Regular sifting of the material is intended to tackle the problem of anaerobic conditions occurring with resultant smell nuisance to surrounding properties. A major reason advanced in justification of the proposal is the need to create a larger hard surfaced area to reduce the risk of the composted material becoming anaerobic and as result a hazard to amenity through the production of bio-aerosols. This is seen as an increasing risk as a consequence of the increasing quantities of green waste suitable for composting recovered in the York area. Concerns remain in respect of the generation of odour through the composting process, however the Environmental Protection Unit has suggested a series of detailed conditions that would bring the issue of odour and bio-aerosol generation under control. This would involve a modification to the mode of working according to the precautionary principle outlined in PPS 23 " Planning and Pollution Control" ,to bring the process in line with current best practise outlined in the DEFRA Good Practise and Regulatory Guidance on Composting and Odour Control for Local Authorities (2009).

4.6 In terms of noise generation , the process would not involve any greater degree of intensity of operation or additional machinery, as a consequence there would not be any significant impact upon amenity through noise as a result of the proposal. As the proposal would simply result in the more efficient processing of material already received at the site there would only be a negligible impact upon traffic generation. Subject to the issue of odour control being conditioned as part of any permission then the proposal would comply with Policy MW5 of the York Development Control Local Plan.

#### 4.7 IMPACT OF THE PROPOSAL ON THE LOCAL PATTERN OF SURFACE WATER DRAINAGE:

Concerns have been expressed in relation to the impact of the proposal on the local pattern of surface water drainage associated with the site. The applicant has confirmed that any surface water arising from the proposal must be treated as polluted leachate in accordance with their operating consents from the Environment Agency .All such discharges are directed to the on-site leachate treatment plant and then discharged in the normal way to the foul sewer in accordance with the site operating permit from Yorkshire Water Services.

#### 4.8 RETROSPECTIVE NATURE OF THE PROPOSAL:

The construction of the compost pad extension had been substantially completed by the time the planning application was submitted for determination. The applicant has submitted a written statement to justify this indicating that the construction of the proposal had become urgent in order to handle the anticipated sharp rise in domestic green waste during the months of May and June. To leave the pad unchanged in area would in their opinion put them at risk of enforcement action or possible

prosecution by the Environment Agency as a result of increased odour nuisance because of the difficulty of managing the composting process over such a small area. They furthermore draw attention to the fact that the extension is only required for a temporary period whilst the issues surrounding the proposed enlarged composting area towards the southern area of the site are resolved. Central Government advice in respect of dealing with planning applications for retrospective development requires that they be considered by the Local Planning Authority in the same fashion as applications submitted in the usual way for development to be undertaken in the future. The planning system should not of itself be used punitively to punish those who have constructed otherwise acceptable development in advance of gaining planning permission.

## **5.0 CONCLUSION**

5.1 Harewood Whin comprises a substantial waste disposal by landfill operation with ancillary composting and re-cycling activity located within the designated York Green Belt to the west of the City Centre. The proposal, which has been substantially completed, envisages the construction of a 3455 sq metre extension to the existing composting pad to handle the increasing volumes of green waste passing through the site. Permission is sought for a temporary period of the order of three years whilst concerns surrounding the longer term proposal for three composting pads at the southern edge of the site are resolved. Concerns have also been expressed in relation to odour/bio-aerosol generation relating to the current proposal, however the extension is intended to secure the more efficient operation of the composting process, with the use of appropriate conditions as suggested by Environmental Protection Unit then the issue of odour and bio-aerosol generation can be dealt with, with minimal impact upon amenity. Any approval would furthermore be conditioned to secure the minimisation of odour nuisance. In terms of its impact upon the open character and purposes of designation of the Green Belt the proposal would represent a modest increase of the existing built footprint supporting existing activities at the site. On balance the proposal would have little material impact upon the amenity of neighbouring properties and approval is therefore recommended.

## **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve

1 The hard-standing shall be removed by 17th June 2012 unless prior to that date a renewal of the permission shall have been granted in writing by the Local Planning Authority.

Reason: The applicant has requested a consent on a temporary basis and to secure compliance with Green Belt Policy outlined in York Development Control Local Plan Policy GB1.

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

HAR-PLOO-YO852-010 ; HAR-PLOO-YO627-001 I . Date Stamped 13th March 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 An odour management scheme, incorporating an Intensive Method of Compost Management using forced aeration or other suitable method shall be submitted to the Local Planning Authority for written approval within two months of the date of this permission. The requirements contained in the approved odour management scheme shall be implemented prior to the use hereby permitted and adhered to thereafter. The odour management scheme must be developed in line with the DEFRA guidance document Good Practice and Regulatory Guidance on Composting and Odour Control for Local Authorities Appendix C.

Reason:

To protect the amenity of nearby residents from odour and to secure compliance with Policy MW5 of the York Development Control Local Plan.

Informative:

It is recommended that the developer consults the Local Planning Authority when developing the odour management scheme and should include:

- An agreed method of predicting the amount of green waste that shall be brought on to site;
- Contingency plans to divert unexpected levels of green waste to other sites;
- Detail each step of the process, indicate where odour emissions could be released and show that the applicant has applied BAT (Best Available Techniques) to reduce the odour at each and every stage;
- A systematic review system of the odour management scheme to include , both routine reviews and reviews where unforeseen circumstances have led to increased odour emissions;
- A comprehensive raw material delivery plan.

4 The odour management scheme shall be reviewed on a yearly basis to ensure that the development has been undertaken in accordance with the details approved under Condition 3 . This review must be submitted in writing along with any amendments to the odour management scheme to the Local Planning Authority for written approval, once approved these changes shall be implemented immediately and works/operations shall be undertaken in accordance with the approved details at all times.

Reason:-

To protect the amenity of nearby residents from odour and to secure compliance with Policy MW5 of the York Development Control Local Plan.

## 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 proposal on the open character and purposes of designation of the York Green Belt, the impact of the proposal upon the residential amenity of nearby properties by virtue of odour/bio-aerosol, noise and traffic generation ,impact of the proposal on the local surface water drainage pattern and the retrospective nature of the development. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GB1 and MW5 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

2. If the developer is notified by the Local Planning Authority that the composting activities are giving rise to odour at any residential site boundary which is likely to amount to a loss of amenity , a revision of the odour management plan shall be submitted to the Local Planning Authority for written approval within a timescale to be notified by the Local Planning Authority, this revised odour management plan shall be implemented from the date of approval, unless otherwise agreed in writing by the Local Planning Authority.

### Contact details:

**Author:** Erik Matthews Development Control Officer

**Tel No:** 01904 551416

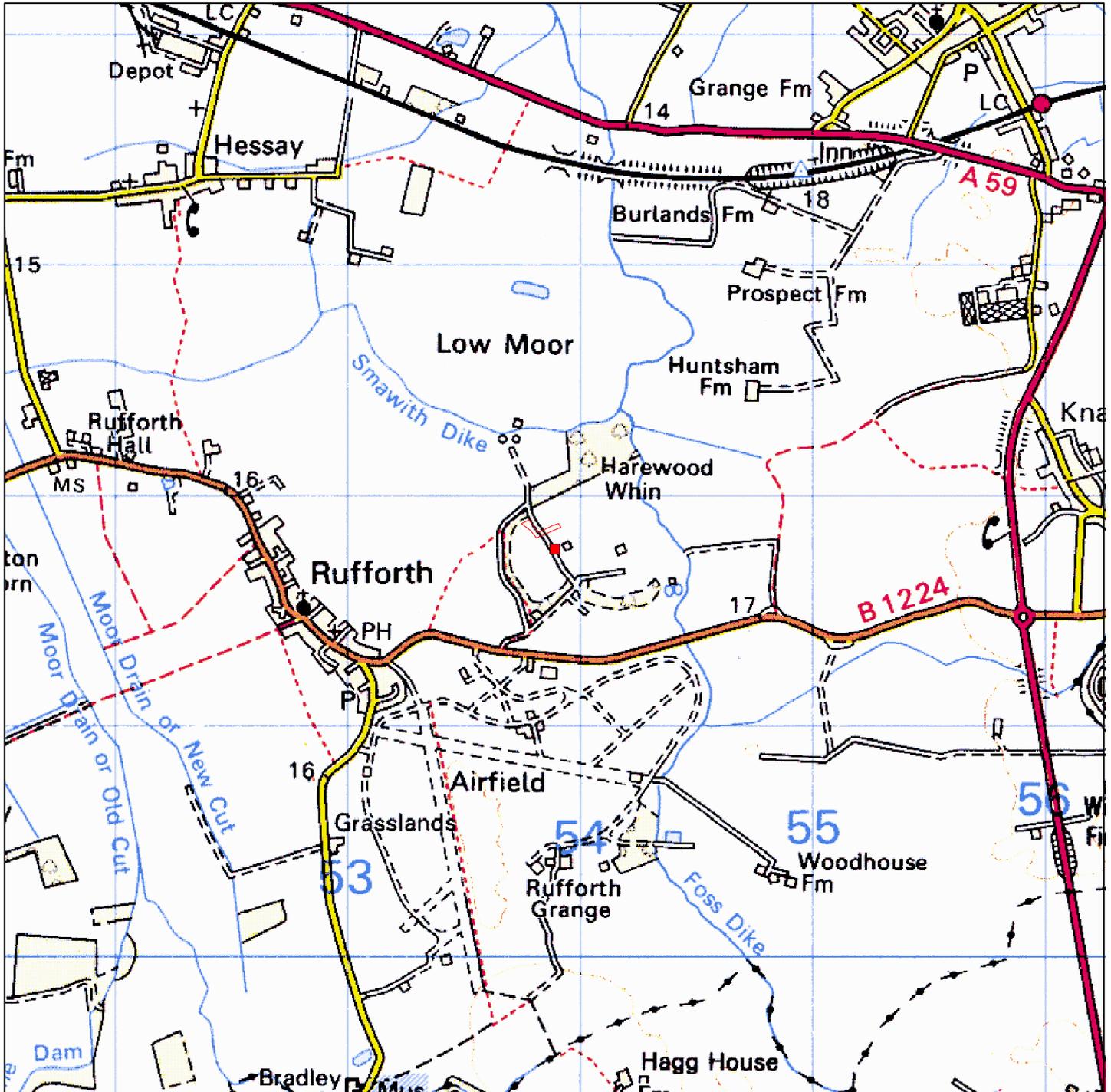
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# Harewood Whin Landfill Site

09/00460/FUL



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<b>Organisation</b>	City of York Council
<b>Department</b>	Planning & Sustainable Development
<b>Comments</b>	Application site
<b>Date</b>	02 July 2009
<b>SLA Number</b>	Not set

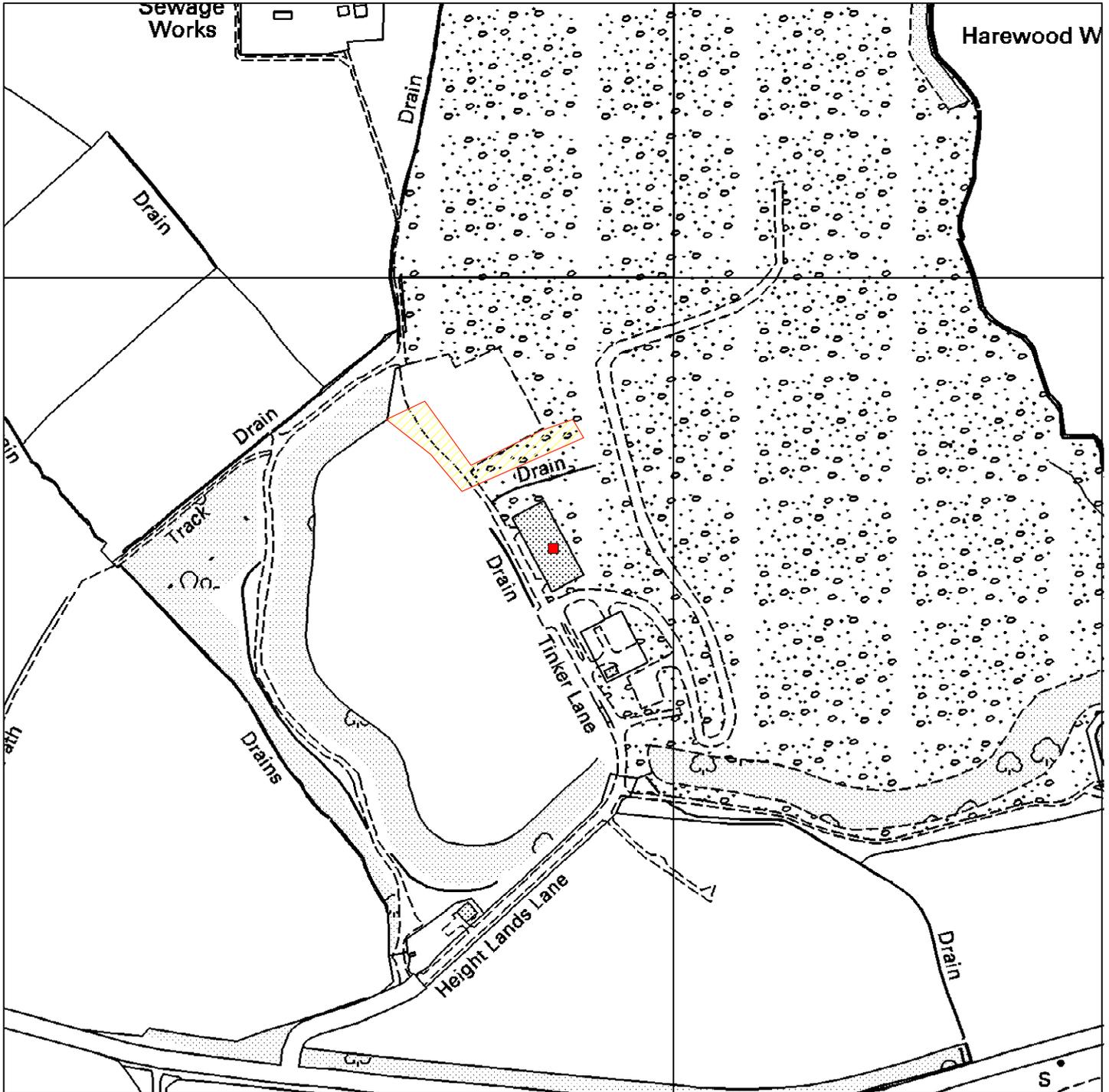
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# Harewood Whin Landfill Site

09/00460/FUL



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<b>Organisation</b>	City of York Council
<b>Department</b>	Planning & Sustainable Development
<b>Comments</b>	
<b>Date</b>	02 July 2009
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Committee:** West/Centre Area                      **Ward:** Westfield  
**Date:** 16 July 2009                                      **Parish:** No Parish

**Reference:** 08/02738/FUL  
**Application at:** Hunters The Estate Agents 47 York Road Acomb York YO24 4LN  
**For:** Change of use from Estate Agents (A2) to hot food takeaway (A5) with rear kitchen extract flue  
**By:** Mr John Waterhouse  
**Application Type:** Full Application  
**Target Date:** 2 June 2009

**1.0 PROPOSAL**

1.1 The application seeks permission for the change of use of the existing Hunters Estate Agency at 47 York Road, Acomb, to a hot food takeaway.

1.2 The application is being presented to Committee due to Officer concern.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Air safeguarding : Air Field safeguarding 0175

City Boundary : York City Boundary 0001

DC Area Teams : West Area 0004

2.2 Policies:

CYS6  
Control of food and drink (A3) uses

CYS3  
Mix of use in certain shopping streets

CYGP18  
External attachments to buildings

### **3.0 CONSULTATIONS**

#### 3.1 Internal

City Development - No objections raised

Highway Network Management - No objections in principle although the applicant should provide 2 Sheffield style cycle stands to the forecourt area

Environmental Protection Unit - No objections subject to conditions

#### 3.2 External

Neighbours - 12 letters of objection from 4, 10, 20, 30 and 31 Beaconsfield Street, 26, 32, 36, 38, 40 and 48 York Road and the Leeds Building Society adjacent to the application site, who are objecting on the following grounds:

- Additional parking problems on neighbouring streets
- Loss of parking on York Road
- May lead to accidents at the traffic lights
- Late night noise
- Youths congregating
- More litter in the streets and in the back lanes
- Noise and smell from the rear extraction system
- Loss of amenity to the residential properties opposite the site
- Should be encouraging more retail
- Already a number of takeaways and cafes in the area
- Would detract from the vitality and viability of the shopping area

Safer York Partnership - A 50m area around the site indicated 25 incidents of crime within a 12 month period with 6 being classed anti-social behaviour. The wider area, around Front Street and York Road shows higher levels of crime, mainly shop lifting and criminal damage and a high number of recorded anti-social behaviour incidents at 57.

When looking at Haci's, at 2 Front Street, this suffered from two crimes and one incident of anti-social behaviour within a twelve month period and Yans Cantonese, at 11 York Road, suffered from one crime and one incident of anti-social behaviour. However, the proposal differs from these two due to the large pavement area to the front, which may create potential for youths to congregate, which could lead to anti-social behaviour.

### **4.0 APPRAISAL**

#### 4.1 Key Issues

- Impact upon character of the area
- Noise Impact
- Traffic generation
- Policy Implications

4.2 The relevant City of York Council Draft Deposit Local Plan Policies are S3a, S6 and GP18. Policy S3a states that within York's Primary Shopping Streets and Acomb District Centre development will be permitted where it provides the improvement and expansion of existing retail premises and the establishment of new shopping uses (Use Class A1). Proposals involving the change of use of ground floor premises within the primary shopping streets will only be permitted provided that it does not detract from the primary shopping function and contributes to the vitality and viability of these areas. This policy is primarily aimed at changes of use from A1 to A3, A4 and A5.

4.3 Policy S6 states that planning permission for the extension, alteration or development of premises for A5 uses (food and drink) will be granted provided: any likely impact on the amenities of surrounding occupiers as a result of traffic, noise, smell or litter would be acceptable; the opening hours are to be restricted where this is necessary to protect the amenity of surrounding occupiers; car and cycle parking meets the standards; acceptable external flues and means of extraction have been proposed.

4.4 Policy GP18 states that where planning permission for external attachments to buildings permission will be granted where their design, location, materials and colouring do not significantly detract from the visual appearance of the building or the visual amenity of the area.

4.5 The application site is located along York Road within the district centre of Acomb. It lies towards the end of a row of commercial terrace properties, outside of the pedestrianised area of Acomb, close to the junction with Carr Lane. The site is bounded by a building society and a retail unit, with a mixture of uses within the vicinity, including an amusement arcade, retail outlets and a cafe. A number of hot food take-aways existing within the district centre but none within the vicinity of this current application site. The property has been vacant for over 9 months with no interest being taken in leasing it as an A2 or A1 use. The application seeks permission for a change of use to A5, hot food takeaway. The applicant does not have an end user for the site.

4.6 Objections have been raised in connection with the proposed change of use on the grounds of additional noise, litter and anti-social behaviour. However, the unit is located on a main vehicular route through the city and it is considered that the creation of an additional takeaway in this location would not be so detrimental to the amenities of nearby residents to warrant refusal. In addition the nearest residential properties are located opposite the property, across York Road, and are at a distance of 31m. Additional residential properties are located to the rear of the site and whilst an extraction system is proposed conditions are attached to prevent any noise disturbance arising. With regard to litter, a large Council litter bin is sited to the front of the property.

