
MEETING	PLANNING COMMITTEE
DATE	25 AUGUST 2011
PRESENT	COUNCILLORS WILLIAMS (CHAIR), GALVIN (VICE-CHAIR), AYRE, BOYCE, CUNNINGHAM-CROSS, D'AGORNE, DOUGHTY, FIRTH, FUNNELL, MCILVEEN, MERRETT, REID, SIMPSON-LAING, WATSON, WATT AND BURTON (SUB FOR CLLR KING)
APOLOGIES	COUNCILLOR KING

8. INSPECTION OF SITE

Site	Reason for Visit	Members Attended
Arabesque House, Monks Cross Drive, Huntington, York (11/01468/OUTM)	To enable Members to view the site location and the surrounding area.	Cllrs Firth, Funnell, Galvin, Reid, Watt and Williams

9. DECLARATIONS OF INTEREST

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

Councillor Boyce declared a personal non prejudicial interest in relation to Plans item 4a (Holgate Villa, 22 Holgate Road, York YO24 4AB) owing to her involvement with some of the charities with offices situated in the building.

Councillor D'Agorne declared a personal prejudicial interest in relation to Plans item 4a (Holgate Villa, 22 Holgate Road, York YO24 4AB) as the York Green Party Office occupied part of Holgate Villa and he withdrew from the meeting and took no part in the discussion or voting thereon.

Councillor Merrett declared a personal non prejudicial interest in relation to Plans item 4a (Holgate Villa, 22 Holgate Road, York YO24 4AB) in respect of the adjacent cycle route as a member

of the York Cycle Campaign and Honorary Member of the CTC. He also confirmed that Cllr Fraser and himself had received an update from the applicant following the residents briefing. *Also following the resident's briefing, which both Cllr Fraser and himself had been unable to attend, they had received a briefing from the applicant.*

[As amended at the Planning Committee meeting held on 22 September 2011]

10. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 15 June 2011 be approved and signed by the Chair as a correct record.

11. PUBLIC PARTICIPATION

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

12. PLANS LIST

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

12a Holgate Villa, 22 Holgate Road, York YO24 4AB (11/00436/FULM)

Members considered a major full application, received from The Villas Venture, for the erection of a part 3 and part 4 storey hotel with associated parking and landscaping following the demolition of the existing office building. Consideration of this application had been deferred at the Committee's last meeting to allow further public consultation to be undertaken.

Officers displayed plans of the scheme under consideration and, on request, plans of an alternative scheme which proposed the buildings end elevation facing Holgate Road finished in white render and 5 storeys in height. Officers confirmed that, in order to alleviate local resident's concerns, the design of the raised planter had been amended to prevent people congregating and

a canopy added in the rear car park as a smoker's shelter rather than at the main entrance. A list of available vacant office premises in the city centre and edge of centre had also been circulated to members for their information.

Officers went onto report receipt of two additional letters from residents following the public meeting details of which had been set out in the report at para. 3.19.

Representations in support of the application were then received from a Director of the Helmsley Group. He confirmed that the public consultation meeting had been well attended. The main issues raised included omission of the footpath along the east side of Lowther Terrace, the need to provide a hidden area for smokers, a request for a redesign of the hotel's frontage, use of the hotel and support for the rendering of the building fronting onto Holgate Road.

The applicant's Architect also spoke in support of the application. He confirmed that consultation had been undertaken with Officers to ensure that all concerns regarding the buildings height, materials and width of Lowther Terrace had been met.

Members then questioned a number of aspects of the proposals including:

- Further details of resident's feedback and the need to take this on board.
- Details of office accommodation currently being marketed in the York area of a similar size to Holgate Villa.
- Confirmation that the alternate scheme favoured by residents was a storey higher and included a change in materials. Officers pointed out that this would require submission of a new application and further consultation therefore members could only consider the application as submitted.
- Further clarification in respect Policy E3b and the loss of office space in the city.
- Confirmation that the existing building was not fully DDA compliant.
- Loss of major employment sites required monitoring.
- Number of underutilised office's in the city centre.
- Bus services and the viability of sites.

Following further discussion it was

RESOLVED: That the application be approved subject to the Assistant Director (Planning and Sustainable Development) in consultation with the Chair and Vice Chair being delegated authority to agree the treatment of the Holgate Road elevation of the building. ¹.

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 the principle of the change of use, visual and residential amenity, highway safety and archaeology.

As such the proposal complies with national policy established in PPS1, PPS4 and PPS5 and Policies SP7A, SP7B, GP1, GP3, GP4A, HE2, HE10, T4, E3B, V1, V3 and V4 of the City of York Development Control Local Plan.

Action Required

1. Undertake consultation in respect of the elevational treatment of the Holgate Road frontage with Chair and Vice Chair.

MS, JK

12b Arabesque House, Monks Cross Drive, Huntington, York (11/01468/OUTM)

Members considered a major outline application, submitted by Smith and Ball LLP, for the erection of a retail warehouse following the demolition of an existing office building (resubmission).

The applicants circulated the following information and photographs:

- Photographs of Arabesque House and Triune Court.
- An aerial photograph of the site location
- Site layout and the elevation for the scheme.
- Arabesque House was an dated office building which did not meet potential office occupier's requirements unlike adjacent Triune Court.

