
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	10 SEPTEMBER 2009
PRESENT	COUNCILLORS HYMAN (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, MOORE, ORRELL, TAYLOR, PIERCE (SUBSTITUTE), WATSON (SUBSTITUTE) AND WATT (SUBSTITUTE)
APOLOGIES	COUNCILLORS FUNNELL, KING AND WISEMAN

21. INSPECTIONS OF SITES

Site	Attended by	Reason for Visit
293 Fifth Avenue	Cllrs Hyman, Moore, Douglas, Watt, Firth, B Watson and Orrell	To familiarise Members with the site
York Caravan Park.	Cllrs Hyman, Moore, Douglas, Watt, Firth ,B Watson and Orrell	To familiarise Members with the site.
University of York	Cllrs Hyman, Moore, Douglas, Watt, Firth and B Watson	To familiarise Members with the site.
95-97 Heslington Lane	Cllrs Hyman, Moore, Douglas, Watt, Firth, B Watson, Taylor	To familiarise Members with the site.
Novotel, Fewster Way	Cllrs Hyman, Moore, Douglas, Watt, Firth, B Watson and Taylor	To familiarise Members with the site.

22. DECLARATIONS OF INTEREST

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

Councillor Pierce declared a personal and non prejudicial interest in Agenda Item 4c, University of York, as a former member of staff and current student at the University.

Councillor Cregan declared a prejudicial interest in Agenda Item 4f, Nestlé Rowntree, as he is in receipt of a small pension from Nestlé. He left the room for this item and did not take any part in discussions thereon.

23. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on the 13 August 2009 be approved and signed as a correct record by the Chair.

24. PUBLIC PARTICIPATION

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

24a 293 Fifth Avenue, Heworth, York YO31 0PP

Members considered an application for the erection of a three bedroomed detached bungalow located in part of the rear gardens of 291 and 293 Fifth Avenue.

Councillor Cregan left the meeting at this point and was not present for this item along with subsequent items, 4f, Nestlé Rowntree, 5 Appeals Performance and 6 Urgent Business.

Officers updated Members by saying that Heworth Planning Panel and the Environmental Protection Unit had no objections to the application. They stated that there had been no response from the Drainage Board but that the proposal incorporated advice given by the Council's Drainage Engineers at the pre-application stage, and includes provision for on-site storage and controlled discharge of surface water, permeable surfacing and rainwater harvesting, all of which were covered in condition 9.

Officers reported that representations in the form of 20 letters of objection from residents and a petition signed by 30 people against the application had been received. They stated that the main concerns from residents were that the application would;

- Infringe on their security on Appleby Place through creating an access way into Fifth Avenue, which could then create a hiding place for criminals.
- The building works would create stress and disturbance to the elderly residents who occupy the houses in Appleby Place.
- The proposal could result in additional flooding and congestion in Appleby Place.
- The proposal could block access for emergency vehicles.
- The house could be occupied by students or children whose lifestyles could conflict with elderly residents desire for peace and quiet.

- The proposal would result in a loss of a parking area used by local residents
- It would harm privacy and dormers could be added in the future and that infill development would be contrary to Council Policy.

Officers also stated that a representation in opposition had been received from Councillor Potter, as the local Ward Member, who suggested that the Committee should not delegate the decision to Officers in light of numerous representations of opposition from residents. She also advised that residents felt that the application was overdevelopment.

Members were told by Officers that the consultation period for the application expires on 18 September and the reason for why the application had been brought to Committee was to ensure that a decision was made within the 8 week period. They added that negotiations had resulted in a revised drawing, which made relatively minor changes to the proposal through the introduction of hipped roofs and alterations to the parking arrangements. They advised that Officers intentions were to issue the decision under delegated powers (if approved) only if no new objections are received to the proposal.

They referred to condition 11 which required a financial contribution for Lifelong Learning and Leisure towards the provision of play facilities and open space. They also drew Members attention to the addition of restricted hours of work and stated that the standard demolition and construction informative could also be attached.

Officers also stated that condition 10 was incorrectly worded and should refer to the Code for Sustainable Homes rather than the equivalent BREAM standard.

They added to Members that a further condition would be recommended requiring the provision of 5 % of the expected energy demand through renewable sources, in order to comply with Policy GP4a and the Council's interim Planning Statement on Sustainable Design and Construction.