4.7 With regard to the issues of anti-social behaviour, comments have been received from the Police Liaison Officer. Taking into account the incidents of anti-social behaviour within the vicinity of the shop the levels were considered to be relatively low, at 6. However, within the York Road /Front Street area the incidents were relatively high, at 57. The Officer stated that the large paved area to the front of the

property may encourage people to congregate. However, the area is covered by an existing CCTV pan and tilt camera and, unlike the main pedestrianised area of Front Street, is readily overlooked from neighbouring properties and passing traffic. Furthermore, there is scope for a seating area within the take-away which could encourage people to stay within the building rather than congregating outside. With regard to the opening hours allowing the premises to operate until 12 midnight every day would affect the amenity of the local residents. As such conditions are proposed to limit the opening hours to 22:30 Monday to Thursday and 23:30 Friday and Saturday with no opening on Sunday.

4.8 Further objections have been received in connection with additional on street parking and potential accidents at the junction with Carr Lane. Highway Network Management have been consulted and do not raise any objections. A lay-by is present to the front of the site, which has double yellow lines, but it would be available for delivery vehicles to park and unload. The area to the rear of the proposed takeaway is densely populated and it is considered that the majority of visitors to the site would travel by foot. Highways have requested the provision of 2 Sheffield style cycle stands for visitors to the property.

4.9 In connection with the relevant policies they state that the change of use should not affect the vitality and viability of the shopping area. Members will be aware that previous applications within the vicinity have been assessed on the basis of the 35% shop front criteria (that being no more than 35% of the shop fronts should be outside A1 use). However, this unit is currently not retail and as such does not impact upon the current shop front percentage and does not result in the loss of a retail unit. It is difficult to ascertain if the change of use would have an impact upon the vitality of the area as the opening hours are not know. If the unit were open during the day it could add to the vitality. Conversely if it were to remain closed during the day it could detract from it. However, as the majority of the neighbouring units are open during the day this small unit would not be have such a detrimental impact as to warrant a refusal.

4.10 The proposed extraction system includes the installation of a flue approx. 4.75m long which will extend from the single storey rear extension and will run vertically along the two storey offshoot. It will extend beyond the eaves of the building to the height of the chimney stack. Whilst the flue will be visible from the rear lane, the area is characterised with various vertical guttering and it is considered that the installation of the flue will not significantly detract from the appearance of the building, nor will it detract from the visual amenity of the area.

## **5.0 CONCLUSION**

5.1 It is considered that the proposed change of use would not result in the loss of a retail unit and would not be detrimental to the viability and vitality of the area. Additional vehicle movements would be limited and noise and litter issues would not be se severe as to warrant a refusal of the scheme. Opening hours can be limited to prevent additional disturbance to nearby residential properties. Officers recommend approval.

## **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 and other submitted details:-

Existing building layout received 6th April 2009  
Proposed building layout received 6th April 2009

or any plans or details subsequently agreed in writing by the Local Planning Authority as an 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 HWAY18 Cycle parking details to be agreed

4 Notwithstanding the information contained within the approved plans, a scheme detailing the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for approval; once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter. This scheme must be inline with Appendix B of DEFRA guidance on the control of odour and noise from commercial kitchen exhaust systems. Should there be a substantial change in the odour or noise levels, a review of the scheme shall be submitted to the local planning authority for approval within 4 weeks of any change. Once approved this revised scheme shall be implemented and the system shall be appropriately maintained thereafter.

Reason: To protect the amenity of the local premises.

5 The take-away use hereby authorised shall not operate other than during the following hours:

Monday to Thursday 09.00 to 22.30  
Friday and Saturday 09.00 to 23.30

and not at all on Sundays.

Reason:-

To safeguard the residential amenity of nearby properties and to secure compliance with Policy S6 of the York Development Control Local Plan.

**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 the vitality and viability of the shopping area, or have a detrimental impact upon residential amenity in terms of noise, litter, traffic generation or antisocial behaviour. As such the proposal complies with Policies S6 and S3a of the City of York Development Control Local Plan.

**Contact details:**

**Author:** Heather Fairy (Mon - Wed) Development Control Officer

**Tel No:** 01904 551668

# 47 York Road, York YO24 4LN

08/02738/FUL



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<b>Organisation</b>	City of York Council
<b>Department</b>	Planning & Sustainable Development
<b>Comments</b>	Application site
<b>Date</b>	03 July 2009
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT****Committee:** West/Centre Area**Ward:** Rural West York**Date:** 16 July 2009**Parish:** Nether Poppleton Parish  
Council**Reference:** 09/00474/FUL**Application at:** OS Field 6031 Millfield Lane Nether Poppleton York**For:** Erection of one storey club house, extended car parking, cycle park, and bin store. Retention of 1 no. storage building**By:** Mr Val Duggan**Application Type:** Full Application**Target Date:** 26 May 2009**1.0 PROPOSAL**

1.1 This application seeks planning permission for a club house, cycle parking and refuse bin storage, with extended car parking. The clubhouse would cater for and provide facilities for the Poppleton Tigers. At present the club has approximately 300 players. The ages of the teams range from 5 to 18 years. The club also supports to Poppleton Ladies FC, who are based at the club. The club supports 20 teams, each of which competes in various York and District leagues. The applicants are concerned that without modern facilities, they will lose the opportunity to host high profile events. A new clubhouse will also allow them to do this and also grow. At present there is 80 parking space and the revised plans show an additional 51 grasscrete parking spaces. The application is also for the permanent retention of one of the storage containers for maintenance and sports equipments.

1.2 Planning permission was granted in 2001 (00/00597/FUL) for change of use of this site to football pitches. Further planning permission was granted in 2006 (06/02108/GRG3) to extend the pitches. At present Poppleton Tigers use metal storage containers for their accommodation, changing rooms, storage of materials etc. The containers have temporary planning consent, which has been renewed twice.

1.3 The site is within York's Green Belt, between the Poppleton and York settlement limits. The proposed clubhouse is to be located in the northwest corner of the site and would not result in any loss of football pitches. The boundary of the site is marked by a hedgerow of a substantial height (at the time of the site visits).

1.4 The application being presented to planning committee is an amended scheme. The original application sought planning permission for a 2-storey building. The main accommodation being 4 changing rooms, a kitchen and two large meeting rooms. The first floor element has been omitted within this revised scheme resulting in the loss of one of the meeting rooms. Cycle parking has also been resited to the rear of the proposed clubhouse.

1.5 The application comes before committee at the request of Cllr Ben Hudson who also requested a site visit. There have also been a number of objections to this scheme.

## **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

City Boundary : York City Boundary 0001

DC Area Teams : West Area 0004

2.2 Policies:

CYSP2  
The York Green Belt

CYSP3  
Safeguarding the Historic Character and Setting of York

CYGP1  
Design

CYGP4A  
Sustainability

CYGP15  
Protection from flooding

CYGB1  
Development within the Green Belt

CYGB13  
Sports facilities outside settlements

CYC1  
Criteria for community facilities

## **3.0 CONSULTATIONS**

### **INTERNAL CONSULTATIONS**

3.1 HIGHWAY NETWORK MANAGEMENT (revised scheme) -

The general details contained in the amended plans relating to the overall parking layout are acceptable but it is noted that up to 170 vehicles attend tournaments at the site. This level of cars will exceed the sites' capacity and may result in vehicles

parked outside of the site on Millfield Lane. There is no indication, however, of how often these "tournaments " are held. It is considered appropriate therefore, in an effort to further reduce dependency on the private car, that bus stop facilities, including paving and a shelter be provided by the applicant at the entrance nearest the clubhouse to serve the recently re-routed No 10 service.

### 3.2 SPORT AND ACTIVE LEISURE - Support Application

- Provide enhanced changing facilities, which can cater for males and females at the same time and meet league standards for changing accommodation for players and officials
- Teaching space for coach, volunteer and player development
- Kitchen space to allow for catering for the parents during matches and to provide a source of income for the club
- Will also be available for use by Manor School
- Raise the quality of ancillary facilities for the pitches in Poppleton

### 3.3 COUNTRYSIDE OFFICER - No objections

- Low wildlife value
- The hedgerows surrounding the site containing species such as hawthorn, hazel, dog rose and ash should not be affected by the works.

3.4 ARCHAEOLOGY - Outside Area of Archaeological Interest. There are no scheduled ancient monuments or listed buildings on the site. This site was subject to a limited field walking exercise prior to the creation of the current playing fields. This produced scatter of Romano-British pottery and a single prehistoric bronze palstave. There are significant find throughout the parishes of Upper and Nether Poppleton. These indicated that there is a widespread and well-developed late prehistoric and Romano-British landscape in this area. It is probable that features relating to this landscape will be preserved within the application site. The site has potential to provide evidence relating to the exploration of this part of the Vale of York in the prehistoric and Romano-British periods. Would like an archaeological watching brief conditioned

### 3.5 STRUCTURES AND DRAINAGE - Object (to original and revised plans)

- Insufficient information has been provided by the developer to determine the potential impact the proposals may have on existing drainage systems

### 3.6 ENVIRONMENTAL PROTECTION UNIT - No objections

- Have concerns that the operations of this facility into the evening and at night could cause noise, which could have a detrimental affect on the amenity of the nearby residents. Therefore would like a condition limiting the hours of operation

### 3.7 CITY DEVELOPMENT

- Original Proposal - Object

The site on Millfield Lane lies within the York Green Belt and within an area, which has been identified as important for preventing the coalescence of Poppleton and the main urban area.

National Green Belt Policy (PPG2) sets out the type of development that would be appropriate in the Green Belt. This includes essential development for outdoor sport

and outdoor recreation which preserves the openness of the Green Belt and do not conflict with the purposes of including land in it. Essential facilities are considered to be small changing rooms or unobtrusive spectator accommodation for outdoor sport. The proposed facilities cannot be regarded as being small as they accommodate a large footprint within a currently greenfield site.

Policy GB1 reflects the approach in PPG2 and states that the scale, location and design of development should not detract from the open character of the Green Belt, conflict with the purposes of including land within the Green Belt nor prejudice the setting and special character of York. The scale of the proposed clubhouse is considered to be too large in terms of the impact that it will have on the openness of the green belt and views into and out of Poppleton. The area is recognised as being important in terms of preventing the coalescence of Poppleton and the outlying urban area of the City of York. Building of this size, would potentially contribute to extending the settlement limits of Poppleton and would therefore conflict with GB1.

Policy GB13 specifically address sports facilities in the green belt. Again, it is the scale of the proposed club house that conflicts with this policy. The number and size of the changing, meeting, and viewing facilities is not really justified and cannot therefore be seen as "essential" as required by policy. No evidence of more appropriate sites within the settlement limits being investigated has been submitted. The reasoning behind the proposed extended parking facilities seem to be justified in terms of preventing on-street parking on Millfield Lane.

Policy C1 requires that the community facility proposals are of a suitable scale and design, appropriate to the character and appearance of the locality and that it meets a recognised need. It is considered that the location, in an open green belt location is not appropriate due to the scale of the proposed facilities.

Revised plans - Object

- Despite a reduction in the height of the building and deletion of the upstairs viewing gallery, the scale of the building and the expanse of the ground floor is still above what would be deemed "essential facilities" in the green belt

## EXTERNAL CONSULTATIONS/REPRESENTATIONS

### 3.8 NETHER POPPLETON PARISH COUNCIL - (original and revised plans)

- Reservations about the use of the viewing level and recommended that the building be reduced in height to single storey. This would enable the building to be screened behind high hedges and preserve the Green Belt aspect;
- Request that the hedges forming the boundary to the site be allowed to grow full height along its entire length to protect the green corridor and act as a possible noise barrier;
- Would like a condition prohibiting vehicle parking on Millfield Lane and on the grass verge. This would enable the Parish Council to continue its policy of planting spring flowers on the approaches to the village;
- Request the speed limit on Millfield Lane be reduced to 20mph; and
- Request that external illumination to the building or its surrounds be of non-light polluting fittings and they be dark sky compliant

3.9 FOOTBALL ASSOCIATION - There is an expectation from the FA and Football Foundation (FF) to have the following all to FF sizes and specifications: 4 changing rooms, 2 officials changing rooms, spectator toilet provision, clubroom/classroom with kitchen area, storage for goalposts/kit and maintenance equipment. The second floor proposed would be non-eligible for funding

3.10 SPORT ENGLAND - No objections

3.11 MARSTON MOOR INTERNAL DRAINAGE BOARD (IDB)

- The Board's prior consent is required for any development including fences or planting within 9 m of the bank top of any watercourse within or forming the boundary of the site. Any proposal to culvert, bridge, fill in or make a discharge to the watercourse will also require the Board's prior consent;
- Should not adversely affect the surface water drainage of the area and amenity of adjacent properties;
- As the applicant has stated surface water will be discharged to soakaways. The IDB would like conditions attached, if approved, requesting the suitability of the soakaways be ascertained in accordance with BRE Digest 365, also a feasibility study into the use of sustainable urban drainage systems should be provided

3.12 2 LETTERS OF OBJECTION (Original Proposal)

- Object to the siting of the clubhouse, not the existence of it;
- Stated in supporting info stated there has been consultation, this has not been the case;
- There are existing buildings on the plot, so the comments that the placing of the new structure is in keeping with the Green Belt, from the ring road is irrelevant;
- The one way system is being changed so people drive in the Long Ridge Lane end of the field and out at the access nearest the ring road. The entrance will be opposite the access route to 20 houses on Millfield Lane and Long Ridge Lane causing potential traffic and safety issues;
- The football club has already got an application lodged with the CYC for planning in for lights in the field, these are at the other end of the field away from the new proposed structure, as the new building has a viewing area should they not be positioned together;
- Create a significant change in outlook;
- Concerned about the increase in traffic and the environmental impact on the area;
- Continued problem with parking; and
- The proximity to dwellings may affect the value of the properties.

3.13 1 LETTER OF OBJECTION (Revised Proposal)

- Would obscure view of the open countryside;
- Would affect value of nearby dwellings;
- Location of proposal would increase the noise level in the area. Whilst the application specifies that it will be only used at certain times, this has not always been adhered to. Have no concerns from in regards to noise from football but people using the meeting rooms and facilities;
- A meeting room is not required for the area, as Manor School and the community centre offer these facilities. Therefore the building of these rooms will take way green belt unnecessarily;

- New plans do not address the traffic and parking issues, concerned about the vehicle access being in close proximity to an access road for 20 dwellings, especially if they are expecting the amount of traffic the increased parking facilities represent.

### 3.14 1 LETTER OF COMMENTS (original proposal)

- Support principle of clubhouse;
- Impressed by the visual aesthetics of the proposal; and
- Benefit the community

## 4.0 APPRAISAL

### RELEVANT SITE HISTORY

09/00492/FUL - Retention of 5no. storage containers/ temporary buildings in connection with football club use - Approved

07/02230/FUL - Erection of 6 no. 10 metre high floodlight on playing field (part retrospective) - Pending

06/02108/GRG3 - Change of use of agricultural land to sports field and move boundary fence to include new land - Approved

05/00034/FUL - Siting of portable steel storage building and variation of condition 1 of planning permission 00/00597/FUL to allow retention of existing buildings for a further period - Approved

00/00597/FUL - Change of use of agricultural land to playing field, siting of three portable buildings with associated parking and access - Approved

### ADDITIONAL PLANNING POLICY

Poppleton Village Design Statement, 2003

CYC Interim Planning Statement on Sustainable Design and Construction, 2007

Planning Policy Statement 1 - Delivering Sustainable Development

Planning Policy Guidance 2 - Green Belts

Planning Policy Guidance 17 - Planning for Open Space, Sport and Recreation

Planning Policy Statement 25 - Development and Flood Risk

### KEY ISSUES

1. Impact upon the Green Belt
2. Design
3. Impact on neighbouring property
4. Impact on highway safety
5. Drainage

### ASSESSMENT

### PLANNING POLICY

4.1 Planning Policy Statement 1 - 'Planning for Sustainable Development' aims to protect the quality of the natural and historic environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.2 Planning Policy Guidance 2 - Green Belts allows new buildings in the Green Belt if they are essential facilities for outdoor sport and recreation, the facilities should preserve the openness of the Green Belt and not conflict with the purposes of including land in it and should be small scale developments. Examples of such facilities include small changing rooms and unobtrusive spectator accommodation.

4.3 Planning Policy Guidance 17 - Planning for Open Space, Sport and Recreation states that to establish essential facilities for outdoor sport and recreation where the openness of the greenbelt is maintained. Development should be the minimum necessary and non-essential facilities such as additional function rooms should be treated as inappropriate development. Very special circumstances, which outweigh the harm to the Green Belt, will need to be demonstrated if such inappropriate development is to be permitted.

4.4 PPS25 Development and Flood Risk: This PPG explains how flood risk should be considered at all stages of the planning and development process. It sets out the importance of the management and reduction of flood risk in planning, acting on a precautionary basis and taking account of climate change.

4.5 Policy YH9 and Y1 of the Yorkshire and Humber Regional Spatial Strategy (May 2008) sets out the extent of the City of York Green Belt.

4.6 Policy SP2 'The York Green Belt' in the City of York Council Development Control Local Plan (2005) states that the primary purpose of the York Green Belt is to safeguard the setting and historic character of the City of York.

4.7 Policy SP3 'Safeguarding the Historic Character and Setting of York' in the City of York Council Development Control Local Plan (2005) states that high priority will be given to the protection of the historic character and setting of York. The following principles will be applied when considering planning applications: The protection of key historic townscape features, particularly in the City Centre, that contribute to the unique historic character and setting of the City; the protection of the Minster's dominance, at a distance, on the York skyline and City Centre roofscape; the protection of the environmental assets and landscape features which enhance the historic character and setting of the City. These comprise the river corridors and the green wedges, both existing and extended. They also include areas of open countryside, which provide an impression of a historic city, such as locations which allow good view of the Minster or an urban edge including a conservation area, and views into the City from a number of main transport routes; the protection of the main gateway transport corridors into York from development which, cumulatively, could have an adverse impact on the character and setting of the corridor and the surrounding environment. If development is allowed, early and substantial planting of sensitive boundaries will be required.

4.8 Policy GP1 'Design' of the City of York Council Development Control Local Plan includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.9 Policy GP4a 'Sustainability' of the City of York Council Development Control Local Plan (2005) states that proposals for all development should have regard to the principles of sustainable development. Development should: provide details setting out the accessibility of the site by means other than the car and, where the type and size of development requires, be within 400 metres walk of a frequent public transport route and easily accessible for pedestrians and cyclists; contribute towards meeting the social needs of communities within the City of York and to safe and socially inclusive environments; maintain and increase the economic prosperity and diversity of the City of York and maximize employment opportunities; be of a high quality design, with the aim of conserving and enhancing the local character and distinctiveness of the City; minimize the use of non-renewable resources, re-use materials already on the development site, and seek to make use of grey water systems both during construction and throughout the use of development. Any waste generated through the development should be managed safely, recycled and/or reused. The 'whole life' costs of the materials should be considered; minimize pollution, including that relating to air, water, land, light and noise; conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife area and room for trees to reach full growth; maximize the use of renewable resources on development sites and seek to make use of renewable energy sources; and make adequate provision for the storage and collection of refuse and recycling.

