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MEETING	PLANNING COMMITTEE
DATE	20 NOVEMBER 2008
PRESENT	COUNCILLORS POTTER (VICE CHAIR IN THE CHAIR FOR AGENDA ITEMS 1,2, 3 AND 4D AND E), CRISP, D'AGORNE, FIRTH, FUNNELL, GALVIN, HORTON, HUDSON, JAMIESON-BALL, MOORE, PIERCE, POTTER, REID (IN THE CHAIR FOR AGENDA ITEMS 4A, B AND C), SIMPSON-LAING, HYMAN (SUB FOR CLLR VASSIE), MORLEY (SUB FOR CLLR R WATSON) AND TAYLOR (SUB FOR CLLR D'AGORNE)
APOLOGIES	COUNCILLORS R WATSON AND VASSIE
IN ATTENDANCE	COUNCILLOR D'AGORNE

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#### 34. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
St Ann's Court, York (08/01911/FULM)	In view of objections received and to familiarise Members with the site.	Councillors Crisp, Firth, Galvin, Horton, Hudson, Moore, Reid, Taylor and Wiseman
Regent Street, York (08/01909/FULM)	In view of objections received and to familiarise Members with the site.	Councillors Crisp, Firth, Galvin, Horton, Hudson, Moore, Reid, Taylor and Wiseman
Richmond Street, York (08/01910/FULM)	In view of objections received and to familiarise Members with the site.	Councillors Crisp, Firth, Galvin, Horton, Hudson, Moore, Reid, Taylor and Wiseman

#### 35. 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 Potter declared a personal and prejudicial interest and stood down for Plans items 4 a, b and c (Regent Street, Richmond Street and St Ann's Court, York) under the provisions of the Planning Code of Good Practice and spoke from the floor as a member of the Discus Bungalow Steering Group and Local Member.

Councillor Pierce declared a personal non-prejudicial interest in Plans items 4a, b and c (Regent Street, Richmond Street and St Ann's Court, York) as a Board member of the St Nicholas Fields Management Committee and in Plans items 4d and e (Proposed University Campus lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York) as a member of the Heslington East Community Forum.

Councillor Morley declared a personal non-prejudicial interest in Plans items 4d and e (Proposed University Campus lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York) as a member of the Heslington East Community Forum.

Councillor Taylor declared a personal non-prejudicial interest in Plans items 4d and e (Proposed University Campus lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York) as a member of the Heslington East Community Forum.

Councillor Jamieson-Ball declared a personal and prejudicial interest in Plans items 4d and e (Proposed University Campus lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York) as he had spoken at the Planning Inquiry regarding the outline permission and he left the room and took no part in the discussion or voting thereon.

## **36. MINUTES**

Consideration was given to a letter, circulated at the meeting, from GVA Grimley, agents in connection with a planning application submitted by Dobbies Garden Centres Plc for the erection of a garden centre on land lying to the south of York Designer Outlet. This application had been considered at the Committees last meeting and the agents felt that there were a number of omissions and inaccuracies in Minute 32b and they requested Members to agree to the inclusion of a number of additional points.

Members pointed out that minutes were not a verbatim record and that a recording of votes was not undertaken unless requested. Officers also confirmed that the reference to job creation not being classed as a very special circumstance for developments in the Green Belt had been referred to both in the Officers report at paragraph 4.25 and in the minutes in the penultimate paragraph of minute 32b.

Following further discussion it was

RESOLVED: That the minutes of the last meeting of the Committee held on 23 October 2008 be approved and signed by the Chair as a correct record.

## **37. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general issues within the remit of the Committee.

## **38. PLANS LIST**

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

### **38a Regent Street, York (08/01909/FULM)**

Members considered a major full application, submitted by Ms Marie Lodge, for the erection of 45 dwellings and 13 no. apartments with associated landscaping after the demolition of existing dwellings.

