
Meeting	Planning Committee
Date	19 September 2013
Present	Councillors Horton (Chair), Galvin (Vice-Chair), Ayre, Boyce, Brooks (Substitute), Burton, Crisp, D'Agorne, Doughty, Douglas (Substitute), Firth, McIlveen, Reid, Simpson-Laing and Williams
Apologies	Councillors King, Riches and Watt

Site Visits

Site	Reason for Visit	Members Attended
34 Piccadilly	To enable members to familiarise themselves with the site	Boyce, Crisp, Galvin, Horton, Reid.
36-44 Piccadilly	To enable members to familiarise themselves with the site	Boyce, Crisp, Galvin, Horton, Reid.

16. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda. None were declared.

17. Minutes

Resolved: That the minutes of the last meeting held on 19th September be approved and signed by the Chair as a correct record subject to the following amendments:

- Councillor Fitzpatrick attended the site visits as a Local Resident not as Ward Councillor.

- That it be clarified that Councillor Watson spoke as Ward Councillor for the Guildhall Ward in respect of City Centre issues on the Monks Cross item.

18. Public Participation

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

19. Plans List

This item invites Members to determine the following planning applications:

19a 34 Piccadilly, York, YO1 9NX (13/02064/FULM)

Consideration was given to a major full application by Mr Martin Burgess for the conversion of ground and first floors to create 10 new flats with associated parking at basement level and external alterations.

Officers reported that there was no update to the committee report, other than to note that the 9 proposed roof lights on the front elevation had been deleted from the application and the proposed solar panels would not be visible from Clifford's Tower.

Members commented that they were happy with the scheme and felt it was more imaginative than the previous application for the site. Approval was moved and seconded.

Resolved: That the application be approved subject to the Section 106 agreement and the conditions listed in the officer's report.

Reason: Since the 2011 application for residential development of the site there are no longer plans from key landowners (Centros and Northminster) to re-develop Piccadilly with large scale retail development, due to a lack of demand and subsequently viability. Retention of the host building and having a mixed use of ground floor commercial and residential on the

upper floors fits with national planning policy, which advises that sustainable development should be approved unless it conflicts with the policies in the National Planning Policy Framework.

19b 36-44 Piccadilly, York, YO1 9NX (13/02397/FULM).

Consideration was given to a major full application by Laselle UK Ventures Property for the demolition and partial demolition of existing buildings and the erection of a mixed use development comprising of 2 new ground floor retail units (use class A1/A2/A3/A4) and 37 residential units with associated parking, access and landscaping.

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:

- Flood Risk – in particular that the Environment Agency had now withdrawn their objection following proposals to provide flood water storage at the site.
- Residential Amenity – Condition 25 will be omitted and condition 13 reworded to stipulate a noise insulation scheme will need to be submitted by the applicant.
- Air Quality and the applicants preference for windows to be openable at the front elevation. The Council's Environmental Protection Unit preferred a precautionary approach due to poor air quality in the area.
- The front elevation had been amended to omit previously proposed poster cases to the sides of the shop front.

Gillian Kyle had registered to speak as the agent on behalf of the applicant. She advised that the application had been made with design, new homes and regeneration in mind. New homes were important nationally and the scheme would bring 37 homes to York as well as assist in the regeneration of the Piccadilly area.

Members questioned a number of points, including:

- The issue of non-opening windows. Some Members disagreed with the installation of non-opening windows and queried if they were necessary. The Council's Environmental Protection Unit Officer advised that a

precautionary approach had been taken because the air pollution levels at the kerbside in Piccadilly were currently above World Health Organisation thresholds and the Local Authority has a duty to protect the inhabitants of the flats. It was confirmed that the developer could apply to amend or remove the condition if air quality improved.

- Whether the Local Plan would require any amendments as the Piccadilly area is designated for retail. Officers confirmed that the draft Local Plan would be approved in due course and amended if necessary.

Following further discussion, approval with condition 14 removed was moved and seconded. When put to the vote this motion was lost.

Approval was then moved and seconded and it was:

Resolved: That the application be approved subject to the conditions detailed in the committee report.

Reason: The scheme has officer support as it would provide much needed housing in an appropriate location and there would not be undue harm to the vitality of the city centre. As such in principle the proposals comply with the NPPF. The proposals also comply with policy with regards the impact on heritage assets, residential amenity, sustainable design and construction and highway safety.

19c Conservation Area Consent for Proposed Development Site 36-44 Piccadilly, York.

Members considered a report which asked for conservation area consent for a proposed development site at 36 to 44 Piccadilly.

The application site included 36 Piccadilly which is currently occupied as a retail premises and 38-42 Piccadilly dating from the interwar period with car parking behind. The properties extend down to the River Foss to the west.

The Conservation Area Consent was sought to demolish 36 Piccadilly (apart from the art-deco facade) and numbers 38-42 which front onto Piccadilly and the building at the rear.

The companion planning application detailing the proposed re-development of the site is detailed under the previous minute item.

Members noted the application and it was:

Resolved: That the Conservation Area Consent be granted subject to conditions listed in the committee report.

Reason: There were no objections to the demolition, subject to a condition that only allows demolition of buildings when there will be appropriate replacements, to avoid leaving gaps in the streetscape which would have a harmful visual impact, and the loss of retail space. In accordance with the National Planning Policy Framework (paragraph 141), it will be required the buildings are recorded, to increase understanding of the historic environment.

Cllr D Horton, Chair

[The meeting started at 4.30 pm and finished at 5.25 pm].