4.10 Policy GP5 'Renewable Energy' in the City of York Council Development Control Local Plan (2005) states that the development of renewable energy will make a vital contribution to the reduction of carbon dioxide emissions, facilitating the delivery of the Government's commitment on climate change. Proposal for the development of renewable energy facilities will therefore be encouraged providing there is no significant adverse effect on the existing landscape, air quality, biodiversity, water resources, agricultural land or sites of archaeological or historic importance.

4.11 Policy GP15a 'Development and Flood Risk' in the City of York Council Development Control Local Plan (2005) states that there will be a presumption against built development (except for essential infrastructure) within the functional floodplain outside existing settlement limits. Proposals for new development on previously undeveloped land outside defined settlement limits will only be granted where it can be demonstrated that the development will not result in the net loss of floodplain storage capacity, not impede water flows and not increase flood risk elsewhere. All applications in the low to medium risk or high risk areas should submit

a Flood Risk Assessment (FRA) providing an assessment of additional risk arising from the proposal and the measures proposed to deal with these effects.

4.12 Planning Policy Guidance note 2 'Green Belts' sets out the purposes of including land within Green Belts and establishes specific categories of development that are appropriate within Green Belts. All other development is deemed inappropriate and therefore harmful to the Green Belt. For such development to be acceptable in Green Belts very special circumstances must be demonstrated to show that the harm is outweighed by other considerations. The boundaries of the Green Belt are detailed on the Proposals Map of the City of York Council Development Control Local Plan (CYCDCLP) and this site clearly falls within the Green Belt. Policy GB1'Development in the Green Belt' of the CYCDCLP follows the advice contained in PPG2 in stating that permission for development will only be granted where: the scale, location and design 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; and it would not prejudice the setting and special character of the City, and is for a type of development listed as appropriate development. All other forms of development are considered to be inappropriate and very special circumstances would be required to justify where the presumption against development should not apply.

4.13 Policy GB13 'Sports Facilities Outside Settlement Limits' of the City of York Council Development Control Local Plan (2005) states that within the green belt or open countryside proposals for the development of essential ancillary facilities for outdoor sport or recreation will be permitted where: the facilities are essential to support the outdoor provision; and the facilities are kept to a scale consistent with the requirements of the outdoor recreational activity; and there are no opportunities to provide the built facilities in adjacent settlements; and any new buildings or structures and associated parking do not detract from the openness of the green belt or open countryside or result in the coalescence of settlements and the proposals will not compromise grades 1, 2 or 3a agricultural land. Proposals for non-essential facilities even if they are considered to complement the principle outdoor activity (e.g. additional function rooms, indoor leisure) are inappropriate developments. In such cases the applicant would be required to demonstrate very special circumstances to justify why the presumption against development should not apply.

4.14 Policy C1 'Community Facilities' of the City of York Council Development Control Local Plan (2005) states that a planning application for social, health, community and religious facilities will be granted permission providing that the proposed development is of a scale and design appropriate to the character and appearance of the locality and it would meet a recognised need.

4.15 The supplementary Planning Guidance - Poppleton Village Design Statement (2003) has relevant design guidelines for this proposal, such as; (1) aspirations to maintain the village's rural character/atmosphere, by maintaining green and open land between Poppleton and York. (2) Expansion of Poppleton outside the existing curtilage towards the Ring Road should be discouraged. (3) Any development on the village periphery should be in keeping with both the surrounding properties and the countryside and should give high priority to landscape design to protect and enhance the external views of the village. (4) The size, scale and massing of new buildings

should harmonise with neighbouring properties and spaces. (5) Contemporary design should complement and be in sympathy with existing building character. (6) Adequate parking spaces should be provided within the curtilage of the property to avoid on-street parking. (7) Every effort should be made to support the loss of facilities in Poppleton, which help to maintain the strong community spirit

#### IMPACT UPON THE GREEN BELT

4.16 PPG2 supports buildings being constructed within the Green Belt, if they satisfy certain criteria. One of the criterion is that a building should be/provide essential facilities for outdoor sport. PPG2 allows that these facilities should be genuinely required and should be small scale and kept at a scale that is consistent with the requirements of the outdoor recreational activity.

4.17 This site is recognised as being an important area in preventing the coalescence between Poppleton and the main urban area of York. The Council's City Development department has raised concerns that this scheme could potentially contribute to extending the settlement limits of Poppleton, thus detracting from the openness of York's Green Belt. It is considered that the building would add to the coalescence of development and fails to satisfy the Poppleton Village Design Statement and Policy GB13, it is not considered that it would lead to an extension of the Poppleton settlement envelope and is not considered to set a precedent for development of this part of the greenbelt.

4.18 The agent states the proposal would not have a detrimental impact upon the openness of the Green Belt, by virtue of being viewed against a backdrop of existing dwellings to the north/northwest. The proposed building is visible from the ring road but would have a degree of separateness from the dwellings, emphasised by its design and siting. It would also have a backdrop of a large hedge further emphasising its separation from Poppleton's village boundary.

4.19 The agent has stated that there are special circumstances for allowing the proposed clubhouse. He states that this revised scheme has been designed to the minimum requirements set out by the Football Foundation (FF) and the Football Association (FA). If the scheme fails their requirements, these organisations would not provide funding support for this project. The changing rooms are also the minimum size that would be accepted by the FA and FF. Both organisations have minimum requirements, which include a meeting room for team activities and a kitchen to supply food during matches. A kitchen would also provide some income for the club. Funding mechanisms for the club are not a material planning consideration and can only be given limited weight.

4.20 The principle for providing recreational facilities on this site, is considered to be acceptable. The original 2-storey building would have had a detrimental impact upon the Green Belt, by virtue of its scale and massing, and could not be considered to be small scale as required by PPG2. The football club were requested to reduce the size and scale of the building to satisfy policy requirements. Revised plans were submitted with the first floor removed (which contained a meeting room/viewing gallery). The height of the building has also been reduced by 1.35 metres to 4.7 metres in height. However the footprint of the building has not been altered. The

Council's City Development department, uphold their objections to the revised scheme, as they consider the proposals are still not small scale and therefore not in accordance with PPG2 policy . City Development also queries the proportions of the changing rooms and other facilities. The applicants have stated that elements such as a meeting room are required to host FA approved training courses for managers, coaches and referees.

4.21 At present the club facilities are housed in 5 metal storage containers, which have temporary planning consent. The units do not contribute to the appearance of the Green Belt and their removal would be a benefit. If the clubhouse is built, all but one of these containers would be removed from the site. The remaining container would be used for the storage of maintenance equipment and sports equipment, such as goal posts etc. The container would be sited abutting the southern boundary, close to the vehicle exit. Whilst it would be preferable to remove all the containers, as they are not a positive addition to the Green Belt, by virtue of the container's siting (tucked into the boundary) and the high hedges (albeit deciduous hedges) together with its green colour, it is considered that the retention of one container would not cause undue harm to the openness of the Green Belt.

4.22 Taking into consideration the above points, i.e. the number of football pitches on the site (3 full size pitches and 7 mini pitches), large membership of the club and the building's scale in relation the overall size of the site, it is recognised that the proposed clubhouse would be in proportion with the needs of the club.

## DESIGN

4.23 The design of the clubhouse is, by reason of its use, reasonably utilitarian in appearance. The design, to a certain extent, is influenced by the requirements of its users and their needs. It would have been preferable if the scheme could have responded more sympathetically to its environment and position within the Green Belt. Options such as green roofs use of natural materials and a simplified layout could have been further explored. It is recognised that a reasonable proportion of this development will be obscured by the surrounding hedging and that the requirements of the building have influenced its appearance. On balance, taking the aforementioned into consideration the design is acceptable.

## IMPACT ON NEIGHBOURING PROPERTIES

4.24 The distance between the proposed clubhouse and the nearest dwellings would be a minimum of 40 metres. The proposed clubhouse would be partially screened from the dwellings and the road by the existing hedge. As the hedge is deciduous the effect of screening would be reduced in winter months. Taking into consideration the effect of screening and the height of the hedging and also the significant separation distance between the proposed clubhouse and existing residents, the scheme is not considered to unduly impact on the outlook from the dwellings on Millfield Lane, reduce their privacy or create overlooking.

4.25 A neighbour has raised some concern by the potential increase in traffic. The entrance to the site is in close proximity to the vehicle entrance for 76 to 82 Millfield Lane and 1 - 31 Long Ridge Lane. The agent has stated that it is the club' s intention

to expand the club and the number of users. There is a one way system within the site and this would remain. Highway Network Management have not raised any concerns regarding the increase in traffic. As a consequence, it is not considered that there would be any potential traffic safety grounds or adverse impact to the vehicle access for the neighbouring dwellings.

4.26 Objections have also been raised due to the proximity of the proposed clubhouse to the nearby dwellings and the impact it would have on the property values. Property values are not a material planning consideration and cannot be taken into account.

4.27 There has been an objection to the siting of the clubhouse. It has been asked if it could be resited where the existing steel containers are. However a decision can only be made on the proposed siting put forward in the application and without the benefit of consultee input would be unable to comment on the resiting to another part of the site.

4.28 Concerns have also been raised concerning external lighting creating a disturbance to the occupants of the neighbouring dwellings. Issues of lighting can be controlled by condition.

4.29 The Parish Council has requested that the height of the hedging be retained at a certain height so as to act as a noise barrier, however it is considered that this would be over onerous and conditioning the minimum height of the hedge could lead to a hedge of a significant height which would impact on the open aspect of this area.

4.30 Some concern has been raised about noise disturbance from the people using the clubhouse facilities. The agent has confirmed that the meeting room would only be used for football related activities and would not become a venue for parties etc. The agent has specified times of opening, which have subsequently been revised. These times are not considered to be antisocial, and are reasonable and would rule out social gatherings in an evening. It should be noted that feedback from Environmental Protection Unit at the time of the report was still outstanding; a verbal update will be given at committee. It is considered the opening times of the clubhouse can be adequately conditioned to prevent noise disturbance, also the meeting room can only be used in relation to football any other use of the meeting room may require planning permission

#### IMPACT ON HIGHWAY SAFETY

4.31 The revised plans show the cycle parking has been resited to the rear of the clubhouse. They are more visible from the clubhouse therefore improving the security. Whilst the resiting of the cycle parking would improve security, by virtue of increased visibility, this amendment has compounded the impact of the built up appearance of the proposal within the Green Belt.

4.32 The disabled parking bays have been resited so they are nearest the entrance of the proposed clubhouse. They also have access strips to each side. The coach parks have also been resited. There are 80 grasscrete parking spaces proposed and

these would provide overflow parking. Highways Network Management did not express any objections to the entrance being in close proximity to a vehicle access for dwellings on Millfield Lane and Long Ridge Lane. The access to the site has not been altered from the existing arrangement.

4.33 Highways Network Management have requested that the applicant should provide bus stop facilities, including paving and a shelter, at the entrance nearest the clubhouse. These facilities would serve the recently re-routed No. 10 service and should help to reduce dependency on the private car. Whilst this has been requested from the agent no response has been received yet.

4.34 It is recognised there may still be parking on Millfield Lane when tournaments are being held, however it is considered that the increase in parking provision within the site should remove this issue during normal match days. The revised plans show an increase in overflow parking by 53 spaces. Originally the applicants had proposed 113 parking spaces however due to concerns raised by the council (impact on the openness of the Green Belt) the number of parking spaces were reduced.

4.35 The Parish Council have requested a condition be imposed if approved, stating there should be no parking on Millfield Lane. This is outside of the site specified in the application, the LPA cannot condition such a restriction. In addition a condition of this type would most likely be unenforceable.

## DRAINAGE

4.36 The Council's Structures and Drainage Department have objected to the application on the grounds of lack of drainage information. The agent has been unable to satisfy the engineers that the scheme would not have detrimental impact upon flooding within the area due to surface water run-off. However it is considered that these issues could be overcome with the imposition of suitable conditions, if the application was approved.

## 5.0 CONCLUSION

5.1 National, regional and local Green Belt policies seeks to protect the openness of the Green Belt. This site has been recognised as an important site within this policy framework as it maintains a green gap and prevents coalescence between Poppleton and York. It is recognised that the clubhouse would provide important facilities to members, visitors etc. and should provide a financially sustainable development which should support itself due to generating an independent income. The scheme generally satisfies Green Belt policy in so far as it provides essential facilities for outdoor sport. In addition Poppleton Tigers have been playing football on the site since at least 2000 and have demonstrated a clear commitment to providing sporting facilities for local residents and the City of York. It is reasonable to expect the club to want to provide better facilities for its members etc. The issue of size and scale of the development has been identified as a concern by City Development and some objectors, however the site is large and the clubhouse of this size is needed to serve the members and visitors.

5.2 Drainage issues have not been resolved prior to the application being presented to committee. It is preferable that these issues could have been resolved, to prove the scheme will not have a detrimental impact upon neighbouring residents and the area due to flooding. However suitable conditions have been recommended which should provide adequate protection of nearby dwellings and road etc from flooding.

5.3 Parking congestion should be alleviated due to the overflow car parking area. However it is possible that during peak times, tournaments etc Cars may park on Millfield Lane adjacent to the site. There are no parking restrictions on this road, which prevent parking on the verge, as a consequence it would be very difficult to impose conditions preventing this.

5.5 Impact on adjacent residents should be kept to a minimum due to proposed conditions limiting hours of use and acceptable uses. Generally, activities will be held here during the daytime and at weekends.

5.6 After considering the above points, it is considered that, on balance, the scheme is acceptable and, if approved, will provide upgraded essential facilities for Poppleton Tigers Football Club.

## **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve

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

Drawing Number 201 B received 29 May 2009  
Drawing Number 203 B received 29 May 2009  
Drawing Number 206 A received 29 May 2009  
Drawing Number 207 B received 29 May 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.

2 TIME2 Development start within three years

3 VISQ8 Samples of exterior materials to be app

4 Prior to the commencement on site 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.

Details to include:

- calculations and invert levels of the existing surface water system should be provided together with details to include calculations and invert levels of the proposals for the new development. This will enable the impact of the proposals on the downstream watercourse to be assessed.
- Existing / proposed ground levels to ordnance datum for the site and adjacent properties should be shown.
- Existing and proposed surfacing should be specified.
- The developer should provide a topographical survey and proposed finished floor and ground 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.
- Additional surface water shall not be connected to any foul / combined sewer, if a suitable surface water sewer is available.
- As the proposed method of surface water disposal is via soakaways, these should be shown to work through an appropriate assessment carried out under BRE Digest 365, carried out in winter - to prove that the ground has sufficient capacity to accept surface water discharge, and to prevent flooding of the surrounding land and the site itself.

If the above is found to be unsuitable then In accordance with PPS25 and in agreement with the Environment Agency / Marston Moor IDB, peak run-off from developments must be attenuated to 70% of the existing rate (based on 140 l/s/ha of connected impermeable areas). Storage volume calculations, using computer modelling, must accommodate 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 must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

Reason: To protect the area from surface water flooding

5 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.

6 Notwithstanding the information contained on the approved plans, the height

of the approved development shall not exceed 4.7 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

7 Notwithstanding the submitted plans and prior to the commencement of the development full details of the method and design and siting of external illumination for the club house shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason: In order to protect the character and appearance of the area from excessive illumination.

8 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

9 Prior to the commencement of development, full details of a renewable energy strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include (i) the building's proposed renewable energy generation, which shall be at least 5 % of total energy generation unless otherwise agreed in writing with the Local Planning Authority (ii) measures to reduce energy demand. The development shall then be carried out in accordance with the approved assessment.

Reason: To ensure that the proposal complies with the principles of sustainable development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction

10 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with the approved plans.

Reason: To prevent the egress of water and loose material onto the public highway.

11 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) 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.

12 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.

13 The hours of operation of this approved use shall be confined to

Monday to Fridays	18.00 to 21.00
Saturdays	09.00 to 16.00
Sunday	09.00 to 16.00

Reason: To safeguard the amenities of adjoining occupants.

14 Notwithstanding the submitted plans details of facilities for the storage and collection of refuse and recyclable materials shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided prior to the first use of the building and shall be maintained thereafter.

Reason: in the interests of sustainable development and to encourage recycling of materials.

15 There shall be no permitted change of use of the football clubhouse to any other use allowed within Use Class D2.

Reason: To protect the residential amenity of the occupants of the nearby dwellings.

**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 the residential amenity of the neighbours, the visual amenity

of the building and the locality, impact on the openness of the greenbelt, and highway safety. As such, the proposal complies with Policies GP1, GB1, and GB13 of the City of York Council Development Control Local Plan (2005); national planning guidance contained in Planning Policy Guidance 2 - Green Belts.