Officers circulated an update at the meeting, which detailed the following points:

- The applicants for the scheme were Tees Valley Housing, York Housing Association and Southdale Homes.
- An amended plan had been received which showed all the allocated parking bays had been removed from the area to be adopted as a public highway. The plan also confirmed that the turning head would accommodate an 11m dustbin lorry.
- Revised comments from the Landscape Architect stating that the development was still too close to existing trees.
- The Environment Agency was now satisfied that the application could be approved subject to the addition of a number of conditions, which were detailed.
- Confirmation from the Sustainability Officer that from a sustainability point of view the scheme was welcomed.
- Additional conditions were proposed to ensure the satisfactory detailing of the scheme. These conditions were listed and covered heights of building and ground levels, details of hard surfacing and storage sheds proposed in the rear gardens and a condition related to designing out crime.
- An additional letter of objection had been received as a result of the amended plan. Points raised related to disruption and impact of the development on residents, insufficient parking for existing residents and their guests and changes to Barbican Mews it was felt would detract from the objector's property.
- Clarification in relation to paragraph 4.34 of the report, pointing out that the 5 discount for sale (DFS) properties which would be provided as either affordable rented properties, affordable rented properties staircasing into DFS or as DFS. The conclusion to the report would require amending to reflect these possibilities for the provision of these properties.
- Minor alterations to the wording of Condition 13.
- Highways Informative No. 9 amend figure of '£1920' to '£9280' toward creation/promotion of car club facilities.
- Drawing numbers were required in Condition 2 following the Committee meeting.

Representations in objection to the scheme were received from a local resident. She felt that the development would have no positive affects on

the area. The development would be dominant and too large for the site as it doubled the density, it did not reflect its surroundings and that the apartments would attract young people, families and students. She also felt that there was inadequate parking provision which would have a knock on affect on surrounding streets. She felt that the discus bungalows should have been replaced with new bungalows at a higher density.

Representations in support of the scheme were received from the applicant. He referred to the lengthy negotiations and consultations that had been undertaken with Officers and residents, which had led to the design and mix of properties now proposed to replace the existing bungalows on all three sites. He confirmed that the new properties would achieve Level 3 of the Code for Sustainable homes and would meet Secure by Design standards. He pointed out that the bungalows proposed at Richmond Street would be sited so as to provide a community feel whereas St Ann's Court would be dedicated to the elderly community with a high level of support for residents available. He confirmed that a new bungalow was to be provided for every discus bungalow tenant that had requested one.

Representations were also received from a member of the Discus Bungalow Residents Association. He stated that he had been a member of the Association for three years and that during the lengthy consultations and discussions on these schemes a number of the residents had moved, gone into care or died. He expressed his appreciation to Members and Officers for their involvement of the residents in all the major decisions relating to these schemes. He confirmed that the residents supported the schemes for all three sites, which would provide affordable housing and a care facility for York residents.

The Local Member spoke as a member of the Discus Housing Development Board. He confirmed that the proposals would maintain the community feel of the existing development and would provide a model for future developments and community involvement. He felt that the residents would continue to take pride in the area and he made reference to the environmental and sustainable benefits of the proposals.

Members questioned the following aspects of the schemes

- Could the sale of these affordable homes to private landlords or selling them on at inflated prices be prevented?
- Concern that no dedicated play area was proposed on this site.
- As no on site play space the distance for children to travel to the nearest play area.
- Need for the construction management plan to ensure that development traffic was contained in the site to avoid problems for neighbouring residents.
- Secure by Design condition to cover access and the gating of alleyways if required.
- Requested details of the educational contribution required.
- Confirmed that there would be no restrictions on access to Barbican Mews or to the adjacent cycle path following development.

- Amendment required to Condition 42 relating to the amenity area to remove the words 'before any dwelling is occupied or within such longer period' and its replacement with 'in accordance with a timescale to be agreed' to prevent any future problems.

