
MEETING	PLANNING COMMITTEE
DATE	24 NOVEMBER 2011
PRESENT	COUNCILLORS WILLIAMS (CHAIR), GALVIN (VICE-CHAIR), AYRE, BOYCE, CUNNINGHAM-CROSS, D'AGORNE, DOUGHTY, FUNNELL, KING, MCILVEEN, MERRETT, REID, SIMPSON-LAING, WATSON, WATT AND HYMAN (SUB FOR CLLR FIRTH)
APOLOGIES	COUNCILLOR FIRTH

18. INSPECTION OF SITE

Site	Reason for Visit	Members Attended
Royal York Hotel, Station Road, York YO24 1AY (11/02650/FUL)	To enable Members to view the site in relation to the Conservation Area, adjacent listed building and Westgate apartments following objections received.	Cllrs Williams, Galvin, Funnell, D'Agorne, Watson, Merrett, Doughty, Boyce, Cunningham – Cross, McIlveen and Reid

19. 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. No interests were declared.

20. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 22 September 2011 be approved and signed by the Chair as a correct record.

21. PUBLIC PARTICIPATION

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme in respect of a matter within the Committee's remit.

A representative of the Green Party made representations in respect of the retail study and projections by GVA Grimley used as part of the evidence base for the Local Development Framework. She pointed out that an independent report had put forward revised figures in light of the proposed increase in out of town centres, the Community Stadium and made reference to the knock on implications for the city. She expressed grave concerns in respect of further out of town development and confirmed that there was a need to continue with the sequential approach and she requested the Committee to take these points into account in their future deliberations.

22. PLANS LIST

Members considered the report of the Assistant Director (Planning and Sustainable Development) relating to the following planning application, which outlined the proposals and relevant planning considerations and set out the views of the consultees and officers.

22a Royal York Hotel, Station Road, York YO24 1AY (11/02650/FUL)

Consideration was given to a full application submitted by Max Carlish, for the siting of a 53 metre diameter observation wheel in the grounds of the Royal York Hotel until January 2013.

Officers circulated an update to the Committee report, which covered the following points, full details of which are set out in the update attached to the republished agenda:

- Recommendation and reason for approval;
- Visit York letter of support;
- Details of further objections received;
- Building heights in the vicinity of the site.

Representations in objection to the scheme were made by the resident of 608 Westgate on the grounds of loss of amenity which he pointed out would be substantial. He spoke of the dubious economic benefit of the proposals and to the dominance of the proposed structure and general lighting issues.

Another resident pointed out that the wheel sited at the National Railway Museum had not impacted on the amenity of local residents as did the current proposal. He made representations

in relation to the blight the wheel would have on the area being 3 times the height of the apartments and sited on a raised area close to properties and a Grade 2 listed building.

Representations were also received on behalf of a resident of the apartments who made reference to the officers report. In particular to the reports conclusion which referred to the detrimental impact the wheel would have on the character and appearance of the city and the Central Historic Core Conservation Area and setting of the listed building. He went onto express concern at the precedence that approval would give as all consultation had confirmed that the proposal was only suitable on a short term basis.

A further Westgate apartment resident also raised objections to the siting, to the use of a generator, possible damage to archaeological remains and to the proposed access adjacent to the traffic lights in an already congested area. Other issues related to the affect on the hotel gardens and wildlife and he requested the Committee to refuse the application on these grounds.

Representations were then received in support of the scheme from the applicant. He circulated copies of the following supplementary information to assist members in further explaining the proposals:

- Planning Statement in support of the application;
- Details of lighting options for the wheel together with positive quotes from other city officials;
- Details of current and previous locations of Great City Attractions wheels.

He went on to refer to the proposed lighting options and to outline the benefits, highlighting the economic, social, charity and cultural benefits of the wheel for the city.

The General Manager of the Royal York Hotel informed members that 2011 had seen the highest occupancy rate in the history of the Royal York hotel. He confirmed that the decision to site the wheel in the grounds had not therefore been taken without serious consideration and consultation with both present and future customers, the majority of which had given it their full support.

