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MEETING	PLANNING COMMITTEE
DATE	25 JULY 2013
PRESENT	COUNCILLORS HORTON (CHAIR), GALVIN (VICE-CHAIR), AYRE, BOYCE, BURTON, CRISP, D'AGORNE, FIRTH, FITZPATRICK (SUBSTITUTE), HEALEY (SUBSTITUTE), MCILVEEN, REID, RICHES, SIMPSON-LAING, WATT AND WILLIAMS
APOLOGIES	COUNCILLORS DOUGHTY AND KING

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**SITE VISIT**

<b>Site</b>	<b>Reason for Visit</b>	<b>Members Attended</b>
Parkside Commercial Centre	To enable members to familiarise themselves with the site	Crisp, D'Agorne, Horton, Galvin and Reid.

**6. DECLARATIONS OF INTEREST**

At this point in the meeting, Members are asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda.

Councillor Crisp declared a personal interest as she was the Cabinet Member referred to in the Section 106 Update report on page 48 of the agenda.

**7. MINUTES**

RESOLVED: That the minutes of the Planning Committee held on 20<sup>th</sup> June be approved and signed by the Chair as a correct record.

## **8. PUBLIC PARTICIPATION**

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

## **9. PLANS LIST**

Members considered a report of the Assistant Director (City Development and Sustainability) relating to the following planning application, which outlined the proposal and relevant planning considerations and set out the views of the consultees and officers.

### **9a Parkside Commercial Centre, Terry Avenue, York, YO23 1JP (13/01291/FULM).**

Consideration was given to a major full application for the erection of a 3 storey office building with associated parking and landscaping following the demolition of an existing industrial unit and relocation of existing caravan stands (resubmission).

Officers circulated an update to the committee report, full details of which are attached to the online agenda for this meeting. The main points were as follows:

- Revised drawings had been received, showing alterations to the side and rear elevations, floor space reduction and site access.
- A proposed extra condition for Construction Management to be added if approved.
- Following issues raised on the site visit, further details on the current parking situation on Lower Ebor Street.

Mrs Jacques, a resident of Dukes Wharf had registered to speak in objection to the scheme. She raised concerns about access to the site via Skeldergate and Clementhorpe. She advised that residents of Dukes Wharf were also concerned about the potential overshadowing and loss of sunlight. She also queried how the building could be safely evacuated in case of flooding.

Mr Tulloch had registered to speak as the applicants agent. He advised that such a development was lacking in York at present and a lot of work had gone into the application in consultation

with the relevant authorities. He was confident that the scheme would attract investors and invited questions from Members.

Members questioned a number of points including:

- Cycle access to the site and the low number of car parking spaces in relation to the proposed 300 person capacity of the building. The applicants agent confirmed the parking and cycle arrangements were appropriate due to the sustainable location of the site.
- Arrangements for exiting the site in case of flooding and if this access would be used in emergencies only. The agent confirmed that this was the case.

Following further discussions, Members agreed that the proposals were suitable for a site that had existing permission for employment use.

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

Construction Management –  
Prior to commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration, dust and lighting during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

The CEMP shall agree that all demolition and construction works and ancillary operations which are audible beyond the site boundary or at the nearest noise sensitive dwelling, including deliveries to and dispatch 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

All machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the noise emitted by vehicles, plant, machinery or otherwise arising from on-site activities, shall be minimised in accordance with the guidance provided in British Standard 5228 (2009) Code of Practice; 'Noise Control on Construction and Open Sites'.

REASON: To protect the amenities of adjacent residents.

REASON: The proposal, subject to the conditions listed in the report and the condition above, would not cause undue harm considering the impact on the adjacent conservation area and the green belt, residential amenity and highway safety.

## **10. APPEALS UPDATE**

Consideration was given to a report which outlined the Council's performance in relation to appeals determined by the Planning Inspectorate from 1<sup>st</sup> April to 30<sup>th</sup> June 2013.

Members were pleased to note an improvement in appeals performance in comparison to the previously reported 12 month period and thanked Officers for their hard work.

RESOLVED: That Members noted the content of the report.

REASON: To inform Members of the current position in relation to planning appeals

against the Council's decisions as determined by the Planning Inspectorate.

**11. SECTION 106 AGREEMENTS REPORT.**

Consideration was given to a report which informed Members on the process of the collection of financial contributions received via Section 106 agreements and reports on current agreements and payments received since 1<sup>st</sup> April 2012.

Officers outlined the report and drew Members attention to the table at Annex A which outlined the latest position on the 40 developments with the highest outstanding financial obligations. Some minor updates and amendments to the text in the table were reported.

**RESOLVED:** That Members noted the content of the report.

**REASON:** To inform Members of the current position

CLLR D Horton, Chair

[The meeting started at 4.30 pm and finished at 5.15 pm].