City of York Council	Committee Minutes
Meeting	Planning Committee
Date	22 October 2015
Present	Councillors Reid (Chair), Derbyshire (Vice-Chair), Galvin, Ayre, S Barnes, Boyce, Cullwick, Cuthbertson, D'Agorne, Dew, Doughty, Looker (Substitute), Funnell, Richardson and Warters
Apologies	Councillors Shepherd

35. Site Visits

Site	Reason	In Attendance
Land to the North of Avon Drive,	To enable members to familiarise themselves with the site.	Councillors Galvin, Reid & Dew
'Grantchester' , Stripe Lane, Skelton, York	To enable members to familiarise themselves with the site.	Councillors Galvin, Reid, Cullwick & Dew
Plot 7, Great North Lane, Nether Poppleton	To enable members to familiarise themselves with the site.	Councillors Galvin, Reid, Cullwick & Dew
Terry's Former Offices, Bishopthorpe Road, York	To enable members to familiarise themselves with the site.	Councillors Galvin, Reid, Cullwick & Dew

36. Declarations of Interest

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

Councillor Cullwick declared a prejudicial interest in agenda item 4e, Land to the North of Avon Drive, as he had lived in the locality, including previously on the corner of Avon Drive and had made his views clear prior to becoming elected and during

the campaign to be elected. He advised he would speak as Ward Member then leave the room for the debate.

Councillor D'Agorne declared a personal interest in respect of Agenda item 4b, Former Terry's Offices, as he used the road daily and was aware of the need for a crossing at the site and would raise this matter during the meeting.

37. Minutes

Resolved: That the minutes of the last meeting held on 17th September be approved and signed by the Chair as a correct record.

38. Public Participation

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

39. Plans List

Members then considered the following reports of the Assistant Director (Development Services, Planning and Regeneration) relating to the following planning applications, which outlined the proposals and relevant planning considerations and set out the views of the consultees and officers.

39a Plot 7, Great North Way, Nether Poppleton, York (15/01307/FULM)

It was reported that in order for the required works to mitigate for the loss of the Site of Interest for Nature Conservation (SINC), partially covering the site, to be established and programmed, the applicant had requested that the proposal be deferred from the current agenda to be considered at a future Committee. The recommendation was therefore amended to read defer to allow further work to be undertaken.

Resolved: That Members agreed to defer the application at the request of the applicant.

Reason: To enable further work to be undertaken in respect of the loss of the SINC

39b Former Terry's Offices, Bishopthorpe Road, York, YO23 1DE (15/01623/FULM)

Consideration was given to a major full application by Springfield Healthcare Group and Henry Boot Developments Ltd for the conversion of a former headquarters building to a care home with 82 care bedrooms and 8 care apartments with rooftop extension and car parking.

Officers provided 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:

- Additional conditions to ensure the premises would be used only as a care home, further details on landscaping and full details of replacement windows.
- The additional condition for the windows would also apply to the related listed building consent application.
- Condition 2 be amended to reflect that drawings had been amended.
- A further consultation response had been received from the Council's Highway Network Management to confirm that they considered the provision of a pedestrian crossing was necessary and feasible.
- In relation to the crossing, Planning Officers considered that paragraph 32 of the National Planning Policy Framework sets a test of severe impact for any refusal of planning permission on transport grounds. Having considered the issue in detail it was the Planning Officers' view that each of the required tests would not be capable of being satisfied in respect of the requested crossing.
- A detailed drainage response had been received from the Strategic Flood Risk Management which raised no objections to the proposal subject to the imposition of conditions.

Graham Lee had registered to speak as the applicant. He advised that the building had been vacant for a number of years with no other viable uses or suitable applications coming forward. He explained that the centre of the site would be a shared area with the intention of bringing the outside in to the

residents and that the cafe facilities within that space would be open to the public. He explained in some detail the concept of the care home and referred to a Springfield Healthcare site in Leeds as an example.