They also stated that condition 13 would remove permitted development rights in respect of future extensions to the dwelling, including roof alterations.

In response to a question, Officers stated that if a decision to approve the application was delegated to officers, the application would be brought back to Committee for a decision in the event that any additional new objections were received prior to the expiry date for consultations on the 18th September.

Some Members expressed concern that the proposed bungalow would erode the amenity of local residents due to its close proximity and the effect on access that it would have for Appleby Place. They also expressed the view that it would be an overdevelopment of the site. They added that on the site visit, the applicant had originally pegged out the proposed site incorrectly, and then relocated the pegs to correct this.

Some Members stated that they were mindful of the proximity of the children's play equipment to the proposed property, whilst others pointed out that although there were concerns relating to the access of the site, that Highways Officers had raised no objections to the proposal.

RESOLVED: That the application be refused. ¹

REASON: 1. It is considered that the proposed bungalow together with the reduction in size of the rear gardens of 293 and 295 Fifth Avenue would constitute an unacceptable overdevelopment of an unsuitably small site. It is considered that this would result in a form of development that would appear cramped and out of character with the local form of development. As such, the proposal conflicts with Policies GP1 (criterion a and b), GP10 and H4a (criterion c) of the City of York Draft Local Plan (fourth set of changes) 2005, and Central Government advice relating to design quality and context contained within Planning Policy Statement 1 (Delivering Sustainable Development) and Planning Policy Statement (Housing).

2. The proposed bungalow would be sited in close proximity to the rear gardens of the adjacent properties. It is considered that the bungalow would appear unduly dominant and overbearing when viewed from these rear gardens and thus be harmful to the amenity of the occupiers of these properties. As such the proposal would conflict with Policy GP1 (criterion I) of the City of York Draft Local Plan (Fourth Set of Changes) 2005.

Action Required

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

24b York Caravan Park, Stockton Lane, York YO32 9UA

Members considered an application for the use of land for the stationing of 20 additional touring caravans and camping pitches at York Caravan Park.

The Officer updated Members by stating that two additional letters of support had been received, including one from the Chairman of Visit York, which was circulated to Members at the meeting.

A question was raised as to whether the Council allows touring caravans and tents to use parts of its public parks.

It was understood that there were two sites when this was allowed, at Rowntree Park and at the Knavesmire.

The agent for the applicant addressed Members and made a reference that that two years ago the Council had agreed on a previous application to allow hard standings for caravans and an amenity building. He emphasised the contribution that the Caravan Park was making to the economy of York and that it was well run, sustainable and was in demand. In his view these were capable of constituting very special circumstances to justify the granting of planning permission within the Green Belt. He also stated that there was a lack of supply of sites for camping and caravanning in York generally.

Members asked the agent if the lack of supply of sites for campers in York was common and if there was any evidence sent to Officers to prove this.

The agent replied that there was no information on a lack of sites in York as a whole given to Officers.

Members highlighted the Council's Policy V5 in Paragraph 4.12 that it "specifies that the number of pitches should not exceed 20" and asked the Officer whether he was aware of sites in the city, which were also located in the Green Belt, that exceeded this number.

The Officer replied that he was not aware of any sites in the Green Belt that had been approved with a number exceeding 20 pitches.

Members asked about the flood risk to the site and highlighted Paragraph 5.2, which talked about how there was a discrepancy between the location of the site on the Environment Agency's Flood Zone Map and the map of the Council's own Flood Risk Assessment.

The Officer advised Members that the Environment Agency's only objection to the proposal was from surface drainage water, not the flooding aspect.

The agent for the applicant commented that the Environment Agency's Flood Risk Zone maps tended to be broad and could only be defined on the topography of the site. He stated that the Caravan Park was in Flood Zone 2.

Certain Members asked about the planning permission for the existing caravan storage and the use of the lake on the site.

The agent replied that there was planning permission granted to permit the storage of caravans in a building on the site and that it was specifically for the purpose of storage. He added that the lake was purely decorative.

Some Members commented on how the agent had suggested that the Council Policy V5 of the City of York Draft Local Plan, which does not permit touring caravans sites in the Green Belt where there is an adverse affect on openness, was in existence prior to the original site coming into existence.

Other Members and the Officer confirmed that this was the case.