Members then questioned the applicant and speakers on a number of points including:

- Details of job creation – confirmed 25/30 people required for erection and maintenance together with marketing and hospitality posts.
- Further information on security, acoustic measures and lighting.
- Availability of alternative sites.
- Further information in respect of the Design and Access Statement.
- Hours of operation, in particular during the winter months.
- Details of prior consultation with adjacent residents.
- Temporary nature of proposals and possible precedence.
- Charity benefits.
- Privacy issues of adjacent apartments.
- Understanding of residents concerns and requested assurances that any siting would not be longer term.

Following further lengthy discussion, Councillor Galvin then moved refusal of the application on the grounds the affect the wheel would have on adjacent residents from overlooking and its proximity to a listed building. This was seconded by Councillor Watson and on being put to the vote this motion was lost.

Councillor King then moved and Councillor Funnell seconded approval of the application for the reasons listed in the officers report.

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

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on heritage assets, amenity and highway safety. As such the proposal complies with Policies SP3, GP1, GP3, NE6, HE2, HE3, HE4, V1 of the City of York Development Control Local Plan.

23. YORK CENTRAL HISTORIC CORE CONSERVATION AREA APPRAISAL: FINAL DRAFT FOR ADOPTION

The Committee considered a report which presented the final draft of the York Central Historic Core Conservation Area Appraisal for adoption.

The report provided an Executive Summary of the appraisal with the full report being provided on the Council's website. Consideration was also given to Annexes 2 to 6 which detailed principles and priorities, community involvement, summary of consultations and events together with a map showing proposed boundary changes.

Copies of York Green Parties consultation responses, which had been omitted from Appendix 5 of the report, were also circulated for information.

Officers went on to confirm the importance to the city of the appraisal for the City Centre Action Plan and the Local Development Framework. Reference was made to the joint funding of the appraisal by English Heritage and to the extensive public consultation undertaken.

Further information in respect of each of the following issues was also reported including details of the management recommendations and to further work and actions proposed:

- Key views
- Boundary changes
- Article 4 directions
- Advertising
- Action Plan
- Editing and
- Building Heights

Members expressed their thanks and appreciation to both Alan Baxter Associates and to all the officers involved in the preparation of the document for the quality and depth of the study. They confirmed that this would provide the city with a comprehensive appraisal for an important area which would greatly assist the city in future years.

Members went on to raise a number of issues in respect of the following:

- Building heights – specifying a presumption against development of more than 4/5 storeys could have a significant impact on certain areas e.g. York Central
- Solar Panels – a ban on solar panels on all buildings required further examination.
- Questioned exclusion of Hungate from Conservation Area boundary. Confirmation that tests had concluded that, on balance, this area should not be included.
- Erection of satellite dishes - covered by national guidance.

Following further discussion it was

- RESOLVED:
- i) That, subject to the resolution of the under mentioned remaining comments, approval be given to the adoption of the York Central Historic Core Conservation Area Appraisal, including the proposed boundary changes set out at Annex 6 of the report, and noting the management recommendations to be progressed through the City Centre Area Action Plan;
 - ii) That further consideration be given to the removal of the proposed general assumption against development of more than 4 storeys in the Conservation Area and 5 storeys building height limit beyond it;
 - iii) That further consideration be given to the blanket ban on the erection of solar panels in the area, in line with the report requested by Council requiring the formulation of a policy in this respect;
 - iv) That the Chair and Vice Chair in consultation with the Assistant Director City Strategy (Planning and Sustainable Development) and the Cabinet Member be authorised to sign off the final report.
1.

- REASON:
- i) The document has adopted a rigorous approach to the assessment of the York

Central Historic Core Conservation Area, and is in accordance with relevant guidance documents;

- ii) The document fulfils the council's obligations under sections 69, 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- iii) The boundary review has been carried out in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and the latest guidance documents from English Heritage;
- iv) The document has been subject to intensive peer review through the key stakeholder group and an extensive public consultation;
- v) The appraisal is an essential evidence based document supporting the Local Development Framework and is necessary for the development and implementation of the City Centre Area Action Plan.

Action Required

1. Investigate additional comments and adopt report following sign off.

BS

CLLR D WILLIAMS, Chair

[The meeting started at 4.30 pm and finished at 6.50 pm].