In response to questions from Members' the applicant confirmed the following:

- The facilities at the site would be advertised to community groups and the cafe would also be publicly advertised.
- The care home would cater for a variety of needs from residential care through to nursing care.
- The building would be restored to the highest quality and there would be a display area depicting its past use an office.
- The applicant agreed he was happy to further discuss the issue of a pedestrian refuge on Bishopthorpe Road with Officers.

Members entered debate and agreed that the site had been empty too long and was beginning to show signs of deterioration. It was doubtful that it would be used as an office again due to the complicated nature of the site and its listed building status. Members considered that it was a great opportunity to bring the building into use and a good opportunity for York as well as providing much needed care facilities.

Resolved: That the application be approved, subject to the conditions outlined in the officers report and update.

Reason: It is felt that whilst the proposal would give rise to less than substantial harm to the special character of the Listed Building that such harm is more than outweighed by the clear public benefit of arresting the building's physical decline whilst ensuring its future in a long term viable use, even when considerable weight and importance is attached to that harm. It has been clearly demonstrated that a long term office use is unlikely and that adequate amenity space can be provided within or adjacent to the site to serve the needs of residents and visitors.

39c Former Terry's Offices, Bishopthorpe Road, York, (15/01624/LBC)

Consideration was given to a listed building consent application for internal and external alterations in connection with conversion of former headquarters building to a care home with rooftop extension.

Discussion on this item took place under the previous related item and following a separate vote it was:

Resolved: That the application be approved subject to the conditions outlined in the committee report and officer's update.

Reason: The Headquarters Building the subject of this application has been partially vacant for 10 years and vacant in its entirety since 2011 and its condition has deteriorated substantially giving rise to serious concern. In this context it is important to secure the optimum viable use compatible with the building's conservation to ensure its survival for future generations. The proposed conversion for care home use would sustain the historic, aesthetic and communal significance of the building.

The evidential significance illustrated by the design and layout of the principal offices and boardrooms, its environment and finishes, would to an extent be lost and this could be regarded as less than substantial harm within the terms of paragraph 134 of the National Planning Policy Framework. Although the internal alterations proposed would be regarded as giving rise to less than substantial harm they do not lead to unacceptable loss of significance of the building overall. Providing the remaining issues of detail are addressed as indicated by the applicant the formation of the proposed care home would out-weigh the identified less than substantial harm, even when attaching considerable importance and weight to that harm.

40. Grantchester, Stripe Lane, Skelton, York, YO30 1YJ (15/01659/FUL)

Consideration was given to a full application for the use of land for a 20 pitch touring caravan and camping site.

Officers provided an update to the committee report, full details of which are attached to the online agenda for this meeting, and advised that a further letter had been received raising concerns about the suitability of the road leading up to the site and the increase in the number of caravans.

Derek Jackson had registered to speak on behalf of the Skelton Village Trust. He advised that the Trust objected to the application due to its location within the green belt and the impact on the openness of the green belt. The Skelton Village Trust also disagreed with the very special circumstances given to justify the grant of planning permission.

Gary Crosby had registered to speak as the applicant. He advised that since opening, the site had become popular and was regularly at capacity and business was being turned away. He had made the application to allow for more flexibility and the extra space would not necessarily be for caravans as tents could also use the space. In relation to comments made about the access road and any increase in the amount of traffic, he advised that 80% of customers use bicycles to access the City Centre. He accepted he would need to improve the road surface at the entrance to the site.

Some members queried the need for a cycle store at the site given the fact that caravans usually have cycle storage facilities. The applicant confirmed he was happy for the condition to remain.

Following further discussion, Members considered that the site was well screened from view and the very special circumstances put forward clearly outweighed the harm to the green belt and any other harm identified in the officers report.

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

Reason: The proposed intensification of the use would result in some limited harm to the openness of the Green Belt but the use is not considered to conflict with the purposes of Green Belt set out at paragraph 80 to the NPPF.