The Officer advised Members that there were recent examples of extensions to caravan and camping sites being refused due to their impact on the Green Belt, and an appeal at the Beechwood Caravan Park on Malton Road had been dismissed.

Councillor Pierce suggested that the application should be deferred for several reasons:

- To receive information on the supply and demand of the particular site
- To gain more information from Visit York on the effect of campsites on York's economy
- The necessity of a new report to include more reasons for refusal apart from Policy V5 to strengthen the decision of the Committee if the applicant appealed.

Councillors Taylor and Watson backed Councillor Pierce's suggestion of deferral because they were concerned that York could lose valuable tourist revenue. They stated that they would also like to know the outcome of the enforcement action in relation to the access road that had already been constructed on the site. Members were advised that if this application was refused then the enforcement action would continue.

Councillor Pierce moved the motion to defer the decision of the application and Councillor Taylor seconded. On being put to the vote this motion was lost.

RESOLVED: The application be refused. ¹

REASON: 1. The site is located within an area of Green Belt, which is characterised by its generally agricultural appearance. The extension of the touring caravan site would compromise the openness of this area and would conflict with the purposes for including land within Green Belt. The proposal is therefore inappropriate development in terms of the advice contained in Planning Policy Guidance Note 2 "Green Belts", and is by definition, harmful to the Green Belt. No very special circumstances have been shown by the applicant, which would outweigh the harm to the Green Belt. The proposal would also conflict with Policy V5 of the City of York Draft Local Plan (CYDLP), which does not permit touring caravan sites in Green Belt where there is an adverse effect on the openness of the Green Belt and GB1 of the CYDLP,

which does not support development that detracts from the open character of the Green Belt.

2. The proposal would enlarge the area currently occupied by caravans, thereby encroaching into open countryside to the detriment of visual amenity and the attractive rural character of the area. This is considered contrary to policies V5 and V1 (f) of the City of York Draft Local plan and the evidence base to the Local Development Framework entitled 'The Approach to the Green Belt'.

Action Required

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

24c University of York, University Road, Heslington, York YO10 5DD

Members considered an application for an extension and laying out of a car park providing 347 car parking spaces, installation of access barriers and widening of part of Goodricke Way, together with landscaping and relocation of a materials compound.

The Officer updated Members and stated that if the application was approved that amendments would be made to conditions; 4, details of the car park barriers to be agreed prior to installation, 6, that the overall cap on car parking spaces of 1520 should not be exceeded at all times, 7, that details of boundary treatment would include reference to existing trees overhanging the boundary of 15 Walnut Close and 8, that the height of the storage bays, including the materials stored within them shall not exceed 1.75 metres, to be measured from a ground level to be agreed in writing.

The agent for the applicant answered Members questions on a range of issues including; the decommissioning of car parking spaces, the control of car parking users through permits and smart cards and the discrepancy between the location of spaces and the material store on plans and reports provided.

She reported that the process of decommissioning of car parking spaces from other sites on the University campus to be relocated into the proposed car park had already started. In response to a question of whether the number of spaces would be reduced at the same time as the proposed extension of the existing car park, she said that a survey on campus spaces is conducted on an annual basis and that the spaces would be allocated according to the home addresses of those who use them. She added that as a result of this process, there would be a reduction in traffic through Heslington village.

So far as to controlling the usage of the car park was concerned, the agent added that students would not have to pay for permits but that as part of the University travel plan, staff would be allocated a certain car park which would be closest to their point of entry onto the campus from the city. The access to the car parks would be controlled by the use of a Smart Card to make sure that users parked in their allocated area. The agent advised Members that the Smart Card scheme would not start until the other proposed car parks across the campus had been constructed.

RESOLVED: That the application be approved subject to the conditions detailed in the officer's report and the following amended/additional conditions. ¹

Condition 4 - Prior to their installation, details shall be agreed with the LPA of the barrier equipment to be installed at the entrance to the car park, together with the methods of managing and controlling access by students and staff.

Reason – In the interests of highway safety and to ensure effective management of parking demand within the University campus.

Condition 6 – At all times the total number of car parking spaces within Heslington West Campus shall not exceed 1520 spaces (excluding disabled spaces).

Reason – To accord with previously agreed parking levels on this campus.