2. INFORMATIVE:

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:

General power of improvement - Section 62 - Mr M Kitchen 01904 551336

3. Demolition and Construction - Informative

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a scheme remediation to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

a) 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.	

b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise

emissions.

e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

f) There shall be no bonfires on the site

**Contact details:**

**Author:** Victoria Bell Development Control Officer

**Tel No:** 01904 551347

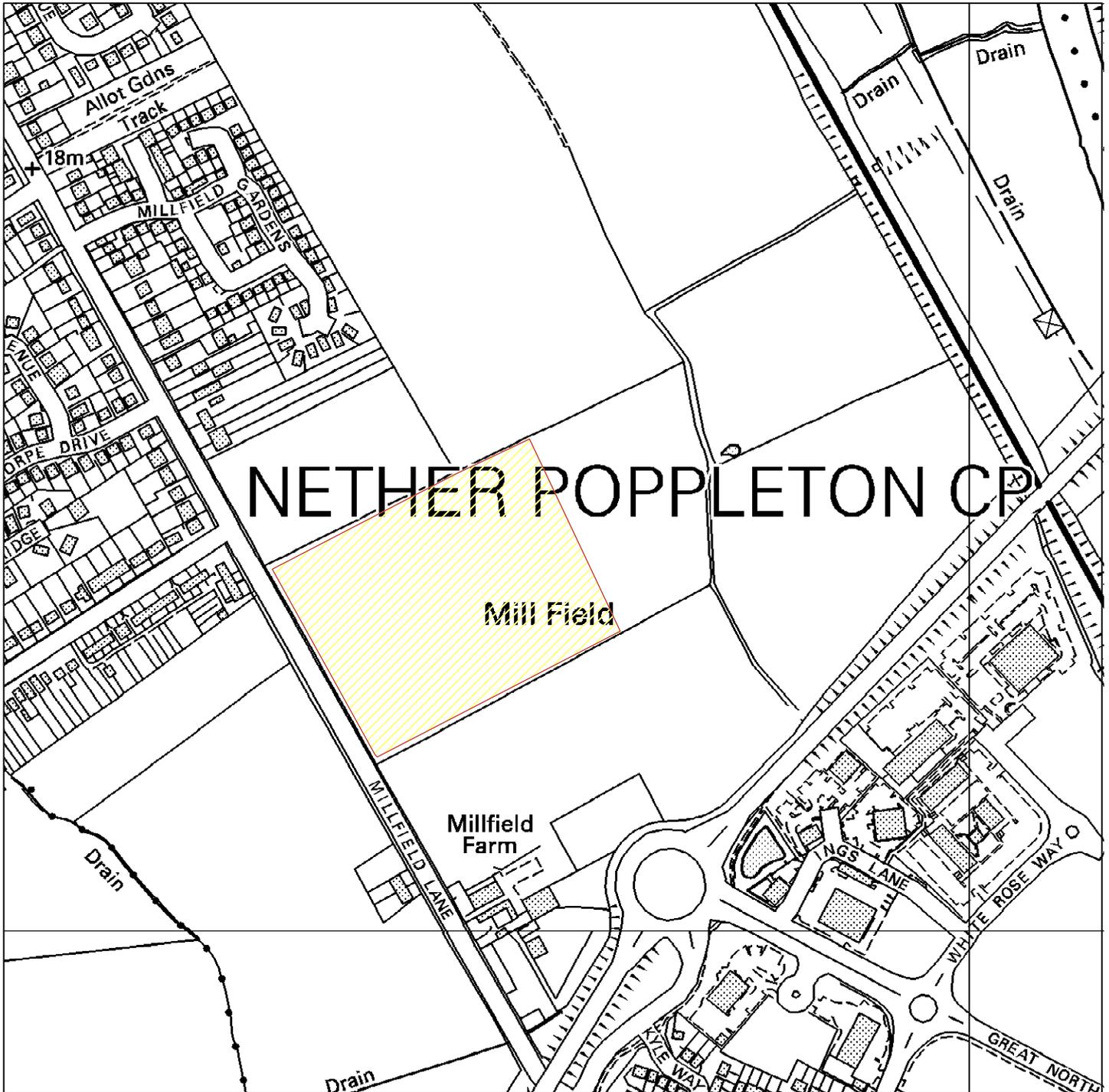
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# OS Field 6031, Millfield Lane, Nether Poppleton

09/00474/FUL



GIS by ESRI (UK)



Scale : 1:5000

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<b>Organisation</b>	City of York Council
<b>Department</b>	Planning & Sustainable Development
<b>Comments</b>	Application site
<b>Date</b>	03 July 2009
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT****Committee:** West/Centre Area**Ward:** Micklegate**Date:** 16 July 2009**Parish:** Micklegate Planning Panel**Reference:** 08/02755/LBC**Application at:** Railway Station Station Road York**For:** Installation of automatic ticket gates, glazed barriers, associated cctv cameras and signage, alterations to chaplain's office, formation of passageway from short stay car park to Inner Concourse, provision of ATM booths, relocation of various booths and kiosks and associated building works**By:** National Express East Coast**Application Type:** Listed Building Consent**Target Date:** 26 June 2009**1.0 PROPOSAL**

## INTRODUCTION

1.1 The following application is presented to the West and Centre Planning Sub-Committee for a determination at the request of Councillors Sandy Fraser, Dave Merrett and David Taylor due to the potential detriment to York Railway Station.

1.2 The application submitted by National Express East Coast seeks listed building consent for the installation of automatic ticket gates and barriers within the station concourse and at the western entrance to the station from Leeman Road at York Railway Station. The application also proposes the installation of associated CCTV cameras to monitor barrier gates, alterations to the chaplain's office to form an excess fares office, the formation of a pedestrian/ cycle link from the inner concourse to the short stay car park/ tearoom square area, the relocation of various booths and kiosks from the inner concourse, the demolition of the existing ATM kiosk/ Photo-me building in the inner concourse, associated signage, relocation of the existing signal post to allow for the provision of the relocated information kiosk from the inner concourse to the outer concourse, the relocation of the principal customer information board from the inner concourse to the outer concourse, and the relocation of the existing vending machine and information post from the tearoom square area.

## STATUTORY CONTEXT

1.3 York Railway Station is a Grade II\* listed building within the Central Historic Core Conservation Area. Members are advised that it is the statutory requirement of the Local Planning Authority under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to " have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses." Therefore when considering the application, Members should be mindful of what issues are material to the listed building application and

what are non-listed building issues or station management issues that lie outside control of the Local Planning Authority's power in determining the application. This is the sole and prime consideration in the determination of listed building consent and no other issues can be considered.

## SUPPORTING INFORMATION

1.4 National Express advises in initially submitted supporting information that the gates and the barriers are a requirement of their franchise that was granted by the Government for the period 9 December 2007- 31 March 2015. National Express has requested that the gating scheme still be determined despite the recent announcement that National Express is to cease operating the franchise. The supporting information states that the purpose of the gates is to protect revenue and to control access onto the platforms by reducing fare evasion and reducing crime and antisocial behaviour by controlling access and increasing security of employees and customers. In further supporting information received on 21 January 2009, National Express East Coast indicated that the protected revenue would be re-invested in enhanced facilities at the station such as improved signage, painting and seating, provision of electronic poster boards and 'interactive' smart columns, extra cycle parking, additional facilities for cyclists, and improved waiting areas benefiting both York and the UK rail industry. This letter clarifies that access to platforms for non-rail passengers and visitors such as train spotters would be free and at the discretion of station staff. It advises again of the agreement to introduce gating as part of its franchise commitment and the increasing policy of gating nationally.

1.5 The Local Planning Authority considered that further supporting information was required to justify the proposals under paragraph 3.4 of national planning guidance contained in Planning Policy Guidance No. 15 " Planning and the Historic Environment." A Historical Analysis with an overarching amended drawing was submitted by the agent and National Express on 6 March 2009, followed by detailed drawings and an updated Design and Access statement on 1 May 2009 to include further justification and associated CCTV and signage details.

1.6 The revised Design and Access Statement ( April 2009 ) includes additional information and explains the requirement to protect revenue as part of its franchise, expanding on the current trend for re-gating of main stations as detailed above. National Express is not prepared to divulge the specific details of its business case for reasons of commercial sensitivity and confidentiality. The research of the business case analysed customer flow and behaviour and the results influenced the final barrier layout that is now before Members.

1.7 A supplementary statement was received in May 2009 from National Express that expands on the gating proposal for York station, updates on the progress of gating schemes nationally and government commitment to its approach. This document specifically addresses many of the issues raised by the public, local businesses and interested parties, and is therefore attached as Appendix 2.

## WIDER CONTEXT

1.8 At the request of the Local Planning Authority, National Express has considered the gating scheme in its wider context and commissioned a station masterplan that shows the gating scheme within the wider context of general station improvements and it supports the application as a supplementary document.

1.9 The updated Design and Access Statement places the proposals for York Station in the context of five other stations on the East Coast mainline route which are being adapted for gating this year i.e. Newcastle (grade 1), Durham (grade 11), Darlington (grade 11), Newark Northgate (grade 11) and Grantham.

#### LOCATION OF WORKS AND FURTHER DETAILS OF THE PROPOSALS-

1.10 The proposals have been amended following a series of site meetings between the applicant, the local planning authority and English Heritage. It should be stressed that the applicants have gone to significant lengths to accommodate the comments from English Heritage and the Local Planning Authority during this negotiation period. To illustrate the changes, copies of the originally submitted scheme will be displayed for Member's consideration at the Committee meeting. Details of the series of revisions are attached as Appendix 2.

1.11 The revised proposals are split between 11 locations within the station complex as follows-

#### LOCATION 1 : OUTER CONCOURSE

- Relocation of existing principal Customer Information Display from the Inner Concourse.
- Provision of Photo-me booth
- Provision of free-standing Customer Service Point
- Provision of 2 No. BT telephone units
- Removal of existing planter and heritage signal and making good of terrazzo etc beneath
- Relocation of florist stand to Portico area

#### LOCATION 2: ENTRANCE TO SHORT STAY CAR PARK

- Installation of 1.3m high glazed barriers with 3 no. access gates and a 3.1m automatic wide vehicle gate
- Relocation of existing vending machine and passenger information point
- Creation of new access through existing female toilets and Chaplain's office

#### LOCATION 3: INNER CONCOURSE, EAST SIDE

- Installation of 4 no. standard automatic ticket gates and 1 No. wide gate
- Installation of 1.1m high glazed barriers and 1 No. access gate
- Demolition of existing tile clad building and reinstatement of terrazzo floor finish
- Provision of 2 No. Customer Information Screens integrated to barrier line

#### LOCATION 4: INNER CONCOURSE, WEST SIDE

- Installation of 6 No. standard automatic ticket gates and 2 No. wide gates
- Relocation of 2 No. existing kiosks
- Relocation of existing customer information display and customer service point to Outer Concourse
- Provision of 2 No. Customer Information Screens integrated to barrier line

LOCATION 5: ENTRANCE TO LONG STAY CAR PARK

- Installation of 3 No. standard automatic ticket gates and 1 no. wide gate
- Removal of concrete plinth to formal parcels sorting bays
- Alteration to existing brick wall to increase its height and provide an access door

LOCATION 6: FOOTBRIDGE ENTRANCE TO NATIONAL RAILWAY MUSEUM

- Provision of a glazed enclosure at the foot of the footbridge steps to incorporate 2 No. standard automatic ticket gates and 1 No. wide gate
- Associated alterations to fence line

LOCATION 7: EXCESS FARES OFFICE

- Provision of an Excess Fares Office within the existing Hertz Car Rental office including the provision of a DDA Compliant raising/ lowering ticket counter

LOCATION 8: ATM KIOSK PLATFORM 5

- Provision of 2 ATMs in existing kiosk

LOCATION 9: FORMER PARCELS OFFICE

- Internal changes associated with the relocation of the Hertz operation from the Inner Concourse
- Internal and external changes associated with the provision of 2 ATMs

LOCATION 10: ENTRANCE TO LONG STAY CAR PARK

- Provision of 2 No. pedestrian crossings and associated safety barriers

LOCATION 11: AREA BETWEEN THE END OF PLATFORM 1 AND CUSTOMER LOUNGE

- Relocation of two existing catering kiosks

DESCRIPTION OF WORKS

1.12 BARRIERS AND GATES- In detail, the works would comprise the installation of 17 No. automatic ticket gates spread over the three locations as explained above and as indicated on the submitted drawings. The gates would be a mix of 13 No. standard width ( 600mm) and 4 No. wider width ( 900mm ) gates to cater for cycles,

passengers in wheelchairs, passengers with pushchairs, and passengers with bulky items of luggage. The gates have been amended to 1.1m in height, the metal elements of the installations would be in stainless steel, with polycarbonate panels. The gates would have the capability to read a range of tickets. The barriers and the gates would be fixed to the floor with sunken fixings and would incorporate a cable duct to limit further damage to the terrazzo flooring.

1.13 The proposed glass barriers would be 12mm thick and the supporting stanchions would be in stainless steel. The barriers would be 1.1m and 1.3m in height depending on the location, a reduction from the originally proposed 1.8m height. Manual gates at 1.1m high would be provided in the barrier runs at Locations 2 and 3 to allow station vehicles onto the platforms. At these locations there would be an element of stainless steel floor mounted buffer rail at either side of the gate opening and low level crash barriers would be provided at Location 3.

1.14 General amendments propose that the previously powder coated barrier supports would now be finished in stainless steel to match surrounding metal work and the diameter of the supporting posts and flanges would be reduced slightly resulting in a neater support structure. In Locations 3 and 4 of the revised plans, the barriers/gates closing the end of the inner concourse have been simplified by removing the kiosks and lowering the barrier height to 1.1m to be compatible with the gate height. It was agreed with the agent that the emergency gates in this location would have glass infill rather than steel or ply. The previously proposed customer information monitors ( 4 No. ) shown attached to the south wing of the inner concourse in the initial proposal have been removed and the screens would now be integrated within the ticket gate line.

1.15 The proposed barrier that would be adjacent to the former tea room would be similar in design, has been relocated further forward of the building towards the rails, and its height has also been reduced from 1.8m to 1.3m ( Location 2 ). The gates in this location would incorporate stainless steel uprights ( rather than glass panels ). Trunking would run underground in this location and it is intended that existing modern crash barriers immediately in front of the former tearoom would be removed. The existing cruciform sign and vending machine in front of the tea room would be resited to Platform 2 and 4 resulting in a more open concourse to either side of this barrier.

1.16 NEW PASSAGEWAY AND WORKS AT LOCATION 7- Following concern about access from the short stay carpark to the inner concourse, the revised plans now propose a passageway through the north wing of the existing building. This would be achieved by connecting a new passage to the existing corridor leading to the ladies cloakrooms. The route would reuse two existing doorways, and a new internal separating wall would be introduced. A new excess fares ticket office would be created on the rail side of the barriers in part of the existing building Hertz building ( relocated to former parcel office ) with access from Platform 3. This would result in the insertion of a compartmented area in the former Hertz office.

1.16 ATM PROVISION- The existing ATM block would be demolished to allow for the barrier line and a new ATM facility would be provided in an existing kiosk building on Platform 5 for rail-side customers ( Location 8 ) and 2 ATMs would be provided

in the former Red Star parcels building near the long stay car park. This would result in minor changes to the external elevation of the station building at this location ( Location 9 ) and the flooring made good.

1.17 LEEMAN ROAD GATES- Minor modifications have been made to the design of the new canopy structure that would protect the ticket gates to the west at the entrance from Leeman Road. ( Location 6 ) This gate line lies outside the curtilage of the historic station but it was considered that an improvement could be made to the quality and detailing of the materials that would be used (circular posts, refined edge detail of roof, better quality roof covering). The scheme includes minor alterations to the existing fence line at the Leeman Road entrance to accommodate the barrier structure.

1.18 CCTV CAMERAS AND LIGHTING- The proposal includes the provision of 21 No. new CCTV cameras mounted at high level around the station and 4 No. internal cameras to provide coverage at all gates and aid security. Additional works increased lighting at the barriers at Locations 3 and 4 to allow for effective CCTV coverage.

1.19 SIGNAGE- The signage on the station would be altered and supplemented to advise passengers of the barriers, and to provide wayfinding signage.

1.20 PEDESTRIAN CROSSINGS- External changes at Location 10 include the provision of two pedestrian crossings and barriers to provide safe access from the Long Stay car park to the front of the station building.

1.21 ASSOCIATED WORKS- The scheme would require the relocation of the main customer information display and information kiosk from the inner concourse to the outer concourse ( Location 1 ). Revised plans pull the digital display further away from the constructed brick face of the ticket office ( 1980s work ).The proposed new Customer Information Point would act as a customer reception point and would require the removal of the existing signal post feature that was introduced in the 1980s. It is intended that the signal post would be offered to the North York Moors Railway or the National Railway Museum. The terrazzo flooring under the planter was protected when the signal was installed. Revised plans improve the design of the Customer Information Point and clarify that it would be orientated to avoid obstructing customer flow. A place would be made available for the flower stall under the portico. Additionally, the two existing catering kiosks from the inner concourse would be relocated to an area near Platform 1 and the long stay car park ( Location 11,) and it is intended that the telephones would be wall mounted in the outer concourse. The photo-me booth will be relocated in the travel centre as a free-standing kiosk.

1.22 Members are also advised that there is a current listed building application ( LPA Ref 09/01086/LBC ) for the existing unauthorised catering kiosk in the outer concourse area that is pending a decision. Members can be updated of the progress of this application at the meeting.

## **2.0 POLICY CONTEXT**

### 2.1 Development Plan Allocation:

Areas of Archaeological Interest : City Centre Area 0006

Conservation Area : Central Historic Core 0038

Contaminated Land :

City Boundary : York City Boundary 0001

DC Area Teams Multiple (Spatial)

Listed Buildings Multiple (Spatial)

York North West Boundary : York North West Boundary CONF

### 2.2 Policies:

CYHE4  
Listed Buildings

CYGP1  
Design

## **3.0 CONSULTATIONS**

### CONSULTATIONS AND PUBLICITY

3.1 Correspondence ( dated 22.1.2009 ) was received from COUNCILLOR DAVE TAYLOR objecting to the proposal as the barriers would be detrimental to the Grade II \* Listed Building and would have a negative impact on visitors and residents' enjoyment of the building in terms of appearance and reduced accessibility, breaking up pedestrian flow and interrupting the sense of space within the station. It was also considered that the materials of the barriers etc would be alien in the surroundings and jar with the historic building. The Planning Committee must be satisfied that there is a robust need for the development. Non- related listed building issues that are raised relate to the level of public consultation and a possible breach of the Statement of Community Involvement; the impact of gating on the aims for a Cultural

Quarter and the opening-up of public spaces for visitors and citizens; poor passenger experience of the very same gates in nearby cities; the high cost of a system that could be circumvented when there are other, and possibly more effective, options to control fare-dodging; the proposals would be anti-competitive to other rail service providers. It is concluded that there is not a sufficiently good case for ticket barriers, not proven to the extent that would be necessary to grant Listed Building consent.

Further correspondence ( dated 14.6.2009 ) was received from COUNCILLOR DAVE TAYLOR maintaining an objection to the altered scheme for barriers and gates due to their impact as expressed above. This letter requests Planning Committee to ensure the public safety of disabled persons and children; an issue in relation to children has been recognised in a First Capital Connect public information poster.

Correspondence( dated 5.4.2009) was also received from COUNCILLOR JAMES ALEXANDER passing on concerns raised to him about the impact on the following non-listed building issues- the access route to the NRM, restricted access to trainspotters, restricted access to the signal box cafe and the impact on their revenue, public enjoyment of the building, need for ticket barriers given ticket collectors on trains, restricted access for passengers of other train operators who offer a pay-on-train facility.

JOHN GROGAN , MP ( Selby Constituency, including the southern part of the City ) has written to register his objection to the proposal on 25.2.2009. In his view the ticket gates would detract from the grandeur and historic architecture of York Station diminishing the appearance of a magnificent building being an unnecessary intrusion. Non-listed building issues raised in this representation related to the impact on passengers wishing to buy tickets on board the train and on local residents who use the station as a convenient thoroughfare.

Correspondence was received from ANNE MACINTOSH, MP ( Vale of York, including the northern part of the City) about the progress of the application.

## INTERNAL CONSULTEES/ REPRESENTATIONS

3.2 HIGHWAY NETWORK MANAGEMENT- The Committee is advised that as the application is for Listed Building Consent, under planning legislation, the authority can only consider the impact of the works on the architectural character and the special historic interest of the Listed Building in the determination of the application. As such, comments regarding the access implications of the application and prevention of the public walking through the station do not relate to these considerations and cannot be defended as objections/reasons for refusal. The Highway Authority is therefore unable to offer comments on the application.

Highway Officers have investigated whether the issues relating to public access routes can be addressed outside of the planning process through Highways and Public Right of Way Legislation. The formation of Rights of Way by the public using routes through the station, such as the one from Leeman Road to Station Road, is covered by the British Transport Commission Act 1949, as amended by the

Transport Act 1962 Schedule 2 Part III. The aforementioned Act therefore prevents the creation of Rights of Way, through use, over railway land.

Members are therefore advised that the Highway Authority has no defensible grounds to object to the listed building application given the limitations on what is being considered and are unable to act through other legislation

**3.3 DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT-** It was considered that the initially proposed scheme would adversely affect the special interest of the listed building. The concerns related to the use of ad hoc structures ( existing and proposed ), of varying heights of gates and screens in the barrier line would close off views, have a poor appearance, unrelated to context and adversely affect the integrated design of the existing station; the poor quality of the relocated kiosk in a visually prominent position in the outer concourse; the impact on the symmetry of the original open composition of the station and the views through to the main shed; the visual impact of the barrier line on the former Tea Room and a complicated barrier alignment; the impact of electronic displays on the south wing of the inner concourse; the lack of justification and information about the CCTV attachments; unconvinced that the scheme has been fully worked through which may in turn lead to further re-ordering of existing accommodation; and the standard of design appears to undermine the open and welcoming spaces of the station.