Officers confirmed that there would be a discount on sale covenant to ensure that the dwellings would be sold in perpetuity. They also reported that Life Long Learning and Leisure had confirmed that they were satisfied that play space on Cemetery Road and at St Nicholas Field were sufficiently close off site amenity provision and that the developer contribution for play space would be spent at these two sites.

Members expressed their support for the scheme, which would provide affordable, sustainable homes and high quality accommodation for the residents who had been involved at all stages of the scheme to ensure that it met their needs.

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

Amended Condition 2

The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

2769.00.01	Regent St site location plan
2769.20.01 rev A	Stepped Terrace 5 no properties
2769.20.02 rev B	4 no property terrace
2769.20.02A rev A	5 and 3 no. terrace straight
2769.20.03 rev A	House Type 3R
2769.20.04 rev A	House Type 3W
2769.20.06 rev A	Mews House
2769.A20.01 rev A	Regent St Apartments
2769.RE10.01 rev B	Regent St Site Plan
Key 01	Regent St Key Plan
001/B	Ground level plans
RE10.03	Regent Street Tenure

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

Replacement for Condition 10

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

#### Amended Condition 13

No development shall commence unless and until details of a full renewable energy strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall include details of the site's proposed renewable energy generation, which shall be at least 10% of total energy generation for each residential unit. The Development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority.

#### Amended Condition 24

Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of construction works including parking of vehicles within the site shall be submitted to and approved in writing by the LPA. The method of works shall thereafter be carried out in accordance with the agreed scheme unless otherwise agreed in writing by the Local Planning Authority.

#### Amended Condition 31

No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works

and off-site works, have been submitted to and approved by the Local Planning Authority.

#### Replacement for Condition 32

Development shall not begin until a surface water drainage scheme, for surface water into any outfall, for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- Details of how the scheme shall be maintained and managed after completion
- Confirmation that proposed surface water run off will be reduced by a further 30% on existing rates.
- The design should ensure that storm water resulting from a 1 in 100 year event and surcharging the drainage system can be stored on the site without risk to people or property and without overflowing.

#### Additional Conditions

35 Notwithstanding the information contained on the approved plans, the height of each dwelling type and apartment block shall be agreed in writing, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

36 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

37 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

38 Prior to development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and

maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

39 Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA), details of all hard surfacing within the development shall be approved in writing by the LPA and thereafter implemented in accordance with the approved scheme.

40 Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA), details of the storage sheds shown located in the rear areas of all dwelling types shall be submitted to and approved in writing by the LPA and thereafter implemented in accordance with the approved scheme.

41 Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA), a statement of crime prevention measures to be incorporated in to the design of the scheme shall be submitted to and agreed in writing by the LPA. Thereafter the scheme shall be implemented to the satisfaction of the LPA before any dwelling is occupied. Crime prevention measures shall accord with the advice set out in Planning Policy Statement 1 (2005) and comply with the aims and objectives of 'secure by design'.

42 Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA), a scheme for the laying out of the amenity area shall be submitted to and approved by the LPA. Thereafter the scheme shall be implemented to the satisfaction of the LPA before any dwelling is occupied or within such longer period as may be agreed in writing with the Local Planning Authority.

#### Amended Highways Informative No. 9

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site. The obligation would require a financial contribution £5000 towards revocation of existing Traffic Regulation Orders, £9280 towards creation/promotion of car club facilities, £10,000 towards improvement of bus stop facilities and submission of a travel plan.

No development can take place on this site until the improvements to the highways and transportation system have been provided or the Planning Obligation has been completed and you are reminded of the local planning Authority's enforcement powers in this regard.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the following:-

- Policy Background
- Design and Landscaping
- Highways, transport, access and parking



- drainage
- Sustainability
- Impact on surrounding properties
- Affordable housing, housing mix
- Open space
- Education

As such the proposal complies with Policies H4a, H2a, H5a, SP3, GP1, GP3, GP4a, GP9, NE1, ED4, L1c of the City of York Local Plan Deposit Draft and government advice within Planning Policy Statement 1 and Planning Policy Statement 3.

#### Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales. SS

### **38b Richmond Street, York (08/01910/FULM)**

Consideration was given to a major full application, submitted by Ms Marie Lodge, for the erection of 59 dwellings and 26 apartments with associated landscaped amenity space after the demolition of 41 existing dwellings.

Officers circulated an update at the meeting relating to the following points:

- The applicants for the scheme were Tees Valley Housing, York Housing Association and Southdale Homes.
- An amended plan had been received which showed that the turning head would accommodate an 11m dustbin lorry.
- Following concerns raised by members on the site visit an amended plan had been received which showed the extent of the amenity area on the south of the site and a further area that had been added following the removal of parking spaces and a bin store.
- Additional comments from the Landscape Architect referring to a further loss of trees on the amended plan and a lack of amenity space.
- The Environment Agency was now satisfied that the application could be approved subject to the addition of a number of conditions, which were detailed.
- Confirmation from the Sustainability Officer that from a sustainability point of view the scheme was welcomed.
- Additional conditions were proposed to ensure the satisfactory detailing of the scheme. These conditions were listed and covered heights of building and ground levels, details of hard surfacing and storage sheds proposed in the rear gardens and a condition related to designing out crime.
- Clarification of paragraph 4.28 of the report in relation to the 13 (The figure '5' was stated in the update, amendment required to '13') discount for sale (DFS) properties which would be provided as either affordable rented properties, affordable rented properties staircasing into DFS or as DFS. That the conclusion to the report required amending to reflect these possibilities for the provision of these 13 properties.
- Minor alterations to the wording of Condition 13.

- Drawing numbers were required in Condition 2 following the Committee meeting.

The applicant confirmed that since the site meeting amended plans had been submitted which made provision for a further amenity area on this site.

The Local Member expressed support for the scheme following a number of recent amendments to the proposals. She thanked everyone for their involvement with the scheme and for working with the residents. She confirmed that this site was close to Glen Gardens and St Nicholas Fields which provided open areas and play space for residents.

Members expressed concern that no Officer from Lifelong Learning and Leisure was present at the meeting to answer queries in relation to the provision of play areas and the Council's Open Space Policy. Members also requested the inclusion of a condition requiring a scheme for the layout of the play area to be submitted and amendments to the designing out crime condition to take into account the Architectural Liaison Officers comments in relation to the gating of alleyways. A request was also made for amendment of the construction management plan condition to contain development traffic in the site.

Officers confirmed that the area of amenity space proposed on this site, situated adjacent to the flat block, could be set out as a LAP (local area of play).

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

#### Amended Condition 2

The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

2769.00.02	Richmond St site location plan
2769.20.02A rev A	5no and 3no property terraces
2769.20.03 rev A	House Type 3R
2769.20.04 rev A	House Type 3W
2769.20.05 rev A	Corner House
2769.20.07 rev A	Mews House
2769.A20.02 rev B	Richmond St Apartment Plans
2769.A20.03 rev A and Roof Plans	Richmond St Apartment Elevations
2769.A20.04 rev A	Richmond St Small Apartment Block

2769.RI.10.01 rev D	Richmond St Site Plan
2769.20.08	House type 3F - plots 53- 55
Key 02	Richmond St Key Plan
RE10.03	Richmond Street tenure plan
001/A	Ground levels plan

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

#### Amended Condition 9

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

#### Amended Condition 13

No development shall commence unless and until details of a full renewable energy strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall include details of the site's proposed renewable energy generation, which shall be at least 10% of

total energy generation for each residential unit. The Development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority.

#### Amended Condition 23

Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of construction works including parking of vehicles within the site shall be submitted to and approved in writing by the LPA. The method of works shall thereafter be carried out in accordance with the agreed scheme unless otherwise agreed in writing by the Local Planning Authority.