40a Land to the North of Avon Drive, Huntington, York (15/00798/OUTM)

Consideration was given to major outline application for the erection of 109 dwellings.

Roy Brown had registered to speak on behalf of a number of local residents and Huntington Parish Council. He advised that the land in question was considered to be Green Belt and also raised concerns about the arrangements for sewerage. He stated there are no available places at local schools and doctors surgeries in the area are at capacity and 109 extra houses would exacerbate these problems. He also referred to an increase in traffic in the area following the opening of the Vanguard shopping centre and the impact an extra housing development would have on traffic.

Felicity Paterson spoke as a local resident in objection to the application. She advised that residents are already experiencing traffic problems in the area and additional housing would further impact on the mobility of local people. The land at the site should be saved for any future improvements to the ring road.

David Trayhorn spoke as a local resident in objection to the application. He advised that he had been a resident of Avon Drive for 32 years and the issue of the Green Belt had been ongoing for at least 20 years. Residents had been led to believe that the site would be treated as Green Belt in order to clearly separate Huntington and New Earswick.

Robert Pilcher spoke as the applicant in support of the application. He advised that should the application be approved, much needed housing could be built on the site in as little as 8 months time with 30% of the housing being affordable. £200k would be made towards education provision. He referred to the Section 106 agreement and confirmed that landscaping would be included.

Councillor Cullwick withdrew from the Planning Committee for this item and spoke as Ward Member. He advised that the site had been rejected as suitable for housing on a number of occasions and there are other more suitable sites in York. He stated that the site does provide a Green Belt purpose. He felt that the potential traffic problems had been understated in the committee report by the Council's highway team and traffic problems were a concern to residents in the area.

Members' queried a number of points, in particular the existence of the water main at the site and the impact this may have on any future dualling of the A1237 and upon any landscaping at the site. Officers confirmed that the applicant would need to fully investigate the issue.

Members then entered debate and made the following points:

- Some members considered that the application should be approved due to the need for more housing in York.
- In reference to the issue of the site being in the Green Belt, some Members' referred to paragraph 3.2 of the Officer's report, which clearly stated that the site served the purpose of the Green Belt and was required to remain as such.
- The site had been rejected a number of times as suitable for housing and the Officer recommendation was correct.
- Some Members' were concerned that due to the existence of the water main and the proximity to the ring road, the site would not work as a housing development.

Following further discussion, it was:

Resolved: That the application be refused.

Reason: Policy YH9 and Y1 of the Yorkshire and Humber Plan - Regional Spatial Strategy to 2026 defines the general extent of the Green Belt around York with an outer boundary about 6 miles from the city centre. The application site is located in the Green Belt as identified in the 2005 City of York Draft Local Plan. It is considered that the proposed development of up to 109 houses and associated infrastructure constitutes inappropriate development in the Green Belt as set out in

section 9 of the National Planning Policy Framework. Inappropriate development is by definition harmful to the Green Belt. No 'very special circumstances' have been put forward by the applicant that would outweigh harm by reason of inappropriateness and any other harm, including the impact on the openness of the Green Belt and conflict with the purposes of including land within Green Belt. The proposal is therefore considered contrary to advice within the National Planning Policy Framework, in particular section 9 'Protecting Green Belt Land' and policy GB1 'Development in the Green Belt' of the 2005 City of York Draft Local Plan.

The proposed development is likely to have a direct impact upon unknown buried archaeological features (undesignated heritage assets) within the site. No geophysical survey nor intrusive archaeological evaluation has been carried out to demonstrate that undesignated archaeological assets present on the site would be properly protected. The application is therefore considered contrary to advice within the National Planning Policy Framework, in particular section 12 'Conserving and Enhancing the Historic Environment' and policy HE10 'Archaeology' of the 2005 City of York Draft Local Plan.

Cllr A Reid,Chair
[The meeting started at 4.30 pm and finished at 6.45 pm].