Condition 7 – Details of all means of enclosure to the site boundaries between existing maintenance yard and the properties on Walnut Close and The Orchard shall be submitted to and approved in writing by the Local Planning Authority and subsequently provided before the development of the proposed new storage bays commences. Notwithstanding the details included on the submitted landscaping plans these boundary details shall also include any new tree planting details including height and species proposed between the rear of the proposed material bays and the boundary with Walnut Close.

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

Condition 8 – Prior to the commencement of work on the proposed storage bays in the materials compound, details of their size, design and appearance shall be submitted to and agreed in writing by the Local Planning Authority. The height of the bays, including the materials stored within them shall not exceed 1.75 metres to be measured from a ground level to be

agreed in writing by the Local Planning Authority prior to work on the bays commencing.

Reason – In the interests of the visual amenities of the area and from neighbouring properties.

Condition 9 – Development shall not begin until details of the 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. Sufficient information should be provided by the Developer to determine the potential impact the proposals may have on the existing drainage systems.

Details to include:

1. Calculations and invert levels of 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 University watercourse/lake to be assessed.
2. Additional surface water shall not be connected to any foul /combined sewer, if a suitable surface water sewer is available.
3. Existing and proposed surfacing should be specified.
4. Details of run off rates including calculations of both the existing and proposed rates.
5. Surface water run-off from the development shall be attenuated to 70% of the existing rate, in accordance with a scheme to reduce run off to be submitted to and agreed in writing by the Local Planning Authority (based on 140 l/s/ha of connected impermeable areas). If connection of existing impermeable areas not proven, then a Greenfield run-off rate of 1.4l/s/ha shall be used. The scheme submitted shall include storage volume calculations, using computer modelling, allowing for 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 20% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to find the worst case volume required.
6. Details of future management/maintenance of the proposed drainage system.

7. All surface water from the proposed car park shall pass through petrol interceptors prior to discharge into the existing system.

Reason – So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site to comply with guidance contained within Planning Policy Statement 25 (Development and Flood Risk) and that provision has been made to maintain the proposed drainage system.

REASON:

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the officers report, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the principle of development within the existing campus, impact on the landscaped setting of the campus, loss of trees, design and appearance, sustainable development, drainage and flood risk from surface water drainage and the impact on the amenity of neighbours from increased levels of lighting and the proposed alterations to the materials compound. As such the proposal complies with the University Development Brief for the existing Heslington West campus and Policies GP1, ED6, GP4b, NE1 and GP15a of the City of York Local Plan Deposit Draft.

Action Required

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

24d 95-97 Heslington Lane, York, YO10 4HP

Members considered a full application for the creation of 2 two storey dwellings to the rear of 95 and 97 Heslington Lane.

An adjacent resident made representations in opposition to the proposal. He stated that the proposed development would overshadow his property, which would result in a reduction of natural light. He added to this that in his view a scientific daylight/sunlight assessment on the effect of the proposed dwellings on neighbouring properties should be requested. He finally stated that if the proposal was erected in an alternative location as a single storey bungalow it would have less impact on the character and amenity of Barmby Avenue.

The Architect of the proposed dwelling spoke on behalf of the applicant, who was not in attendance. He circulated a diagram to members, the neighbour in opposition and the Ward Member showing the proposed dwellings in relation to 3 Barmby Avenue and pointing out that the nearest dwelling would not breach a line drawn at 45 degrees from the nearest window.

Councillor D'Agorne spoke as Ward Member and expressed his concerns to Members about allowing the development. He stated that the growing number of landlord owned student properties in the area was adversely affecting the lives of local residents. He added that in relation to parking issues, in a previous application for a two storey extension at 97 Heslington Lane included a double garage within the application site for the proposed dwellings, raising concerns that parking provision for the existing dwelling may not be adequate. He was concerned that the previously intended layout was now being changed. He also added that the orientation of the proposed dwelling would mean that there would be a variance in light levels between the winter and summer months. He urged the committee to reject the application on the grounds of harm to the surrounding area.

The Officer responded to the representations in opposition to the proposal and the Ward Member by stating that the previous application for 97 Heslington Lane, had not included the erection of the double garage. He added that Highways Officers were satisfied that parking standards would be met.