- Arabesque House had 1 unit which had been vacant for 3 years with other tenants looking to relocate to Triune Court.
- The loss of office space at Arabesque House would not be significant loss.
- There was already strong interest from a number of bulky goods operators to secure premises at Monks Cross, which the Retail Study confirmed that it lacked.
- This would be a sustainable development and provide real growth for the city in both construction and permanent jobs.

Officers updated with the following information:

- Paragraph 1.3 should refer to a 200 space car park not 238 spaces.
- Receipt of a letter from O'Neill Associates the applicant's agent, in relation to certain statements and omissions in the Committee report (full details of which have been attached to the agenda as an annex).

Representations were then received from the applicant's agent who referred to the aerial photograph showing retail development to the south and east and offices to the north on the Monks Cross site. She confirmed that the existing offices were out dated with no raised floors for IT networking, no air conditioning, a concealed entrance and were inefficient in energy use.

Members went onto question a number of aspects of the report, including:

- Confirmation received that the proposed retail warehouse was not speculative as without a named tenant the investment for the development could not be raised.
- Details of vacant office space at Triune Court.
- Further details of tenants looking to relocate from Arabesque House.
- That the issues raised by the applicants were members felt a result of the present economic climate rather than the building being outdated.

A number of Members confirmed that the present building was internally in a good state of repair and that the officer's recommendation to refuse permission was correct in this instance. They also pointed out that Monks Cross was a key

employment area well served by public transport and should be retained.

Other Members expressed concerns that it was unfair that property owners had to bear the burden and that members should defer to businesses and market forces.

Following further discussion it was

RESOLVED: That the application be refused.

REASON: In the opinion of the Local Planning Authority Monks Cross is a good office location, having a wide range of amenities and sustainable travel, including park & ride and cycle routes, to and from the city centre, the Local Planning Authority consider that it needs to maintain a menu of office properties around different sites in the city, of varying sizes and quality, the application site is important in providing for the immediate and longer term employment requirements of York, particularly the Monks Cross area. It is considered that the loss of Arabesque House will significantly diminish the availability of office space in the Monks Cross area to the detriment of employment Land supply and future employment growth, this is considered contrary to policy E3b of the City of York draft Local Plan (incorporating the 4th set of changes) Development Control Local Plan (April 2005), the evidence base to the emerging Local Development Framework; Employment Land Review Stage 1 and 2 (Entec 2007 and 2009) and Arup Employment Paper - Annex 4 to Item 13, LDF Working Group, 4 October 2010 and contrary to Planning Policy Statement 4 "Planning for Sustainable Economic Growth".

12c 6-18 Hull Road, York (11/01496/REMM)

Consideration was given to a major reserved matters application, submitted by Uniliving Ltd, for the approval of landscaping details following approval of an application for the

demolition of an existing dairy distribution facility and the development of student accommodation.

Officers reported that since the committee report had been prepared revised plans had been received to address concerns raised in relation to planting and the quality of the internal circulation space. Details of the principal amendments and items to be retained had been set out in an update circulated at the meeting (full details of which have been attached to the agenda) and included:

- Retention of the proposed water pools at either side of the entrance.
- Substitute proposed single birch standards with small oak trees.
- Extend the range of planting around Blocks C, D and E, amendments to hedge planting and bulb arrangement to address the Landscape Architects concerns.
- Seating now proposed in the outdoor amenity areas.
- Gated access at the junction of Block C, including pedestrian ramp and retaining wall.
- Amendment of Condition 3 requiring detailed submission of external seating and boundary railings.

Representations in support were then heard from the applicant's agent. He confirmed that the landscaping scheme had been put forward following discussion with officers, resident's feedback and comments made by members.

Members questioned a number of points in relation to the scheme including:

- Possible amendment of the landscaping condition to state that any trees or plants which died should be replaced in perpetuity. Legal confirmation was received that Inspectors at appeals had overruled the attachment of similar conditions by Local Authorities in the past.
- Some of the trees appeared to be positioned between windows and relatively close to the buildings. Confirmation that the amenities of future residents had been taken into account when agreeing tree species to overcome any future problems.
- Confirmation that the seating proposed on the site frontage would be accessed via a gate within the site behind the boundary railings.

Following further discussion it was

RESOLVED: That the application be approved subject to the imposition of the conditions set out in the report and to the under mentioned amended condition:

Condition 3: Notwithstanding the application details hereby approved full details of the proposed external seating and boundary railings for the Hull Road frontage of the site including design, location and materials shall be submitted to and approved in writing by the Local Planning Authority before work on site commences. The development shall thenceforth be undertaken in strict accordance with the details thereby approved prior to the blocks being first occupied.

Reason: To safeguard the amenities of future occupants of the flats and to secure compliance with Policy GP1 of the York Development Control Local Plan.

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 impact upon visual amenity of the street scene, impact upon the residential amenity of neighbouring properties and impact upon the living conditions of future occupants. As such the proposal complies with Policy GP1 of the City of York Development Control Local Plan.

CLLR D WILLIAMS, Chair
[The meeting started at 4.30 pm and finished at 5.45 pm].