#### Amended Condition 30

No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

#### Amended Condition 31

Development shall not begin until a surface water drainage scheme, for surface water into any outfall, for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- Details of how the scheme shall be maintained and managed after completion

- Confirmation that proposed surface water run off will be reduced by a further 30% on existing rates.

- The design should ensure that storm water resulting from a 1 in 100 year event and surcharging the drainage system can be stored on the site without risk to people or property and without overflowing.

#### Additional conditions

33 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

34 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

35 Prior to development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

36 Notwithstanding the information contained on the approved plans, the height of each dwelling type and apartment block shall be agreed in writing, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

37 Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA), details of all hard surfacing within the development shall be approved in writing by the LPA and thereafter implemented in accordance with the approved scheme.

38 Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA), details of the storage sheds shown located in the rear areas of all dwelling types shall be submitted to and approved in writing by the LPA and thereafter implemented in accordance with the approved scheme.

39 Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA), a statement of crime prevention measures to be incorporated in to the design of the scheme shall be submitted to and agreed in writing by the LPA. Thereafter the scheme shall be implemented to the satisfaction of the LPA before any dwelling is occupied. Crime prevention measures shall accord with the advice set out in Planning Policy Statement 1 (2005) and comply with the aims and objectives of 'Secure by Design'.

40 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 metres either side of the centre line of the water mains, which crosses the site.

41 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 metres either side of the centre line of the sewers, which cross the site.

42 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

43. Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA), a scheme for the laying out of the amenity areas shall be submitted to and approved by the LPA. Thereafter the scheme shall be implemented to the satisfaction of the LPA in accordance with a timescale to be agreed in writing with the Local Planning Authority.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the following:-

- Policy Background
- Design and Landscaping
- Highways, transport, access and parking
- drainage
- Sustainability
- Impact on surrounding properties
- Affordable housing, housing mix
- Open space
- Education

As such the proposal complies with Policies H4a, H2a, H5a, SP3, GP1, GP3, GP4a, GP9, NE1, ED4, L1c of the City of York Local Plan Deposit Draft and government advice within Planning Policy Statement 1 and Planning Policy Statement 3.

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales. SS

**38c St Ann's Court, York (08/01911/FULM)**

Members considered a major full application, submitted by Ms Marie Lodge, for 12 dwellings and an Extra Care facility comprising 41 residential units, with associated bistro restaurant, shop, hairdressers and landscaped amenity space including associated communal areas after the demolition of existing dwellings.

Officers circulated an update at the meeting relating to the following points:

- The applicants for the scheme were Tees Valley Housing, York Housing Association and Southdale Homes.
- An amended plan had been received which showed an improvement to the northern end elevation, moving the bin store away from the boundary of the site with St Ann's Court and detailing the elevational treatment onto Cemetery Road.
- The Environment Agency was now satisfied that the application could be approved subject to the addition of a number of conditions, which were detailed.
- Confirmation from the Sustainability Officer that from a sustainability point of view the scheme was welcomed.

- Additional conditions were proposed to ensure the satisfactory detailing of the scheme. These conditions were listed and covered heights of building and ground levels, details of hard surfacing and storage sheds proposed in the rear gardens, a condition related to designing out crime, a lighting scheme for the extra care facility and protection for the front boundary hedge.
- Minor alterations to the wording of Conditions 18 and 32.
- The extension of Condition 6 to protect the hedge to the front boundary during construction.
- Drawing numbers were required in Condition 2 following the Committee meeting.

The applicant and the representative of the Discus Bungalow Residents Association confirmed that they had nothing further to add to their comments made in relation to the previous applications.

Members questioned the following aspects of the scheme:

- Confirmation that the rights of access for existing residents to their garages from St Ann's Court would be maintained.
- The number of parking spaces provided for the extra care facility.
- Secure by Design condition to take into account the Architectural Liaison Officers comments in relation to the gating of alleyways, if required.
- Amendment of the Construction Management Plan condition to ensure that development traffic was contained in the site to avoid problems for neighbouring residents.