In response to Members queries in relation to daylight/sunlight assessments, the Officer stated that such assessments are not a statutory requirement but are a local requirement introduced by Council's within North Yorkshire, and are only required in relation to developments that are within 2 metres of a residential boundary and are higher than a single storey. This was not the case with the present application.

Councillor Watt asked that his vote against the approval be recorded.

RESOLVED: That the application be approved subject to the conditions listed in the Officer's report and the following additional condition.¹

Condition 16- Unless otherwise agreed in writing by the Local Planning Authority, a minimum of 5% of the expected energy demand for the development hereby approved shall be provided through on site renewable generation for heat and/or electricity. Prior to the commencement of development, a statement outlining how this is achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and accords with Policy GP4a of the Draft City of York Local Plan and the City of York Interim Planning Statement on Sustainable Design and Construction.

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

development, density and type, character and amenity, residential amenity, archaeology, access, parking provision and highway safety, flood risk and drainage, public open space and education provision. As such the proposal complies with national advice contained in Planning Policy Statement 1: Delivering Sustainable Development (PPS1), Planning Policy Statement 3: Housing (PPS3), Planning Policy Guidance Note 13: Transport (PPG13) and Planning Policy Statement 25: Development and Flood Risk (PPS25) and Policies SP6, H4A, H5A, GP1, GP4A, GP10 and HE10, LC and T4 of the City of York Development Control Local Plan (incorporating 4th set of changes, April 2005).

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 listed below). For further information please contact the officer named:

Vehicle Crossing – Section 184 – Stuart Partington
(01904) 551361.

Action Required

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

24e Novotel, Fewster Way, York, YO10 4AD

Members considered a major full application for the erection of a five storey side extension and a three storey front extension to provide an additional 42 bedrooms, replacement of existing bedroom windows and erection of single storey restaurant extension, entrance canopy, cycle shelter and associated landscaping works.

Officers updated Members by recommending that a condition to restrict the hours of construction be included should planning permission be granted.

The agent for the applicant advised Members that there had been extensive local consultation on the new extensions and that response had generally been positive. He added that the amenities of the occupants of neighbouring, William Court, had been considered by the proposals. He added that the hotel facility made a valuable contribution to tourism in York.

Members indicated that they were happy with the current application in light of improvements that had been made since the previously refused application.

They asked about the maintenance of the proposed grass roof and whether the condition proposed to cover this would provide control past five years.

Officers replied and said that five years was a standard time period used in respect of landscaping conditions and that a specific time frame had to be stated within the condition in order to comply with national guidance on planning conditions.

RESOLVED: That the application be approved subject to an amended and additional condition alongside the conditions listed in the Officer's report.¹

- (i) Condition 26- Unless otherwise agreed in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal

- (ii) Condition 29- All demolition and construction works, vehicular access and ancillary operations, including deliveries to and dispatch from the site shall be confined to the following hours:

Monday to Friday	08.00-18.00
Saturday	09.00-13.00
Not at all on Sundays and Bank Holidays.	

Reason: To protect the amenities of nearby residents

REASON: 1. In the opinion of the Local Planning Authority, the proposal, subject to the conditions listed in the officers report, would not cause undue harm to interests of acknowledged importance, with particular reference to design, appearance and impact on the conservation area, parking and highway safety, servicing and environmental protection considerations, residential amenity, flood risk, sustainability, planning against crime, archaeology and local wildlife. As such the proposal complies with Policies Y1, ENV1, ENV2, ENV5, ENV9, E1, E6, T2 and T5 of the Yorkshire and Humber Regional Spatial Strategy to 2026, and Policies SP3, SP8, GP1, GP3 and GP4A, GP4B, GP9, GP11, GP15, NE8, NE2, HE2, HE10, T4, T7C, T12,

T13A, V1, V3 and V4 of the City of York Development Control Local Plan.

2. 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 neighbours are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval:

- i. 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".
- ii. 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.
- iii. 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.
- iv. 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.
- v. There shall be no bonfires on site.

3. The applicant is informed that roof drainage should not be passed through any drain interceptor.

4. Foul water from kitchens and/or food preparation areas of any restaurants and/or canteens etc. must pass through a fat and grease trap of adequate design before any discharge to the public sewer network. The developer is advised to consult Yorkshire Water's industrial waste section on any proposal to discharge a trade effluent to the public sewer network.