The revisions dated 28.5.2009 followed consultation with English Heritage and other bodies and the amplified Design and Access Statement and additional information explain the requirement for the proposals, expands on the trend for re-gating and provides a context for the works. The revised scheme appears to have addressed the main issues above resulting in co-ordinated proposals that have greater integration with the building so they have less visual impact on its character. Visual improvements have been achieved by removing kiosks and the current ATM building from the inner concourse. It is concluded that the scheme would have little impact on the special interest of the station as a historic building.

**3.4 SOCIAL INCLUSIONS WORKING GROUP-** The proposal was discussed at the meeting of the group on 11 March 2009 following a presentation by National Express East Coast. Members of the Group put forward their views and questions about the proposals related to social inclusion and access to National Rail Express. The resolutions relate to a requirement for an Equality Impact Assessment.

**3.5 HEAD OF LICENSING AND REPRESENTATIVE OF NIGHTSAFE TASK GROUP-** The introduction of the barriers at the railway station may have an impact on antisocial behaviour late at night in the area. The current arrangements allow those in the taxi queues to use the toilet facilities on the station platform. The proposed new arrangement would prevent the use of the gents' toilets and could lead to an increase in persons urinating in public places. A recent survey indicates that 42% of the taxi trade takes place from the station, with queues in excess of 50 persons on a Saturday night at midnight. NATIONAL EXPRESS has responded to this issue as follows- "Access to the gents loos will indeed be restricted to fare paying passengers only (or those accompanying fare paying passengers). This is entirely intentional as those toilets are particularly prone to acts of vandalism at the

moment and it is hoped that the barriers will help ensure a more pleasant facility is offered to genuine station users."

## EXTERNAL CONSULTTEES

3.6 MICKLEGATE PLANNING PANEL- Object to the proposal. The concerns relate to the 6ft glass and steel barrier sections adjacent to the signal box on Platform 3, Platform 1, and at Tea Room Square entrance as they break up the space inside the listed building and will cause significant visual intrusion that will detract from the historic environment.

3.7 ENGLISH HERITAGE have provided a series of detailed letters of advice which have significantly influenced the amendments made to the scheme that is now presented to the Sub- Committee. In their first letter dated 21.1.2009 English Heritage stated that they did not object in principle to the concept of ticket barriers at York Station but were concerned about the height of the glazed barriers and access gates; the incorporation of two temporary kiosks into the barrier system; the proposed location of a new ATM kiosk on the north side of the signal box building and its inclusion in the barrier line; the manner in which the relocated Travel Information display board cuts across the windows of the Travel Centre in the Outer Concourse. It was considered that the barriers should have a symmetrical relationship with the signal box building and the flanked wings of the station's Inner Concourse.

A further letter dated 9.2.2009 following receipt of amended plans considered that the proposed 1800mm high glazed barriers and stainless steel gates would detract from the spatial complex of the station, delineated by its decorative structural elements and the curvilinear roof structure. Following reconsultation with amended details of 21.1.2009 , a further letter was received on 22.6.2009 that notes the amendment that reduces the height of the ticket barriers and access gates to 1100mm high in the Inner Concourse and 1300mm high elsewhere ( notably between the former refreshment room and the platform edge). This letter confirms that English Heritage now withdraws their previous objections and now does not object to the principle of the concept of ticket barriers subject to the removal of the existing kiosks once the bespoke replacement kiosks are built; gates should be glazed and not solid in order to maintain maximum visual permeability; approval of the details of the Customer Information Point in the Outer Concourse given its prominent location; and a suggestion that any new CCTV cameras are not fixed to the column capitals, but are placed in other locations to avoid cluttering the architectural features of the building. English Heritage in emails of 25.6.2009 and 26.6.2009 are satisfied to defer any decision of the final detail of the signage and CCTV schemes to the Council's Design and Conservation Section.

3.8 THE COUNCIL FOR BRITISH ARCHAEOLOGY- The Council considered the original and the revised plans of 21 January, and stressed that any changes to the Grade II\* Listed Building should fully scrutinised and justified. In their view, the case for the alterations was insufficient and they would be detrimental to the site for a number of reasons that include the design, height and situation of the barriers and

gates would obscure historic fabric and affect the appreciation of the powerful architecture and the use of the space within the building; the barriers and gates would be visually intrusive and detract from the architecture of the building; circulation routes within the building and with related sites such as the NRM would be compromised affecting important "connectivity" and the existing significant open nature of the site; suspect that the proposal would harm the historic fabric but the lack of detailed information does not allow a proper assessment of this aspect.

3.9 CONSERVATION AREA ADVISORY PANEL- The panel requested a presentation on the proposals on the basis of the effects on the listed building and the wider implications for the public use of the station and its surroundings. It was considered that the signal at the station entrance would be better preserved in its current indoor location. The presentation included information about the context of the proposal in the further works to the station to provide a new waiting area and a first class lounge, and to "green " the station with the introduction of renewable energy. The panel considered that the removal of facilities to the rail side would fragment and restrict passenger circulation within the station. They recommended removal of the retail units from the Inner Concourse to the area next to the former parcels office; the submission of additional information in the form of a masterplan /strategy for the station and a Heritage Assessment.

3.10 RAILWAY HERITAGE TRUST- Correspondence was received on 4.6.2009 that responds to the amended drawings of 21 January 2009 that supports the proposals in principle but comments that the number of CCTV cameras should be kept to a minimum for operational needs, the cameras should be as smallest design available to deliver the required specification, with no damage to the existing fabric of the listed building. Where retail units are displaced or removed, the revealed surface area should be made good to match the existing surrounding area, similarly with the removal of fittings, equipment, signs and notice boards.

## EXTERNAL REPRESENTATIONS

3.11 The application was advertised by way of press and site notices and the following representations have been received from residents, local businesses, other train operating companies, and interested parties. These representations have been scanned and are available for Members to view in full on the listed building application on the Planning Portal

3.12 YORK CIVIC TRUST- Correspondence was received on 26 January 2009 notes that the station is valued for its special qualities by both citizens and the travelling public, quite apart from its statutory listing. The applicant's justification is directed towards operational issues connected with fare evasion and other security measures, rather than justifying resulting harm on the Grade II\* Listed Building. The Civic Trust considers that the character of the building would be harmed by inappropriate and extensive use of contemporary materials of gates and partition systems, by the interruption of aspects of long vistas within the Station, the spaciousness of the existing architecture would be diminished by these intrusive elements. The convenience and efficiency of the layout of the building would be adversely affected through the loss of direct circulation routes and the varied arrival

and departure points. Non-listed building issues raised indicated that the interconnections between various forms of public and private transport would be impeded rather than encouraged; passengers with mobility problems would be disadvantaged by restrictions on assistance. In general, the proposal would add to the creeping clutter that is now eroding the visual improvements that have taken place since the 1980's when the building was restored more in keeping with its original appearance. Specific concerns relate to the relocation Information Board that does not relate to the fenestration of the Travel Centre and the originally proposed batch of ATMs to the north of the signal box building. It welcomes the removal of the existing ATM block, but considers that the barriers and screens as replacements demonstrate the lack of care, design and understanding of the Station which is a much admired entrance to York. The Trust urges the Local Planning Authority to refuse listed building consent for the listed building and to uphold the statutory responsibility to preserve historic buildings, which is also an important objective of the emerging Local Development Framework as it has been in previous policy documents.

3.13 YORK ACCESS GROUP- Correspondence received on 26. 5.2009 objects to the re-introduction of barriers as they would conflict with the principle of the new Draft Code of Practice for Train and Station Standards for Disabled People currently being considered by the DfT that seeks to improve accessibility. The applicant's proposals should be considered in the light of this document and should ensure a ticket machine at any proposed barrier at the NRM and Commuter car park.

3.14 THE CHILDREN'S SOCIETY- This group of disabled young people ( aged 14-25 ) campaigns for better accessibility in public services. They are concerned that the barriers would be an additional obstacle to negotiate; harder for support workers/ carers to help; extra organisation and queuing time that could lead to delays; absence of full toilet facilities for all on non-rail side of station. In their view, the station should remain a public space with access around and through it and more conductors would improve revenue.

3.15 The Campaign Against Barriers at York Station (CABYS)- This group was formed as a result of the proposal. In their view ( Letter of 1.8.2009 ) there is insufficient justification for the proposal to warrant the damage that would result to the listed building if barriers are installed and lack of evidence that the barriers would achieve their stated aim. It is considered that the barriers would detract from the aesthetics and appeal of the historic building, and would impose an unrealistic technology on the open layout of the station. Other non-listed building issues that are raised cover loss of access, inconvenience, technical difficulties, user unfriendly barriers.

3.16 YORK ENVIRONMENT FORUM brings together individuals and representatives of voluntary organisations who are committed to building a sustainable way of life, and are members of the partnership that wrote and is responsible for implementing the City of York's Sustainable Community Strategy. The Forum objects to the proposal for 7 reasons:

i) The applicant ( and the Council ) has failed to engage in public discussion of the application as required under the adopted Statement of Community Involvement that also covers Listed Building Consent applications.

- ii) The applicant has failed to demonstrate why the works are "desirable or necessary" as required under Planning Policy Guidance Note 15. No strong business case has been made, more effective revenue protection measures are available, there is no significant safety or security risk to travellers at York Station, National Express East Coast's suggestion that barriers are normal on European railways is false.
- iii) The proposal would be contrary to further advice in PPG15 that requires evidence of the extent to which any proposed works would substantial community benefit, in particular economic regeneration of the area or the enhancement of the environment as gates would be unwelcoming image, impede passengers, be confusing, frustrating for "meeters and greeters", remove the opportunity to buy tickets on the train, reduce revenue of rail side facilities, block valued pedestrian route, impact of future development and connectivity of York Central, remove the station from the public realm.
- iv) Contrary to aim of Sustainable Community Strategy to create an integrated network of public transport
- v) York station is property of Network Rail, which hold its assets on behalf of the nation, and National Express should not be allowed to impose this change without the consent of citizens. Consider that the processing of a listed building application does not meet contemporary needs of transparency and participation in decision-making
- vi) If National Express claim that the extra revenue from the gates will be deployed on further improvements works, the gating scheme should be part of an application for this larger improvement scheme to ensure that the benefits are fulfilled, or the Council should ignore the public relations material
- vii) Any agreement between National Express and the NRM that allows staff to have passes to the Leeman Road entrance should not be supported by the Council as its closure is detrimental to users and affords a select group a wholly unjustified privilege

The Forum rejects certain claims in National Express's Supplementary Document ( May 2009 ) and request the Committee consider the House of Commons Transport Committee, Fifth Report, Session 2007/08, 60 and reject the proposal for further consultation to enhance the station for the benefit of the community:

"There are moves to install ticket gates at more rail stations. Yet ticket gates are not a panacea. They cannot be used by all passengers and staff are still required to be present. Gates introduce new drawbacks including delays and obstructions for passengers; they are not in keeping with historic stations; and they are not always the best method of protecting rail revenue. The Government, in consultation with the rail industry and passenger groups, needs to review this one-track approach and develop a more holistic policy."

3.17 VISIT YORK- A more detailed case should be made as to the necessity of the barriers with an analysis of their impact on users of other stations where they have been installed. Visit York welcomes the associated investment in improved facilities but has strong concerns about the current proposals and their impact on the welcome that visitors and station users will experience and on the overall ambience and openness of the station given that 27% of the city's visitors use York Station and 80% are returning visitors often familiar with an "open station." It is therefore

essential that there is assistance at all barrier points with specific advance information and signage. Visit York would like explicit information on how foreign/ disabled station users special needs would be accommodated. The present advantages of an open system allows access for "other users " other than travelling passengers and provides an outstanding community, economic, tourist asset that would be affected by restricted access, Visit York would want National Express East Coast to demonstrate how it would provide a service to other users of the station and especially requests that the plans to restrict access to non-rail users from Leeman Road/ National Railway Museum entrance is reconsidered. It is considered that the design of the infrastructure would have an impact on a hugely significant Listed Building that has retained an open aspect for 130 years making it innately attractive to users, admirers. Opportunities to open up parts of the station by removing clutter are welcome but there is a contradiction with the erection of more infrastructure. It is noted that there has been a reduction in the height of the some of the glazed barriers but further discussion with conservation officers is required regarding the visual impact of the barriers on the station. Visit York stresses the importance of rail visitors to the city's visitor mix, its tourism industry and the wider economy. This should be maintained and expanded and would welcome the opportunity to communicate with the applicant to find solutions that would maintain the positive welcome and "enjoyment" that the station has long presented to visitors and other users.

3.18 At the time of writing 423 No. separate representations have been received from members of the public, local businesses and interested parties, 79 No. of which are further representations. 353 No. representations have objected to the proposal, 5 No. make general comments on the application, and 4 No. representations support the proposal. The majority of the issues raised in the objections are not listed building matters but relate to the implications that would result from the development, station management and access issues. A list of the range of issues raised in the representations is attached as Appendix 3. The material OBJECTIONS that relate to the impact on the special interest of the Grade II\* Listed Building are covered in the following general categories:

- Lack of justification for the works ( 82 )
- The open character of the station adversely affected ( 205 )
- Design of the barriers not sympathetic to the listed building/ inappropriate additions/ impact on former tearoom ( 103 )
- Reduced public access to the listed building ( 97 )
- Inappropriate layout to accommodate barriers ( 20 )
- Lack of public consultation ( 15 )
- Detrimental to external appearance of the listed building ( 1 )
- Impact of specific features; signal post. ATM building, garden
- Contrast and poor experience of Leeds barriers, other historic stations ( 37 )
- Impact on important internal features- signal post, roof, garden area, ATM building, signal box ( 7 )
- High maintenance of barriers (1 )

The following objections were received in relation to the subsequent revisions-

- Objections to stand and not overcome ( 55)
- Still insufficient justification ( 21 )

- Amendments still ruin aesthetics of the station ( 22 )
- No benefit to community or rail traveller ( 4 )
- Breakthrough area too constrained, unsuitable for bikes, too narrow for all the uses and would create a bottleneck ( 3 )

The representations of SUPPORT raise the following material issues in relation to the listed building application:

- The architecture of the building would overwhelm the barrier improvement (1)
- Support National Express's justification for the works as revenue protection and greater security would benefit rail users ( 6 )
- Barriers have worked elsewhere (2)
- Support the removal of the ATM building ( 2 )
- Commendable to see pedestrian crossing point ( 1 )

The following points were raised as relevant COMMENTS on the application:

- Defer for full and final details of the ATG: position; operation; manning; security (1)
- Defer for public debate (1)

Members will be updated of any further representations that are received in the period between report writing and the Meeting.

#### **4.0 APPRAISAL**

##### **DEVELOPMENT PLAN AND NATIONAL POLICY GUIDANCE**

4.1 Central Government advice in relation to listed building control is contained within Planning Policy Guidance Note 15: "Planning and the Historic Environment" (PPG15). This states that whilst the listing of a building should not be seen as a bar to all future change, the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to "have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses".

4.2 Policy HE4 of the City of York Draft Local Plan relates specifically to listed buildings and states that consent for development in the immediate vicinity of listed buildings, demolition, internal and external alteration, and changes of use will only be granted where there is no adverse effect on the character, appearance or setting of the building.

4.3 Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open

spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

## ASSESSMENT

4.4 When assessing applications for listed building consent the most relevant consideration is the extent to which the existing building can accommodate the proposed changes without adversely affecting its special architectural or historic interest. The grading of the building is also a material consideration for exercise of listed building control, and Grades I & II\* identify outstanding interest.

4.5 York Station also lies just within the Central Historic Core Conservation Area. The current building was built outside the city walls in 1872-77 to overcome the limitations of the original station, York Old Station (1841) -itself one of the best examples of early railway stations in the country and also listed at Grade II\*. Since the current station was built, it has been evolving to respond to changes in the railway industry, to increasing passenger numbers and to different "customer" expectations. Significant additions to its structure include the Edwardian Tea Rooms (now the model railway shop and exhibition) to the north and the central bridge, which was added in 1930s. There is documentary evidence that ticket barriers were introduced in the 1930s between the middle signal box and the north and south wings of the inner concourse. Archive photographs show them to have been low level open metal railings with a decorative upper band, all consistent in material and style. These ticket barriers remained in place until a major refurbishment in the late 1980s that removed clutter and opened the station as a large space with greater circulation. The accessibility was further increased by extending the footbridge to link with the rear of the station in 2004.

4.6 The overall massing and plan form of Thomas Prosser's station remains substantially as built, i.e. the passenger facilities to the east housed in brick-built enclosing wings describing a symmetrical arrangement of outer (entrance) and inner (main) concourse, and the curved aisled train shed to the west supported on cast iron Corinthian columns with decorative spandrel panels and great wrought iron arches. The original signal box (middle box) still stands at the intersection of the two structures, directly on axis and tangential to the railway lines. Significant additions to the structure include the Edwardian Tea Rooms (now the model railway shop and exhibition) to the north and the central bridge were added in 1930s.

## IMPACT ON THE CHARACTER OF THE LISTED BUILDING

4.7 National planning guidance contained in Planning Policy Guidance Note No. 15 draws attention at paragraph 5.12 that the spatial interest of a building " may comprise not only obvious visual features such as decorative facade or, internally, staircases or decorated plaster ceilings, but the spaces and layout of the building."

4.8 It is clear that the special character of this Grade II\* Listed Building is defined by its powerful spatial character, in particular the scale and height of the great train shed in relation to the human being. The architecture also sets up an important sequence of spatial experiences as one progresses east to west, from arrival under the portico through the lofty outer concourse, via the restricted central passageway to the more open inner concourse where the main axis changes and views open up in the direction of the platforms and tracks. This historic approach adds significantly to the sense of arrival. Any additional works in this location (Locations 3 and 4) should respect this important characteristic by being as open and clutter free as possible. This was recognised by English Heritage as one of the most sensitive aspects of the proposal and advised that visual blockages should be avoided.

#### Barriers/ Gates-

4.9 The initial submission indicated that the barriers would be 1800mm high and constructed from glass and powder coated mild steel. It was considered that the height and use of the materials would be problematic and would not be acceptable in this Grade II\* Listed building. The reduction in the height of the barriers and the change of material to stainless steel would significantly improve the appearance of the barriers. The use of glazed panels with less bulky supports and flanges, and minimal manifestations would have a transparent and largely neutral impact.

4.10 The revised plans that followed considerable discussion reduce the height of the barriers to the height of the gates (1.1m) in the main concourse area, and the proposed barrier line no longer incorporates the existing kiosks or additional structures in the barrier line. The removal of the existing kiosks and the tiled ATM building from this area would open up views by decluttering the inner concourse. The barriers would be erected at a height that would be below the average line of sight and would not intrude significantly into the sense of appreciation of this space. The barrier system in this location would incorporate a floor level duct to feed the gates and this is acceptable as there would be less intervention on the terrazzo floor beneath the barriers. Both the barriers and the gates would be constructed in stainless steel and would be seen as a high quality modern addition that would still allow the original building layout to be read clearly. The gates themselves would be standardised to a certain degree, would have a quality modern appearance, and would link well with the barrier design.