Officers confirmed that Highways were satisfied that the parking proposals were adequate and that the proposed Travel Plan would cover staff travel in a sustainable way.

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

#### Amended Condition 2

The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

2769.00.03	St. Ann's site location plan
2769.20.02A rev A	5no and 3no property terraces
2769.SA10.01 rev C	St Ann's Site Plan
Key 03	St Ann's Key Plan
07105 / PO1 Rev. B	Ground Floor Layout
07105 / PO2 Rev. B	First & Second Floor Layouts
07105 / PO3 Rev. A	Upper Roof Plan

07105 / PO4 Rev. D

Elevations

07105 / D10

Visual Perspectives.

001/C

Existing ground levels

SA10.03

St. Ann's tenure plan  
or any plans or details subsequently agreed in writing by the Local  
Planning Authority as an amendment to the approved plans.

#### Extended Condition 6

Before the commencement of development, including demolition, building operations, or the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings and the hedge to the front boundary to Cemetery Road shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations shown on a plan of protective fencing, phasing of works, site access during demolition/construction, type of construction machinery/vehicles to be used, (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles and storage of materials, location of marketing cabin.

#### Replacement to Condition 7

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

#### Amended Condition 13

No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

#### Amended Condition 14

Development shall not begin until a surface water drainage scheme, for surface water into any outfall, for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

Details of how the scheme shall be maintained and managed after completion

Confirmation that proposed surface water run off will be reduced by a further 30% on existing rates.



The design should ensure that storm water resulting from a 1 in 100 year event and surcharging the drainage system can be stored on the site without risk to people or property and without overflowing.

#### Amended Condition 18

No development shall commence unless and until details of a full renewable energy strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall include details of the site's proposed renewable energy generation, which shall be at least 10% of total energy generation for each residential unit. The Development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority.

#### Amended Condition 29

Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of construction works including parking of vehicles within the site shall be submitted to and approved in writing by the LPA. The method of works shall thereafter be carried out in accordance with the agreed scheme unless otherwise agreed in writing by the Local Planning Authority.

#### Amended Condition 32

The extra care apartments hereby approved shall only be occupied by elderly people in need of personal care assistance.

#### Additional Conditions

34 Prior to the commencement of the development, or within such longer period as may be agreed in writing with the Local Planning Authority, details of all external hardsurfacing materials shall be submitted to and approved in writing. Thereafter the approved scheme shall be implemented in accordance with the approved details prior to the building being brought into use.

35 Notwithstanding the information contained on the approved plans, the height of the bungalows and extra care facility shall be agreed in writing, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

36 Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA), details of the storage sheds shown located in the rear areas of the bungalows shall be submitted to and approved in writing by the LPA and thereafter implemented in accordance with the approved scheme.

37 The hedge fronting the Cemetery Road shall not be removed or lowered below 1.5 metres in height without the prior written approval of the Local Planning Authority.

38 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 metres either side of the centre line of the water mains, which crosses the site.

39 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 metres either side of the centre line of the sewers, which cross the site.

40 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

41 Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA), a statement of crime prevention measures to be incorporated in to the design of the scheme shall be submitted to and agreed in writing by the LPA. Thereafter the scheme shall be implemented to the satisfaction of the LPA before any dwelling is occupied. Crime prevention measures shall accord with the advice set out in Planning Policy Statement 1 (2005) and comply with the aims and objectives of 'secure by design'.

43 Prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority (LPA) details of all proposed external lighting for the extra care facility shall be submitted to and approved in writing by the LPA. Thereafter the scheme shall be implemented to the satisfaction of the LPA and no other lighting shall be installed without the written consent of the LPA.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the following:-

- Policy Background
- Design and Landscaping
- Highways, transport, access and parking
- drainage
- Sustainability
- Impact on surrounding properties
- Affordable housing, housing mix
- Open space
- Education

As such the proposal complies with Policies H4a, H2a, H5a, SP3, GP1, GP3, GP4a, GP9, NE1, ED4, L1c of the City of York Local Plan Deposit Draft and government advice within Planning Policy Statement 1 and Planning Policy Statement 3.

#### Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales.

SS

**38d Proposed University Campus Lying Between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York (08/01751/REMM)**

Consideration was given to a major reserved matters application, submitted by the University of York, for the erection of a Theatre, Film and Television building following previous approval of outline application 04/01700/OUT.

The following additional information was circulated at the meeting:

- Letter from the Programme Manager of Future Energy Yorkshire in support of the University's proposals to install a biomass heating scheme on the Heslington East site.
- Details of the renewable energy strategy proposed for Heslington East, Cluster 1.

The Director of Estates for the University of York, as the applicant confirmed that since deferral of the application in October investigations had been undertaken on various options, which aimed to address the Committees concerns in relation to the Energy Strategy for Heslington East.

A representative from the University's Energy Consultants ARUP confirmed that work had been undertaken to satisfy the planning condition to provide 10% of the Cluster 1 building energy consumption from on-site renewable energy sources. He stated that the University were now committed to delivering in excess of 950,000kWh/year from an on site centralised biomass boiler. He confirmed that the Renewable Energy Strategy for Cluster 1 would form a broader site-wide renewable energy strategy and that the University would reassess this at each stage.

In answer to Members questions Officers confirmed that container vehicles would deliver fuel approximately twice a week to the site. They also confirmed that an application for permission to erect a biomass boiler had not yet been submitted and that if application 08/01751/REMM were approved, this would not imply any approval by Members of a biomass boiler as a solution for the provision of renewable energy.

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

**REASON:** In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to policies CYGP1, CYGP4A, CYGP9, CYGP15A, CYNE7, CTED9, CYT4 and CDED9 of the City of York Local Plan Deposit Draft.

**Action Required**

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales.

SS

**38e Proposed University Campus Lying between Field Lane, Common Lane, A64 Trunk Road and Hull Road, York (08/02167/FULM)**

Members considered a major full planning application, submitted by the University of York, for the realignment of the arms of the roundabout with associated pedestrian and cycle access and landscaping, following previous approval of outline application 04/01700/OUT.

Officers circulated an A4 map showing the changes in alignment of the Field Lane roundabout and detailing the landscaping proposals for the Field Lane entrance.

Representations were received from a local resident who confirmed that she was not against the scheme in principle but concerned that, following construction of the roundabout, traffic would use the service road along Field Lane as a short cut/rat run. She also felt that the proposed cycleway at the western end of Field Lane was unnecessary and could cause accidents. She requested the Committee to defer consideration of the application pending further investigation of these points.

Representations in support of the application were received from the applicant's agent. He confirmed that the roundabout was generally as agreed by the Secretary of State other than the alignment of the three approach roads. The main difference related to the alignment of the approach road opposite Deramore Drive, which was located nearer to properties on Field Lane. He pointed out that the amendment had been proposed to avoid statutory undertakers equipment and that any alterations to this would cost in the region of £750k. In answer to questions he stated that to realign the road to the east, further away from properties, would involve cutting through the existing hedge, the removal of a mature tree and cutting into Kimberlow Hill.

Officers confirmed that the cycle route had been proposed to avoid cyclists conflicting with vehicles on the highway and that any closure of the service road would require input by Highway Network Management to enable them to consider the wider implications.

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

**REASON:** In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to provision of a campus at Heslington East, design, sustainability, visual impact, drainage, landscaping, bio-diversity and transport issues. The application therefore complies with policies GP1, GP4a, T4, ED9, GP9, NE1 and GP15a of the City of York Local Plan Deposit Draft.

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales.

SS

CLLR R POTTER, Chair

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

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