5. If the developer is looking to have new sewers included in a sewer adoption agreement with

Yorkshire Water (under Section 104 of the Water Industry Act 1991), he should contact Yorkshire Water's New development team at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with WRc publication 'Sewers for Adoption – a design and construction guide for developer's ' 6th edition, as supplemented by Yorkshire Water's requirements.

6. The applicant is reminded that in order to allow sufficient access for maintenance and repair work at all times, no building or other obstruction should be located over or within 3.0m either side of the centre line of the sewer, which crosses the site.

7. The applicant is advised that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water and follow the procedure outlined above in item 5.

8. The developer is required, under Section 115 of the Water Industry Act 1991 to enter into a formal agreement with Yorkshire Water Services to discharge non-domestic flows into the public sewer network.

Action Required

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

24f Nestlé Rowntree, Haxby Road, York, YO31 8XY.

Members considered a major full application for proposed car parking, security centre and ancillary development including a revised internal road network.

Officers updated Members by saying that the applicants had submitted drawings for a redesigned entrance on Wigginton Road to further increase stacking capacity for vehicles within the site. They recommended that if Members approved the application that a surface water drainage condition should be added.

RESOLVED: That the application be approved subject to additional conditions alongside those listed in the Officer's report
1.

Condition 7- The car parks hereby approved 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 these approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

Condition 8- Within 1 month of the car parking hereby being approved being brought into use, the use of the existing car parking being shown as removed in the supporting information shall cease.

Reason: In order to ensure that the level of car parking on the site does not exceed City of York Council Annex E maximum parking standards and to encourage staff and visitors of the site to arrive by non car modes of travel thus promoting sustainable travel in line with local and national transportation policies (PPG13 Transport).

Condition 9- Development shall not begin until details of the 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.

Sufficient information should be provided by the Developer to determine the potential impact the proposals may have on the existing drainage systems,

Details to include:

1. 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.
2. Additional surface water shall not be connected to any foul/combined sewer, if a suitable water sewer is available.
3. Existing and proposed surfacing and ground levels to Ordnance Datum should be specified.
4. Details of run off rates including calculations of both the existing and proposed rates.
5. Surface water run-off from the development shall be attenuated to 70% of the existing rate, in accordance with a scheme to reduce run off to be submitted to and agreed in writing with the Local Planning Authority (based on a 140 l/s/ha of connected impermeable areas). If connection. The scheme submitted shall include storage volume calculations, using computer modelling, allowing for a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year

storm. Proposed areas within the model shall also include an additional 20% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.

6. Details of future management/maintenance of the proposed drainage system.
7. All surface water from the proposed car park shall pass through petrol interceptors prior to discharge into the existing system.

Reason: So that the Local Planning Authority may be satisfied with these details for proper drainage of the site to comply with guidance contained in Planning Policy Statement 25(Development and Flood Risk) and that provision has been made to maintain the proposed drainage system.

REASON:

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 Highway movements and safety resulting from the amended access and layout details, visual amenity and good design with regard to the new security centre and in particular any impact the development may have on Bootham Stray, harm to protected species with particular regard to the possible presence of bats in the building to be demolished to make way for the Haxby Road car park, sustainability, with particular regard to continued cycle and public transport use and surface water drainage rates from the new car parks which may cause flooding in the local area. As such the proposal complies with national guidance in PPS1 (Delivering Sustainable Development), PPS9 (biodiversity and Geological Diversity), PPG13 (Transport) and PPs25 (Development and Flood Risk) and Policies GP1, GP15A, NE6 and T4 of the City of York Development Control Local Plan.

Action Required

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

SS

25. APPEALS PERFORMANCE REPORT FROM HEAD OF DEVELOPMENT CONTROL

Members considered a report which informed them of the Council's performance in relation to appeals determined by the Planning Inspectorate in the 12 month and 3 month periods to 31st July 2009.

Members welcomed the report and commented that they also wished the report to include outstanding appeals, and that this information could be produced in a graph or table.

RESOLVED: That Members noted the report and agreed Option A as follows:

Option A – Members to receive quarterly reports with an annex of case summaries.

REASON: So that Members can continue to be advised of appeal decisions within the City of York Council Area and be informed of the planning issues surrounding each case for future reference in determining planning applications.

Cllr K Hyman, Chair

[The meeting started at 2.00 pm and finished at 4.40 pm].