4.11 The revised barrier alignment in the main concourse (Locations 3 and 4) now responds to the symmetry of the inner concourse space. The proposed angled alignment has been introduced to avoid the anomaly caused by the location of the excess fares office which would cause the barriers to "dog-leg" in this location. Otherwise a straight alignment would have been less intrusive on the inner concourse, following the previous line of the 1930s barriers. However the simpler composition and design taken together with lower consistent level of the barriers and gates has significantly reduced the overall impact of the scheme on the architectural character of the space and as stated above the views through to the train shed have been improved due to the loss of the assorted solid structures.

4.12 The proposed barriers at the pedestrian entrance to the short stay car park incorporate access gates that would visually break the 39 metre barrier run. It is

intended that the trunking would be run underground in this area, to further 'lighten' the design. The impact of the barriers in this location should be weighed up against the advantage of existing fixtures being removed and decluttering this area. This would include the modern crash barriers immediately in front of the former tea room, a vending machine, and a cruciform travel information display and would open up views of the former tearoom. The barrier height (1.3m in this location) should allow the full elevation of the former tea room and the cast iron flying buttress structure to be more visible. It is considered that the overall impact of the barriers on the setting of the tea room has been much reduced in the revised plans.

4.13 The proposed gates and barriers at the entrance to the long stay car park (Location 5) are of the same design and would be 1.3m in height and orientated to avoid a drainage run. This area of the station is less sensitive but are no means less important. Their positioning, design etc would be acceptable in Listed Building terms having less direct impact upon the key views into and throughout the station and on any significant structures. In this area, the original station design is less complete as it was not fully restored following the bomb damage during WWII.

#### Kiosks-

4.14 The refreshment kiosks have been relocated away from the inner concourse into the poorer quality environment at the head of the redundant tracks beyond the south wing (Location 11). In this location the kiosks would not interrupt the visual permeability of the station and would be less likely to disrupt passenger flows. National Express has agreed that the dissimilar existing kiosks would be retained for a fixed period after which they would be replaced with a standard kiosk design, which would require separate listed building approval. It is considered that by siting the kiosks in this area outside the former parcels office should result in long term localized improvements to this area. The removal of the kiosks from Location 3 and 4 would result in a more open inner concourse thereby opening up views into the train shed.

It is now intended that the proposed Customer Information Point that would be sited in a prominent location near to the entrance of the outer concourse would be housed in a new freestanding unit, with the original plans to resite the existing structure in the inner concourse abandoned. The unit would not be fixed to the terrazzo and could therefore be easily removed from this entrance area. This would allow for a better quality kiosk and visually improve the inner concourse by removing the existing low grade building.

#### Information Displays

Initial concerns about the proposed relocation of the main Passenger Information Board from the inner concourse have been overcome by pulling the board further away from the re-faced wall ( 1980s ) of this part of the outer concourse. The lower section of this wall was originally within the timber booking office, and the two windows and door opening are not original. It is therefore considered that the large display would not obscure original fabric and as a reversible feature would not detract from the special interest of the building.

Monitors on posts

Other Works-

4.15 It was originally intended that there would be no passenger access to the platforms from Tea Room Square/ short stay car park to the inner concourse. This element has been reconsidered in revised plans that propose a passageway through the northern wing of the inner concourse utilising 2 No. existing doors. Externally this alteration would change little as the existing door frames sign panel of glazing would be retained. Internally the degree of change would be minimal as the existing walls and cornices would be retained and the new wall to the Passageway/ Chaplain's office has a 450mm deep glazed section at high level with glazing cut round the cornice. These works would be reversible and would be a minor intrusion into the fabric of the listed building.

4.16 The removal of the tiled ATM building and reinstatement of the terrazzo flooring in the inner concourse would be a significant visual improvement in the main inner concourse as it would allow greater appreciation of the train shed/ concourse architecture. The building was built in the 1980s as staff accommodation for WH Smiths and to house cash and vending machines, and is of no historic interest.

4.17 The proposed alterations to the Hertz Office to incorporate an excess fares office would be in keeping with the building and would have little visual impact but would re-use a currently vacant building. No objections are raised to this element of the proposal.

4.18 Associated with the barrier/gating scheme, proposals for new lighting, signage and CCTV cameras have been included with the application as these are necessary to achieve its effectiveness. The additional light fittings would match existing light fittings, and wiring runs would be concealed or painted out.

4.19 The existing signage within the station has been the subject of a recent application for listed building consent ( LPA Ref. 09/00386/LBC ) following the awarding of the station franchise to Nation Express. This application was given detailed scrutiny to avoid unnecessary clutter and was recently granted listed building consent on....., after referral to the Government Office It is also understood and appreciated that additional signage would be required to facilitate any new gating layout. It is anticipated that existing signage boards would be used where possible to achieve this and any wholly new signs would be restricted to absolutely essential items. The revised signage scheme, Revision 4, received on 25 June 2009 appears to achieve a level of signage that would not intrude or detract from the character of the listed building.

4.20 The CCTV proposals have been designed to give high focus images at the gate positions in line with police recommendations. In order to achieve this, the fittings would require to be positioned at high level, would have to be close to the barriers, and would be "painted out" to minimize their impact on the structure, avoiding important architectural features. Additional details from the agent received on 25 June 2009 ( Drawing No. Yrk-0008 ) that confirm the exact positions of the CCTV cameras but raise some concern from English Heritage about the use of the

capitals of the columns in the station as these are very significant architectural features that should not be harmed by the addition of visual clutter. The agent has advised that the positioning of cameras ( C4, C5, C8, C9, C11, C12 ) is required to achieve an adequate level of facial recognition, but would agree to alternative appropriate siting provided the coverage is not compromised. It is considered that an acceptable solution could be found and effectively conditioned that would require the cameras to avoid the column capitals.

A previous application for additional CCTV cameras ( 09/00211/LBC ) to provide coverage of public areas has been withdrawn to allow the more important CCTV cameras to be agreed and unnecessary duplication and visual clutter.

4.21 It is likely that the presence of glazed barriers in and around the station concourse would be attractive to advertisers. The local planning authority would wish to resist any vinyl advertising on the glass due to the potential visual harm that would result and would consequently suggest a condition prohibiting this if Members are minded to recommend approval of the application to the Secretary of State.

#### JUSTIFICATION

4.22 It was announced on 1 July 2009 that National Express are to lose their franchise on the East Coast mainline. National Express has advised that as there is no date for a cessation of the current franchise and there is no immediate material change of ownership, the franchise remains in place and the Department for Transport remains supportive of current initiatives and projects. The local planning authority has been advised that National Express expects that the Transport Minister Lord Adonis who has on multiple occasions expressed his support for plans to introduce ticketing gates at York Station would be unlikely to implement a Government u-turn on government support for any franchisee of the East Coast to implement automatic ticket gates at York Station.

4.23 Planning Policy Guidance Note No. 15, paragraph 3.3 sets out the presumption that listed buildings should be left as they are unless a 'convincing' case can be made out for the works, applying a balancing exercise of the various criteria in the guidance note. As indicated above, paragraph 3.4 of the PPG sets out the need to justify why the proposed works are either desirable or necessary. However where what is proposed will not harm the listed building, or the harm is slight, then the issue of justification referred to in paragraph 3.4 of the PPG does not have to be considered.

4.24 Members should note that National Express's justification in Appendix 3 does not include any details of the business case for gating at York Station or substantive data to demonstrate that there is a security risk or safety problems at York Station. It concentrates on the national commitment to provide barriers at railway stations; the long term proposals at the station; addresses some of the operational problems perceived by the public; details the changes that have been agreed with the local planning authority and English Heritage; stressing the importance of improving security and safety within the station. To a large extent , the significance of the

justification relies on the franchise commitment and the part that York Station plays in the wider East Coast scheme.

4.25 In assessing the level of the impact on the listed building against the strength of the justification put forward by National Express, the revised scheme has a minor impact on the historic fabric of the listed building where the corridor would be opened up to allow movement between the short stay car park and the inner concourse. This alteration is considered a minor intrusion into the fabric of the building and is reversible, and is outweighed by the benefit of the removal of the tiled ATM building and reinstatement of the terrazzo flooring in the inner concourse. In assessing the impact to the special architectural interest of the building, the gating scheme has been redesigned to have minimal visual impact on the layout and spatial sequence of the building and also on views through. The relative scale and volume of the existing train shed structures means that the gates and barriers can be accommodated without harming the special architectural qualities of the building and the overall spatial character of the listed building. Overall it is considered that the revised scheme has little impact on the special interest of the station as a historic building.

## 5.0 CONCLUSION

5.1 The proposals have undergone a series of revisions as a result of comments from English Heritage and the local planning authority resulting in significant improvements and a reversible gating scheme whose design and appearance would be more compatible with the appearance and character of the station. The proposed lower barriers combined with the removal of structures within the inner concourse and Tearoom Square would allow greater appreciation of important architectural features within the building such as the train shed and the former tearoom. The barriers would be of a suitably modern and simple design, and constructed in high quality materials that would respect their surroundings. It is considered that the barriers would not detract from the spatial quality of the building and would not detract from the sense of arrival through the main entrance, one of the main characteristics of the Listed Building. The additional works that include appropriately designed freestanding structures in the outer concourse and near the long stay car park, and the re-sited passenger information board should not be obtrusive, or detract from historic features within the listed building. In terms of overall impact of the works, the minor harm of opening up the corridor as discussed in 4.25 is compensated for by the improvements of the removal of the ATM building and the terrazzo flooring in the inner concourse.

5.2 It is considered that the application for listed building consent should be approved, subject to the referral to and non intervention by Government Office because of the building's II\* listed status.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve after referral to Sec. of State

1 TIMEL2 Development start within 3 yrs (LBC/CAC)

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

Location 1- Drawing No. 2456/09/102, Rev F Received 1.5.2009  
 Drawing No. 2456/09/103, Rev. D Received 1.5.2009  
 Drawing No. 2456/ 09/104, Rev C Received 28.5.2009

Location 2- Drawing No. 2456/09/202 Rev. G , Received 28.5.2009  
 Drawing No. 2456/09/204 Rev B, Received 28.5.2009  
 Drawing No. 2456/09/206 Received 1.5.2009

Location 3- Drawing No. 2456/08/302 Rev G, Received 28.5.2009  
 Drawing No. 2456/09/304 Rev. E Received 28.5.2009  
 Drawing No. 2456/09/305 Rev. A Received 12.12.2008

Location 4- Drawing No. 2456/09/402, Rev. E Received 1.5.2009

Drawing No. 2456/09/404 Rev. D Received 28.5.2009

Location 5- Drawing No. 2456/09/502 , Rev. F Received 1.5.2009  
Drawing No. 2456/09/504 , Rev. A Received 1.5.2009

Location 6- Drawing No. 2456/09/602 , Rev. E Received 28.5.2009

Location 7- Drawing No. 2456/09/701 , Rev. B Received 1.5.2009  
Drawing No. 2456/09/702 , Rev. C Received 28.5.2009

Location 8- Drawing No. 2456/09/801 , Rev. G Received 1.5.2009  
Drawing No. 2456/09/803, Rev B Received 28.5.2009

Location 9- Drawing No. 2456/09/902 , Received 1.5.2009

Location 10- Drawing No. 2456/09/1002 , Rev A Received 28.5.2009

Location 11- Drawing No. 2456/09/1102 , Rev A Received 28.5.2009  
Drawing No. 2456/09/1003 , Rev A Received 28.5.2009

Barrier Details- Drawing No. 2456/001, Rev. C Received 1.5.2009  
Drawing No. 2456/002, Rev A Received 1.5.2009  
Drawing No. 2456/004, Rev B Received 28.5.2009  
Drawing No. 2456/05, Rev A Received 28.5.2009

JCP Drawing Nos: - YRK 0001, 0002 Rev A, 0003, 0004,  
0005,0006,0007,0008,0009 Received 28.5.2009

Gateline CCTV Installation details and Drawing Nos. Yrk 0008 and 0009, Received  
25 June 2009

Signage Scheme, Revision 4, Received 25 June 2009 ,

or any plans or details subsequently agreed in writing by the Local Planning  
Authority as an 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 Prior to the commencement of the works hereby approved, the following  
details shall be submitted for the written approval of the Local Planning Authority,  
and thereafter the works shall be implemented and retained in accordance with the  
approved details:

- a) Large scale details of the base fixing of post- mounted barrier Customer  
Information Boards
- b) 1:20 and 1:5 details of the new customer information unit in the outer concourse;  
including details of shutters and samples of materials
- c) 1:20 and 1:5 details of the external structure at the Leeman Road entrance at  
Location 6, including details of the shutters and samples of external materials,  
including roofing

- d) 1:20 and 1:5 details showing how the new corridor would be formed through the north wing of the existing building
- e) 1:20 and 1:5 details of the adaptations to the new ATM areas under the bridge and in the external wall of the former parcels office
- f) Detailed plan of the new layout for the resited kiosks in Location 11, showing wiring and service runs
- g) Samples of surfacing for the new crossing points at Location 10 provided on site

Reason: To ensure that the details would be acceptable in the interests of the visual amenity and historical and architectural interest of the Listed Building.

4 The barriers shall not be fixed to the walls of the existing building ( only to the floor ) and the bolts fixings shall be counter-sunk.

Reason: In the interests of the visual amenity and historical and architectural interest of the Listed Building.

5 The walls and ceilings inserted to the create the Excess Fares Office shall not be fixed onto architraves and they shall be scribed around other details such as skirtings, cornices etc

Reason: In the interests of the visual amenity, historic and architectural interests of the Listed Building

6 Notwithstanding Conditions 1 and 2above, the 2 No. resited kiosks at Location 11 shall be removed from the station no later than 12 months from the date of this listed consent, unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of the visual amenity, historic and architectural interests of the Listed Building

7 Notwithstanding the submitted drawings alternative locations should be found for all CCTV cameras located on capitol tops, unless otherwise agreed in writing by the Local Planning Authority. All cameras should be "painted out" to match the background and wall fixings should be avoided where possible.

Reason; To ensure that the details would be acceptable in the interests of the visual amenity and historical and architectural interest of the Listed Building.

8 All areas disturbed or exposed by the works hereby approved must be "made good" to a high standard with materials and details matching those of the surrounding area.

Reason: In the interests of the visual amenity and historical and architectural interest of the Listed Building.

9 Any items which require fixing to masonry shall reuse redundant fixing positions where possible and a minimum number of fixings shall be used.

Reason: In the interests of the visual amenity and historical and architectural interest of the Listed Building.

10 The final location for the signal post shall be confirmed in writing together with the anticipated date of relocation to the Local Planning Authority.

Reason: To ensure that this information is kept as a historical record in the interests of the listed building.

11 There shall be no advertising on the glazed barriers, and the manifestations shall be agreed by the Local Planning Authority and retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the architectural and historic character of the listed building.

12 A sample section of the barrier and the agreed manifestations hereby approved shall be erected on site for approval and shall be retained until completion of the works.

Reason: To ensure that the details would be acceptable in the interests of the visual amenity and historical and architectural interest of the Listed Building.

13 Notwithstanding the submitted details, listed building consent is not granted for the following alterations on the approved drawings which must be the subject of future listed building consents:

- 1) Relocated and new ATMs
- 2) The fitting out and signage for the relocated Hertz Office to the former parcels office

Reason: To ensure that the Local Planning Authority has the rights of control over these matters in the interests of the visual appearance, architectural and historic interest of the Listed Building.

## **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 the visual amenity and character of the listed building. As such, the proposal complies with Policies HE4 and GP1 of the City of York Development Control Local Plan - Incorporating the Proposed 4th Set of Changes ( 2005) ; and national planning guidance contained in Planning Policy Guidance Note No. 15 " Planning and the Historic Environment. "

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**APPENDIX 1**

**national express**



**National Express East Coast –  
Automatic Ticketing Gates Supplementary Document, May 2009**

**Overall Context**

**(1) Rationale for Ticketing Gates**

The introduction of ticketing gates will prevent fraudulent ticketless travel and protect revenue that can be reinvested back into the railway.

National Express East Coast has evidence of large-scale fraud with people failing to attempt to pay for tickets either on board or before boarding trains. This substantial lost revenue could be channelled back into the rail industry, including investment to improve stations and facilities for customers. This will help National Express East Coast, other Train Operating Companies and the British taxpayer to build a better railway.

Gating will improve the environment of stations and provide a more comfortable and pleasant travelling experience for customers. It will improve safety and security for customers and staff alike, and ensure that those people who are on the platforms are those who intend to travel by train or who have travelled by train.

National Express East Coast plans to invest a significant initial outlay to install ticketing gates and make other improvements to its stations. The company's business case for its ticketing gates scheme is a sound and robust one. As a public limited company, National Express East Coast will not disclose the details of its business case because it contains commercially sensitive information.

The introduction of ticketing gates at six of the stations managed by National Express East Coast, including York Station, is a franchise commitment: it is part of a contractual agreement with the Government as a condition of awarding the company the East Coast Franchise (from December 2007 to March 2015).

**(2) National Express East Coast's Gating Scheme**

National Express is committed to taking forward the introduction of automatic ticketing gates at six stations this year: Darlington, Durham, Grantham, Newark Northgate, Newcastle Central and York. Five of these stations require the relevant local authorities to grant Listed Building Consent in respect of the ticketing gates scheme.

In May 2009, Newcastle City Council granted Listed Building Consent to National Express East Coast to install ticketing gates and make other improvements to Grade I listed **Newcastle Central Station**.

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In the same month, Durham County Council granted Listed Building Consent to the company to install ticketing gates at Grade II listed **Durham Station**. Both the Durham and Newcastle decisions are subject to conditions and referral to the Government Office for the North East (GONE).

Gates will also be introduced at Grade II listed **Darlington Station**. The installation of the gates did not require Listed Building Consent, although the company did require this in order to install the accompanying CCTV cameras; this was granted, subject to referral to GONE.

Listed Building Consent has been granted to install ticketing gates at Grade II listed **Newark Northgate Station**.

Gates were installed at **Grantham Station** in May 2009. No Listed Building Consent was required at this locality.

The policy of gating railway stations is becoming increasingly common on the UK rail network. On the East Coast Main Line, Leeds was gated in 2008, while ticket checks by staff at gated areas is conducted at Durham, Darlington, Peterborough, Newark Northgate, Stevenage and Edinburgh Haymarket (and for ScotRail services at Edinburgh Waverley). London King's Cross, which is the busiest station on the East Coast Main Line, has manual gating by staff at certain times of the day. Permanent gates will be installed from 2012 by Network Rail. London Waterloo was recently gated by Network Rail – with 70 million customers per year, this is the largest gated station in Europe.

In February 2009, the Government announced it had brought forward a gating scheme for stations within the new South Central Franchise (\*see point 5).

### **(3) Preserving and Protecting the History and Heritage of York Station**

National Express East Coast has worked with local authorities and stakeholders across the East Coast route to sensitively and flexibly plan the installation of ticketing gates and other improvements to the stations it manages. It is committed to ensuring that all station development will preserve and protect the historic environment of the buildings, while seeking to enhance and improve the environment and facilities for customers.

Stations have always moved with the times and key to their historic significance is that they remain fully functioning stations. One only has to look at St Pancras to see a station where the historic importance of the station is important but where modern controls on passenger movement are successfully incorporated into the design.

National Express East Coast, which manages Grade II\* listed York Station, is committed to preserving and protecting the heritage of this fantastic and historic building. The company has worked with City of York Council, English Heritage, The Railway Trust and other stakeholders to ensure that its plans to develop the station are sensitive to its historical, cultural and architectural context, and can be applied flexibly to achieve desired outcomes.



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The proposed ticketing gates at York Station have been reduced in height from an original maximum height of 1.8 metres to 1.1 metres in the main gateline areas (adjacent to WH Smith) and a maximum of 1.3 metres in other areas within the train shed. The gates and fencing are modern, glass structures, supported by stainless steel. They have a sharp and contemporary feel. Their low height and glass structure would preserve the superb views and the open and long vistas of the station, its sense of space, its grandeur and character.

The newly revised height, configuration and more symmetrical layout of the gatelines has been proposed following extensive consultation with stakeholders. National Express East Coast believes its new application would minimise the visual impact of the ticketing gates on the building and create the most effective layouts in terms of station operation and passenger flows, which have been substantially researched and analysed.

National Express East Coast's plans for gating York Station would also open up parts of the station through the removal of some units and "clutter", thereby improving sightlines and views throughout. The application therefore not only seeks to preserve but to enhance the station and views throughout the building.

### **(4) Record of Station Development**

There are plenty of examples across the railway network where ticketing gates and other modern installations have been sympathetically and effectively installed, including within historic and listed buildings. National Express East Coast is committed to this principle when considering any new installation at any of the stations it manages.

Durham is an example of National Express's commitment to investing in stations and developing them sensitively and within the historical, cultural and architectural context of each locality. Durham Station has benefited from significant investment of £2.5 million to reinvigorate it to its former Victorian grandeur. In September 2008, Durham beat more than 2,500 other stations to the accolade of Station of the Year at the highly prestigious National Rail Awards.

### **(5) Government Support**

The Rail Minister, Lord Adonis, has expressed his support for National Express East Coast's plans to introduce ticketing gates at York Station. The Government's support for ticketing gate schemes in general was indicated further in February 2009 when it brought forward a scheme to gate 14 stations in South London at a cost of £5.5 million. This scheme had originally been intended to be a condition of the new South Central Franchise: with the preferred bidder not being announced until later in 2009, the Government effectively brought the introduction of gating forward at considerable initial cost.

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**(6) Passenger Watchdog Support – Staff Presence on Stations**

Passenger Focus, the independent public body set up by the Government to protect the interests of Britain's rail passengers, has offered in-principle support to the concept of gating, based upon a case-by-case basis. It has very strongly supported gating where it will lead to further visible staff presence on stations. Its Chief Executive, Anthony Smith, stated in a Press release issued by the Department for Transport, in February 2009, that:

"Gating can bring benefits. Clearly passengers who do the right thing and pay for their ticket should not be forced to subsidise those who try to cheat the system.

"One of the key advantages of installing gates is that they must be supervised and therefore staff are present and visible at the station.

"Passengers tell us that they feel safer when there are staff around and it also means they can ask advice about their journey and easily seek out help."

National Express East Coast staff will be present at the main gatelines, adjacent to WH Smith, at all times when the gates are operational. The other gatelines will either have staff present or will have staff accessible via an intercom and CCTV camera to assist customers or people with a further genuine reason to access platforms (\*see point 16).

**(7) National Express's Long Term Commitment to York Station**

National Express East Coast's headquarters, national training academy and national control centre are based in York. The company employs 900 people in Yorkshire and the East Coast Main Line contributes at least £100 million a year to the regional economy, sustaining 14,000 jobs. National Express East Coast is committed to continuing to play a significant role in the regional economy, future sustainability and development of York.

This is reflected in National Express East Coast's commitment to take forward the multi-million pound refurbishment and development at York Station, as outlined in its Master Plan, submitted as part of its application to City of York Council for Listed Building Consent. This includes the proposed introduction of ticketing gates, a new lounge and First Class facility, extra facilities for cyclists, including parking provision for at least a further 100 cycles, more CCTV cameras and to undertake a review of lighting. A major repainting and re-branding exercise is being carried out at the station, while the refurbishment of Platform Nine has recently been completed.

Meanwhile, new electronic information posters and a "smart column", that will display and print information for customers, are to be installed shortly.



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In the longer term, National Express East Coast is working with City of York Council, Cycling England and other stakeholders to develop the station as a “cycle hub”. The company is a member of the recently established Cycling City Steering Group. It is committed to exploring options to promote cycling in the station and throughout the city, including the development of Scarborough Bridge as a direct cycle route leading into the station.

The cycle hub development is linked to National Express’s aspiration of creating the first “green station” in England at York. The concept of a green station is being developed and could include measures to promote energy efficiency and creation, the development of recycling facilities, links to other environmentally friendly modes of travel, and the undertaking of projects and initiatives to promote sustainability.

National Express East Coast continues to work with local communities. For example, its Connectors programme has seen National Express employees working within their local communities and schools to engage with more than 1,000 secondary school pupils across York on sustainable development and ways to lead a more sustainable life.

Meanwhile, it also continues to engage with a wide range of stakeholders. This resulted in significant alterations to its plans for introducing ticketing gates at York Station.

The company is also committed to working with partners to ensure the station attracts workers, visitors and tourists to the city. This includes long term schemes that potentially add to the development and prosperity of York. For example, it has this year supported a recommendation by a City of York Council Committee to explore the possibility of a new bridge over the East Coast Main Line as part of the promotion of the York “Cultural Quarter” and to improve links between the York Central site and the city centre.

### **(8) National Express East Coast’s Vision for York Station**

***York Station will be a progressive, modern transport interchange that delivers an excellent journey experience for customers and helps to make travel simpler.***

***National Express East Coast will promote and protect the rich heritage of this gateway to the city, and continue to significantly contribute to the future development and prosperity of York and its surrounding region.***

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## **Operational Issues – How the Gates Will Work**

### **(9) Customer Access and Service**

Automatic Ticketing Gates (ATGs) can check tickets more quickly than a manual system. The number of gates at each location is applicable to the number of customers predicted from pedestrian flow analysis.

Each of the individual gates can accommodate up to 33 people per minute. National Express East Coast will also install wide aisle gates at all four gatelines (\*see point 10). People with tickets will therefore not be inconvenienced at all.

ATGs will only operate when they are managed by a member of staff. The ticketing gates scheme will ensure that customers have a clear opportunity to query travel information if they are uncertain about the validity of their ticket. Under the gating scheme, we envisage that there will be a member of staff with a radio that could be used to summon additional assistance, should this be required.

### **(10) Wide Aisle Access for Passenger Comfort/Safety of the Gates**

All gatelines will include a minimum of one wide aisle gate, as outlined under the Department for Transport and Transport Scotland's Accessible Train and Station Design for Disabled People: A Code of Practice (\*see point 11). The wide aisle gates are significantly wider than the other gates and have slower closing paddles. It has been specifically designed to ease the passage of encumbered passengers, passengers with buggies, bicycles, dogs, large cases, wheelchairs and walking aids, or who have young children accompanying them.

The proposed gates meet all relevant UK rail-related safety regulations. The gates have a back-off feature which means they open again if they encounter an obstruction when closing. In addition to this, the gates have been improved on previous versions currently installed at other UK locations, and now include additional sensors at a very low level to specifically recognise when small children or objects pass through the gates.

If necessary, the gatelines can be opened if a major event is taking place, such as a Race Day, or it is judged necessary on health and safety grounds. They will open automatically if a fire alarm is activated.

### **(11) Accessible Train and Station Design for Disabled People: A Code of Practice**

The ticketing gates comply with the Department for Transport and Transport Scotland's Accessible Train and Station Design for Disabled People: A Code of Practice. The gates are thus in line with industry-wide practice.

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### **12) Link to Short Stay Car Park**

The proposed corridor from the short stay car park to the main gateline/station concourse is Disability and Discrimination Act (DDA) compliant. The creation of this nine metre long corridor is with the agreement of The Railway Trust. It is in response to engagement with stakeholders and members of the public: they aspired for a covered, level route from the car park to the inner concourse that would preclude the need to leave the covered station building via Tea Room Square and re-enter it at the main entrance. It was felt that this would particularly benefit people with disabilities, small children and the elderly.

### **(13) Purchasing Tickets**

The installation of gates and the purchasing of tickets before boarding trains at gated stations is well established industry practice. Under the plans, Automatic Ticket Vending Machines (ATMs) would be located at the gatelines adjacent to the long stay car park and Leeman Road entrance to enable customers to purchase or print off tickets without having to enter the main station concourse, if they so wished. ATMs would also be available close to the main gatelines within the inner concourse of the station. Tickets would continue to be sold at the Travel Centre, by telesales or the Internet.

### **(14) Compatible Tickets**

Extensive testing of the gates has been undertaken and further testing will be completed before the gates are delivered to the station. Best practice at other UK gatelines have been taken into consideration during development of these gates.

The gates will incorporate a barcode reader for self-print and mobile phone tickets. These will read any ticket with an industry standard barcode. Extensive testing will also be completed on this prior to installation of the gates. There will be a minimal number of incompatible tickets such as those that do not conform to the industry standard. Passengers in possession of these tickets will be able to pass through the gates by presenting their ticket to a member of staff.

### **(15) Excess Fares Offices**

Once ATGs are introduced passengers will no longer be able to exit the station without a valid ticket. At York, a new Excess Fares Office will be created to sell tickets from any starting point.

### **(16) Platform Passes for “Meeters and Greeters”, Rail and Heritage Enthusiasts**

National Express East Coast proposes to implement a system of platform passes to people who have a genuine reason to join or assist relatives, friends or colleagues on a platform. It does not intend to charge for these passes – unlike the platform tickets which were sold in the past. These passes will also be issued, at the discretion of station staff, to people who wish to view York Station or who are train/rail enthusiasts.

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#### **(17) CCTV**

Once commissioned, the ATGs would become the single points of entry to the rail side of stations.

Following the 7/7 attacks, there is a requirement to have CCTV coverage of entry and exit points at stations. In order to achieve identification and/or recognition standards, a spread of coverage is required on both sides of the gatelines as gates are bi-directional.

CCTV cameras are also used to reduce crime and anti-social behaviour, to act as a deterrent and to reduce the fear of crime. In order to keep the number of cameras to a bare minimum, a holistic approach has been taken which will attempt to change the views of existing cameras that have become redundant as opposed to installing new ones.

#### **(18) Reducing Anti-Social Behaviour and Improving Security and Safety**

Safety is and continues to be National Express East Coast's paramount priority and will never be compromised.

ATGs and the accompanying CCTV cameras improve the safety and security of customers, staff and members of the public. Ticketing gates improve the environment of the station and the customer experience.

There is a clear correlation between instances of staff assaults and ticketless travel: 38 per cent of all physical assaults on National Express East Coast staff during 2008 were caused by ticket disputes.

National Express East Coast believes that by preventing people without tickets from using trains it will reduce injuries and verbal assaults on staff. People will feel more reassured through the presence of ticketing gates (and CCTV cameras) and the increase in staff that are visible and on-hand on station platforms and concourses.

ATGs will allow NXEC to manage potential conflicts about ticketless travel in an open environment where the conflict can more easily be diffused. An argument over ticketless travel at an ATG is more likely to be resolved by the potential fare evader either giving up or going to buy a ticket.

National Express East Coast has this year been awarded Secure Station status by British Transport Police (BTP) and the Department for Transport. This Government-backed initiative is aimed at improving personal security at railway stations. It sets out standards of good practice and recognises stations which work with the BTP and other local partners to implement security measures.

National Express East Coast has also recently introduced 14 Rail Enforcement Officers to work alongside British Transport Police (BTP) to patrol trains and stations on the East Coast route. The proposed gating scheme will complement and build upon these improvements in security and safety for customers and staff.

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The scheme is not a replacement for the policy of using guards to check tickets on board National Express East Coast services; along with the introduction of Rail Enforcement Officers and further improvements to safety and security at stations, it is designed to substantially contribute to the prevention of fraudulent ticketless travel and the protection of revenue.

**(19) Trading Kiosks**

Once the ATGs are installed, the retail kiosks on the concourse will be relocated and rationalised to minimise the clutter on the station and optimise services offered to passengers on both rail and land side of the barriers.

**(20) Signage**

The signage on the station will be amended to direct passengers to the excess fares office and ensure the nearest exit is clear. Where possible, signage will be rationalised.

**(21) Passes for Employees**

All employees of Train Operating Companies will be permitted access through the gatelines on production of valid employee identification. This also applies to employees of Network Rail and, when appropriate, railway contractors or employees of companies with legitimate grounds to access platforms.

National Express East Coast has agreed to a request from the Head of the National Railway Museum to permit the museum's 250 staff access through the gatelines. This is subject to the production of National Railway Museum Employee identification. National Express East Coast works in partnership with the National Railway Museum to promote the railways and visitors to the city and museum. The museum is adjacent to the station and visitors to the museum or tourists with a valid rail ticket will also be able to enter and access the station via the Leeman Road entrance.

**(22) Influencing Consumer Behaviour**

National Express East Coast believe the impact of gating across the rail network will influence consumer behaviour as more and more stations are gated and people become used to them. People who have habitually travelled without a ticket will see this is no longer acceptable and the installation of ATGs is a clear manifestation of this. Consumer behaviour will change and approaching ticketing gates could soon become the "norm" and an accepted and easy method of entering and exiting station platforms, as it is already at stations where ticketing gates currently exist.

**APPENDIX 2**

APPENDIX 2- Details of Revised/ Additional Plans

REVISION 1

The following additional and revised plans received were received on 21 January 2009:

- a) Statement by NXEC providing justification for the proposed gates
- b) Location 2- Drawing No. 2456/09/203 elevation as existing and proposed
- c) Location 3- Drawing No. 2456/09/304B amended to reduce the number of CIS monitors from 3 no. to 2no.
- d) Drawing Nos. 2456/09/402C and 404B amended to reduce the number of CIS monitors from 3 no. to 2 no. and the relocate them to the wall of the current waiting room
- e) Drawing Nos. 2456/09/502C and 503A amended to alter barrier line to avoid a drainage run and manhole
- f) Drawing No. 23456/09/602B amended to include an enclosure to the Automated Ticket Machine and to increase the size of the building. Photograph of similar installation at Newark Northgate Station.

REVISION 2

Taking account of discussions, amended plans were received on 6 March 2009 that included Drawing No. 2456/09/801D and a historical analysis document titled " York Station: Historical Development of the Station " that charts the significant developments of the station since its opening in 1877. The significant amendments are as follows-

LOCATION 1- New Customer Information Point; removal of public telephones at north end of Portico to allow for flower seller to be relocated

LOCATION 2- Simplified glazed barrier line at 1800mm high to maintain security

LOCATION 3 & 4- Symmetrical barrier line either side of former signal box; removal of ATM and retail kiosks from inner concourse to Locations 9 and 11; provision of 2 No. post-mounted customer information monitors on barrier line; glazed barrier height reduced to 1100mm to match gates

LOCATION 5- Minor amendments to alignment of gates and barriers

LOCATION 6- Minor amendment to position of ticket vending machine

LOCATION 7- No change

LOCATION 8- Provision of 3 No. ATMs within vacant kiosk on Platform 5 ( Initially only 2 to be provided )

LOCATION 9- Relocation of Hertz unit to former parcels office; provision of 3 ATMs to external façade of former parcels office ( initially only 2 to be provided )

LOCATION 10- Pedestrian crossings at entrance to long stay car park

LOCATION 11- Relocation of 2 no. kiosks to Location 4 with an additional kiosk

### REVISION 3

Further revised plans and additional information received on 1 May 2009 and include-

- a) supplementary masterplan drawing
- b) revised Design and Access Statement to include client's justification for the barrier scheme; technical information on the automatic ticket gates and cctv cameras; details of additional signage required in association with the proposed barriers
- c) changes to the barrier line at Locations 3 and 4
- d) conversion of existing kiosk on Platform 5 to ATM room and additional ATMs on the external elevation of the former Red Star office ( Location 9 )
- e) two pedestrian crossings across the access to the Long Stay Car Park
- f) relocation of two catering kiosks and the formation of a third kiosk in the area between Platform 1 and the existing Passenger Lounge ( Location 11)

### REVISION 4/ ADDITIONAL DETAILS Received 28.5.2009

- a) Amended sections of the Design and Access statement
- b) Amended sign schedule
- c) JCP's technical drawings
- d) Amendments to Drawings including
  - Both barriers in stainless steel with 114.3mm diameter posts; flange plate reduced in size
  - Manifestations in light grey
  - Removal of duct at base of barrier and replaced with buried duct. 75mm gap below glass ( Location 2 )
  - Flat screen monitors on barriers; glass infill panels on access gates ( Location 3 and 4 )
  - Larger details of Customer Information Point ( Outer Concourse )
  - Relocation of retail units
  - Retention of timber panels on ATM room ( Location 8 )
  - Columns changed to circular ( Location 6 )
  - Amended drawing to retain coricing ( Location 7 )

- Barriers to match recently installed barriers by Council ( location 10 )

SUPPLEMENTARY JUSTIFICATION DOCUMENT- DATED May 2009, Received by email on 1 June 2009 from applicant

ADDITIONAL DRAWINGS / INFORMATION – Received 25 June 2009-06-30

Gateline CCTV Installation details and Drawing No Yrk –0008 by JCP showing position within station complex from agent

Ticket Gate; Signing Schedule form agent

**APPENDIX 3**

APPENDIX 3

REPRESENTATIONS FROM MEMBERS OF THE PUBLIC, LOCAL BUSINESSES,  
INTERESTED PARTIES- NON-LISTED BUILDING ISSUES

BUSINESS CASE:

- Barriers not a preventative measure ( 102 )
- Barriers would benefit applicant only ( 32 )
- No security problem at York Station ( 80 )
- High cost ( 50 )
- Increased cost to passengers ( 17 )
- Fundamental change by transient owner ( 22 )
- Anti-competitive ( 71 )
- More staff required not barriers ( 93 )
- Jeopardy to staffing levels ( 13 )
- All barriers should be fully manned at all times ( 42 )
- Incompatibility with all types of ticket ( 26 )
- Suspect quality of technology ( 25 )
- Short journey/ metro barriers inappropriate ( 13 )
- Ill- advised franchise commitment ( 30 )
- Barriers not used in European cities ( 15 )
- Barriers will only work if all stations have barriers ( 5 )
- Facilities should be improved with or without barriers ( 3 )
- Improved facilities not needed ( 1 )
- Only revenue problem on short commuter lines- barrier these- ( 4 )
- Measure of savings from gating system ? ( 1 )

IMPLICATIONS WITHIN STATION COMPLEX:

- Passenger delays/ congestion/ safety ( 177 )
- Restriction of public access to all areas/ platforms ( 182 )
- Loss of NRM link to rear of station ( 139 )
- Complicates cycle use/ insufficient consideration ( 36 )
- Impact on use of station retail facilities ( 25 )
- Impact on disabled traveller ( 31 )
- Station layout inappropriate to barrier ( 31 )
- Short stay car park less convenient/ congestion ( 25 )
- Long stay car park less convenient ( 8 )
- Barriers unfriendly ( 62 )
- Retrograde step ( 16 )
- Cycle parking near ticket office would be required ( 1 )
- Litter at barriers ( 1 )
- Barriers would not prevent anti-social behaviour on platforms ( 16 )
- Absence of cycle parking at Leeman Road ( 16 )
- Concern over unmanned ticket barrier at Leeman Road entrance ( 21 )

IMPLICATIONS FOR SURROUNDING USES:

- Concern about state of Marble Arch tunnel in absence of footbridge access ( 40 )
- Implications for York Central/ transport interchange/ railway quarter if access is closed ( 49 )
- Alternative footbridge/ DDA access would be required if access is closed ( 12 )
- Economic impact on businesses on Micklegate ( 2 )
- Less easy to use long stay car park on Leeman Road ( 18 )
- Impact on catchment of Millthorpe School ( 4 )

IMPACT ON WIDER USES/ ECONOMY:

Harm to city asset and gateway / tourist facility wider York economy/ tourist link ( 120 )

Restriction on public access to heritage building ( 103 )

Discourage greater use of rail travel/ public transport / transport policy ( 17 )

Contrary to tourist policy/ open accessible buildings ( 9 )

GENERAL:

Mistake/ dreadful/ pointless ( 8 )

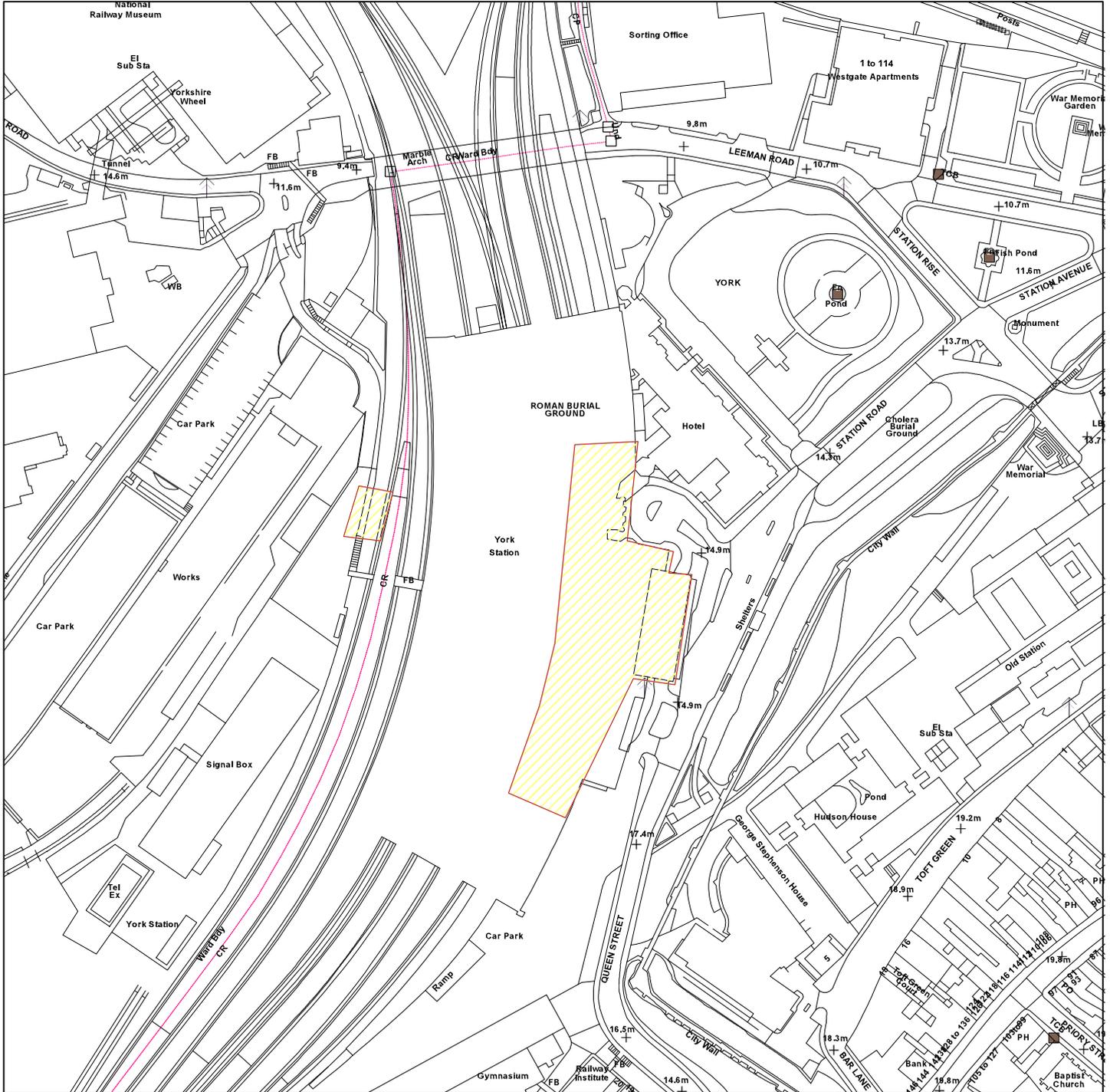
Contrary to sustainable development policy/ use of more electricity ( 11 )

# Railway Station, Station Road, York

08/02755/LBC



GIS by ESRI (UK)



Scale : 1:2500

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<b>Organisation</b>	City of York Council
<b>Department</b>	Planning & Sustainable Development
<b>Comments</b>	Application site
<b>Date</b>	02 July 2009
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Committee:** West/Centre Area                      **Ward:** Acomb  
**Date:** 16 July 2007                                      **Parish:** Acomb Planning Panel

**Reference:** 09/00722/REM  
**Application at:** 106 Albion Avenue York YO26 5QY  
**For:** Reserved matters application for the scale, appearance and landscaping of 1no. dormer bungalow and garage to which outline planning permission (ref 07/02291/OUT) relates  
**By:** Mr Martin Armitage  
**Application Type:** Approval of Reserved Matters  
**Target Date:** 14 July 2009

**1.0 PROPOSAL**

1.1 Reserved Matters permission is sought for the erection of a detached dormer bungalow to the rear (north east) of 107 Albion Avenue. The reserved matters to be considered are, scale, appearance and landscaping/

1.2 Access to the proposed development is shown via the existing driveway, which presently serves no. 107. The applicant's existing single detached garage and dwarf boundary wall (adjacent the footpath) have been already been demolished to facilitate vehicular movements to the rear of the site.

1.3 The applicants seek approval for a detached dormer bungalow, which is approximately 9.80 m in length x 8.60 m in width x 2.60 m to eaves level and 7.00 m to ridge level. It is also proposed to form 1 no. dormer window to the front elevation of the property and gable end and 2 dormers to the rear. 1 rear dormer will serve the main bedroom, the rear other will serve bedroom 3 and the front dormer will serve the main upstairs bathroom. The dwelling will consist of a kitchen/dining/family room, study and lounge on the ground floor and 3 bedrooms at first floor level, including a main bathroom and 1 en-suite bathroom.

1.4 The proposal also includes the erection of a single attached garage, a drive and turning arrangements for the proposed dwelling. The applicants state in their design and access statement that the size, scale and height of the property is similar to that found in surrounding areas (which can be seen on the submitted location plan).

1.5 Initially the applicants sought planning permission for a dwelling which was 13.04 m x 9.40 m in plan. They were advised that the proposal fell outside the scope of the outline permission due to its increase in size from the scheme approved by the Inspector. The applicants consequently reduced the size of the proposed to accord with their outline approval.

**SITE**

1.6 The plot area is 0.047 hectares in size. The proposed plot is irregular in shape and measures approximately 35.00 m in length x 20.00 m in width. However the proposed plot tapers in width as it extends towards Boroughbridge Road to approximately 3.00 m in width. The site is set back from Albion Avenue by approximately 33.00 m and about 25.00 m from Boroughbridge Road. The proposed site is located to the rear of 106 Albion Avenue, which is a semi-detached bungalow.

1.7 The design and access statement (DAS), which accompanies this proposal, states that a separation distance of 21.00 m can be achieved between the proposed dwelling and the rear façade of no.106. It is further stated within the DAS that the rear garden of the proposed dwelling is 20.00 m in length. As such the agents state that the proposed new dwelling would not impinge upon the amenity of adjacent neighbours.

1.8 106 Albion Avenue is located at the hammerhead of Albion Avenue close. No.106 adjoins 104 Albion Avenue. Both these dwellings are built on a 45° splay so as to face the hammerhead of the close. No.106 is approximately 6.50 m in length x 8.00 m in width and is single storey in height.

## HISTORY

1.9 An outline planning application was withdrawn on 19/06/2007. The application was withdrawn on the basis of concern raised by the Local Planning Department (LPA). The principal area of concern was the proposed access for the new dwelling being too close to the existing dwelling (No.106 Albion Avenue). This application attempts to overcome the LPA's concerns.

1.10 A similar outline planning permission was refused on 16/10/2007. The applicants subsequently appealed the decision and were successful (APP/C2741/A/08/2066342/WF)

## COUNCUILLOR REQUEST

1.11 The application is being presented to planning at the request of Councillor Simpson-Laing.

## 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

Schools GMS Constraints: Manor CE 0250

## 2.2 Policies:

CYGP1  
Design

CYH4A  
Housing Windfalls

CYH10  
Car parking not required for CC housing

CYL1C  
Provision of New Open Space in Development

## 3.0 CONSULTATIONS

### INTERNAL

Highway Network Management (HNM)

3.1 The HNM officer commented that the access and layout has already been agreed at Appeal and therefore no objections are raised.

Design, Conservation and Sustainable Development - Landscaping

3.2 The landscape architect commented that there are a number of trees to be retained including a purple leaved beech and a number of fruit trees. Protective barriers are required to ensure adequate protection during construction shall be conditioned.

### EXTERNAL

Acomb Planning Panel

3.3 Objections were raised relating to the overdevelopment of the area and the restricted access to the proposed dwelling.

Neighbours

- The location and proximity of the proposed new dwelling would impact upon the existing privacy of adjacent neighbours;
- The dwelling would impact upon the open aspect currently enjoyed by residents;
- The proposal, if approved, would be out of character with the existing area;
- The proposal would cause overshadowing and would appear dominant in this location;
- The additional dwelling would breach the maximum number of dwellings in an already maximised cul-de-sac (CYC planners maximised the level of dwellings in

their original plans)

- The proposed dormers would be too intrusive and would affect adjacent neighbours privacy, roof lights would be preferred;
- The scale and footprint of dwelling is out of proportion with other properties in the area and is larger than originally approved at outline stage;
- The dwelling is too big for the site;
- The proposal would create additional noise intrusion due to vehicular movements in the rear garden etc.;
- The proposal does not have a precise height measurement and the roof is out of character with hipped roofed properties in the area;
- The separation distances are inaccurate. Plans do not show extensions to both 238 and 240 Beckfield Lane;
- If the application were approved it would set a precedent for future development of this type;
- Albion Avenue cul-de-sac suffers from congestion. The proposal would create further congestion in the cul-de-sac;
- The proposal would have an adverse impact upon the safety of pedestrians using the adjacent public footpath;
- Adjacent neighbours views would be affected;
- Impact on drainage in area and create additional problems of flooding in the area by creating further hard surfaces which are impermeable and overloading the sewers.
- Access and safety compromised by construction vehicles. This has become evident recently with the laying of a garage base, which meant that vehicles blocked the road for 3 hours with no access in or out.

Letter on behalf of residents from Cllr Simpson-Laing

3.5 Concerns were raised initially with the outline application regarding the size of the development. The reserved matters application shows an increase in size from what was originally proposed.

3.6 Residents are concerned about the ridge height, which is an approximation, the design of the roof is out of character with surrounding properties, not being hipped and having dormer windows which increase the visual impact.

3.7 The size of the dwelling within the plot should be considered. Neighbouring residents are concerned that the dwelling is nearer to their properties and question the distances between properties.

3.8 CYC Policy GP1 is designed to ensure neighbouring properties are protected from noise, disturbance, overlooking and overbearing structures. This should be taken into account by restricting the height and size of the proposal and there should be assurances that all distances from neighbouring properties are set out clearly at committee stage.

3.9 Objections are therefore related to scale, density and appearance.

## 4.0 APPRAISAL

4.1 The reserved matters to be considered are:

- Scale;
- Appearance; and
- Landscaping;

### POLICY

4.2 PPS1 'Planning for Sustainable Development' aims to protect the quality of the natural and historic environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.3 PPS 3 'Housing' sets out Government policy on housing development and encourages more sustainable patterns of development through the reuse of previously developed land, more efficient use of land, reducing dependency on the private car and provision of affordable housing. PPS3 also advises that car-parking standards that require more than 1.5 spaces per dwelling are unlikely to secure sustainable development

4.4 Other relevant policies:-

- Policy GP1
- Policy H4a
- Policy GP10
- Policy L1c

### SCOPE OF THE APPLICATION

4.5 The principle of the development of the site has been established by virtue of the previous appeal decision relating to the site. In allowing new housing development on the basis of infilling, Policy H4a of the Draft local Plan states that development should be of an appropriate scale and density to surrounding development, and should not have a detrimental impact on existing landscape features. Policy GP10 states that planning permission for sub-division of existing garden areas, or infilling, to provide new development will only be granted where this would not be detrimental to the character and amenity of the local environment. Policy GP1 relates to design and states that 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 the character of the area, using appropriate building materials. The importance of design is referred to in Central Government advice contained within Planning Policy Statement 1: "Delivering Sustainable development".

4.6 The scale of the proposed dwelling is a single storey in height but incorporates three bedrooms within the roof space served by dormer windows and a small gable end. Whilst the height of the dormer bungalow has increased in height from 6.30 m on the plan to 7.0 m. The Design and access statement (appended with the appeal) confirmed that the building would not exceed 7.0 m in height. Bearing in mind the

Inspector considered the plans indicative, it is considered that the increase in height is acceptable. Therefore after amendments to the size and scale of the proposed bungalow it is now considered to be within the spirit of the appeal decision and consequently acceptable.

4.7 In allowing the appeal, the Inspectors treated the appearance of the building as indicative. However he raised no objections to its appearance or style. Bearing in mind these comments and his general support for the scheme, it is considered difficult for the Council to object to the detailed appearance of the dwelling. The detailed design indicates a three bedroom dwelling of modern design. However, the site is not within a conservation area and it is considered that the design would be appropriate and would not appear out of keeping with its surroundings. External materials can be conditioned.

4.8 The proposed landscaping scheme is considered acceptable.

4.9 Other issues: whilst a number of objections were received regarding this scheme, the majority cannot be taken into account as this application approval seeks reserved matters approval only. The principle of development, highways matters, drainage, separation distances, overshadowing cannot be revisited as these issues were agreed by the Planning Inspector.

4.10 The majority of objections were related to the scheme as originally submitted. The applicant has amended the scheme. All relevant parties were given further opportunity to comment upon the revised scheme. However the period for further consultation expires on the day of committee. Therefore any comments regarding the revised scheme will be presented to committee verbally.

4.11 The application cannot be judged against Policy GP4a 'Sustainability' as this application is for reserved matters only. The Inspector did not impose such a condition when he approved the scheme at outline. The Inspector did not impose a condition seeking an open space contribution.

## **5.0 CONCLUSION**

5.1 In the opinion of the Local Planning Authority, the amended scheme is considered acceptable in terms of scale, appearance and landscaping. As a consequence the proposal is considered to be unacceptable and is recommended for refusal, contrary to GP1, GP10, H4a and L1c of the City of York Development Control Draft Local Plan and National Planning Guidance PPS1 and PPG3.

## **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve

1 PLANS2 Approved plans and other submitted details

2 HT1 IN Height - 7.00

3 VISQ8 Samples of exterior materials to be app

4 No demolition, construction or other work associated with implementation of this permission, including deliveries to and from the site, shall take place outside the hours of 08:00 to 18:00 on Mondays to Fridays, 09:00 to 13:00 on Saturdays and at no times on Sundays or Bank Holidays.

## 7.0 INFORMATIVES:

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 the residential amenity of the neighbours, the visual amenity of the locality, highway safety. As such, the proposal complies with Policies H4a, H10, T4, GP4a and GP1 of the City of York Local Plan Deposit Draft; national planning guidance contained in Planning Policy Statement 1 'Delivering Sustainable Development' and Planning Policy Statement 3 'Housing'.

### Contact details:

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**Tel No:** 01904 551610

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# 106 Albion Avenue, York YO26 5QY

09/00722/REM



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<b>Organisation</b>	City of York Council
<b>Department</b>	Planning & Sustainable Development
<b>Comments</b>	Application site
<b>Date</b>	03 July 2009
<b>SLA Number</b>	Not set

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## West & City Centre Area Planning Sub-Committee

16 July 2009

Report of the Director of City Strategy

### Enforcement Cases - Update

#### Summary

1. The purpose of this report is to provide Members with a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by this Sub-Committee.

#### Background

2. Members have received reports on the number of outstanding enforcement cases within the Sub-Committee area, on a quarterly basis, since July 1998, this report continues this process.
3. Some of these cases have been brought forward as the result of information supplied by residents and local organisations, and therefore "The annexes to this report are marked as exempt under Paragraph 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as this information, if disclosed to the public, would reveal that the Authority proposes to give, under any enactment a notice under or by virtue of which requirements are imposed on a person, or that the Authority proposes to make an order or direction under any enactment".
4. In order to give Members an up to date report, the schedules attached have been prepared on the very latest day that they could be to be included in this report on this agenda.

#### Current Position

5. Members should note that 68 new cases were received for this area within the last 3 months. 60 cases were closed and 193 remain outstanding. There are 64 Section 106 Agreement cases outstanding for this area after the closure of 2 for the last 3 months.

### **Consultation**

6. This is an information report for Members and therefore no consultation has taken place regarding the contents of the report.

### **Options**

8. This is an information report for Members and therefore no specific options are provided to Members regarding the content of the report.

### **Corporate Priorities**

9. Improve the actual and perceived condition and appearance of city's streets, housing estates and publicly accessible spaces.

### 10. **Implications**

- **Financial** - *None*
- **Human Resources (HR)** - *None*
- **Equalities** - *None*
- **Legal** - *None*
- **Crime and Disorder** - *None*
- **Information Technology (IT)** - *None*
- **Property** - *None*
- **Other** - *None*

### **Risk Management**

11. There are no known risks.

### **Recommendations**

12. That Members contact the relevant Enforcement Officers to discuss any particular case detailed in the attached ongoing annex and also note the cases closed annex.

Reason: To update Members on the number of outstanding enforcement cases within the Sub-Committees area.

**Contact Details**

**Author:**

Hilary Shepherd/  
Andy Blain  
Planning Enforcement Officers

**Chief Officer Responsible for the report:**

***Chief Officer's name***

Michael Slater  
*Assistant Director (Planning and Sustainable  
Development)*

**Dept Name** City Strategy  
Tel No. 551647/551314

**Report Approved**

**Date** 24. 06.2009

**Specialist Implications Officer(s)**

None

**Wards Affected:** *All Wards in the West and City Centre area*

**All**

**For further information please contact the authors of this report**

**Background Papers:**

Environment and Development Services Business Plan (2000/2001).

Report to Area Sub-Committee in July 2006 – Enforcement Cases Update.

**Annexes**

Annex A - Enforcement Cases – Update (Confidential)

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By virtue of paragraph(s) 6 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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