

Meeting	Planning Committee B
Date	15 July 2025
Present	Councillors Merrett (Chair), Cullwick (Vice-Chair), Fenton, Vassie, Baxter (Substitute for Councillor Wilson) [from 5:04pm-5:07pm and from 6:10pm], B Burton (Substitute for Councillor Nelson), Fisher (Substitute for Councillor Orrell) [from 6:10pm], and Whitcroft (Substitute for Councillor Moroney)
Apologies	Councillors Moroney, Nelson, Orrell, Warters, and Wilson
Officers Present	Gareth Arnold – Development Manager Mark Baldry – Principal Development Projects Officer Mark Barratt - Conservation Officer Erik Matthews – Senior Planning Officer Owen Richards – Planning Officer Jodi Ingram - Lawyer

9. Apologies for Absence (5:04pm)

Apologies were received and noted from Councillors Moroney, Nelson, Orrell, Warters, and Wilson. They were substituted by Councillors Whitcroft, B Burton, Baxter, and Fisher respectively.

10. Declarations of Interest (5:04pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

Councillor Vassie declared an interest in relation to item 5b, 1 Museum Street, York, YO1 7DT [25/00532/LBC], in that he sold books that could be purchased by the Applicant, it was noted that this was not an interest he knowingly benefitted from.

Councillor Baxter declared an interest in relation to item 5c, York Designer Outlet, St Nicholas Avenue, York, YO19 4TA [24/01633/FULM], in that her employer had submitted a representation regarding this application and as such she would not participate in the meeting during consideration of this item.

11. Minutes (5:06pm)

Resolved: That the minutes of the last meeting held on 12 June 2025 were approved as a correct record.

12. Public Participation (5:07pm)

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

13. Plans List (5:07pm)

Members considered a schedule of reports of the Development Manager, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

14. RSPCA, Landing Lane, York, YO26 4RH [24/00919/FULM] (7:10pm)

Members considered a major full application by Mr P Gorbet for the erection of 6no. animal shelter buildings, 2no. aviaries, screen fencing and associated alterations following demolition of existing animal shelters.

The Development Manager gave a presentation on the plans and noted that the plans encompassed reorganisation of and upgrades to the premises.

An update to the published report was provided by the Senior Planning Officer, this covered a request from Highway Network Management for the addition of a condition following approval seeking the submission and prior approval of a Highway method of works statement. Planning Officers did not feel that the provision of a works statement mitigated any demonstrable harm arising from the proposal and therefore would not fulfil the test of being necessary as a condition.

Additionally, it was reported that the wording of Condition 9 needed to be amended for the first sentence to read: “Within three months of the development commencing a detailed landscape scheme, including species mix and planting density, shall be submitted to the local planning authority and shall be approved in writing”.

Following debate, the Chair proposed the officer recommendation to approve the application, this was seconded by Councillor Baxter. On being put to a vote, with seven members in favour and none against it was:

Resolved: That the application be approved.

Reason: The property lies within Flood Zone 3 but comprises a less vulnerable use and would be designed to be flood resilient. The proposal is felt to be acceptable in drainage terms and with additional planting and biodiversity enhancements would be acceptable in landscape and ecology terms. The public benefits of retaining the facility on site are felt to carry substantial weight in the planning balance and approval is therefore recommended.

15. 1 Museum Street, York, YO1 7DT [25/00532/LBC] (6:10pm)

Members considered a listed building consent application by Mr Hugh Topping for internal and external works in conjunction with proposed use as bookshop to include new/replacement platform lift, internal reconfigurations to include new staircase, alterations to internal openings and partitions, installation of shelving and other replacement joinery, redecoration and repair works, new/replacement plumbing and services and rainwater goods, secondary glazing and repairs to fenestration, new/replacement flooring, mezzanine structure and balustrade, and solar PV panels.

The Development Manager gave a presentation on the plans and noted the proposed alterations to the listed building as included within the report, it was reported that the premises was located within the largest concentration of listed buildings within the conservation area.

In response to questions from members the Development Manager advised that the room where the mezzanine was proposed was estimated to be a total of 5.5 metres in height.

An update to the published report was provided by the Development Manager, this covered 12 additional representations in support of the application with regard to the public benefit of the application and the flexible benefit of the mezzanine for public use.

Public Speakers

Susan Major spoke on behalf of Clements Hall Local History Group in support of the application. She highlighted that the building had not been in use for four years and that a bookshop would be a valued addition to the area, and she noted that many of the proposed alterations were set to be temporary and could be reversed in the future meaning that there would be minimal damage to the originality of the building's interior whilst leaving the structural integrity of the building unaffected as well as making efforts to minimising the effects of climate change.

Councillor Melly, as the councillor for Guildhall Ward, spoke in support of the application. She reported that she had call this application in to the committee due to public interest in the preservation of the building. It was noted that the Applicant was a successful bookseller with a similar bookshop in Bath. She highlighted that the building had not been in use for years and that a bookshop would be valued by the public and local organisations, and that the mezzanine would enhance use of the building by improving accessibility.

In response to questions from members Councillor Melly confirmed that she had not received responses from any resident in Guildhall in opposition to the application.

Robert Topping, on behalf of the Applicant, spoke in support of the application and reported that they opened their first bookshop in 2002, and that the proposed plans would make this premises the largest independent bookshop in York. He urged members to weigh potential harm against public benefits of the application and noted that rejection of the aspects of the application regarding the mezzanine would half the area available for books. He concluded by confirming that alterations to the interior of the building such as the mezzanine were temporary and could be reversed with minimal effect on the structural integrity of the building.

In response to questions from members, Robert Topping confirmed that:

- Around 30 jobs, including part time and full time, would be created through the business.
- Stock could often be kept for years without being sold and therefore space for retaining and displaying these was essential, wall space on the mezzanine supported this. Coffee tables and complimentary reading would also be available on the mezzanine.

In response to questions from members, the Development Manager confirmed that there were additional alterations to the building than just the mezzanine, such as the additional staircase, and that for the installation of the mezzanine stud walls would be required. It was noted that although many changes made would be temporary to an extent, some alterations were more temporary than others. The Development Manager advised that harm existed with either addition to the building and should be accounted for within members considerations.

Following debate, the Chair proposed the officer recommendation to approve the application, this was seconded by Councillor B Burton. On being put to a vote, with no members in favour and seven against this motion was rejected.

Councillor Fisher proposed, and Councillor Whitcroft seconded a motion that the committee would delegate to officers, in consultation with the Chair and Vice Chair, to approve the application. On being put to a vote, with seven members in favour and none against this motion was approved and it was therefore:

Resolved: That approval of the application with conditions including a condition, for a proposal for a scheme to recognise and understand the history of the building to be submitted for approval and to be developed in accordance with the approval, be delegated to the Head of Planning and Development Services in consultation with the Chair and Vice-Chair.

Reason: Members concluded during the debate that the preservation of the building, opening up access to the building for the public to view and the public benefits of approval including the cultural and economic benefits outweighed the less than substantial harm to the significance of the heritage asset. Members felt that a condition was necessary to ensure that the history of the building was documented and shared.

[The meeting adjourned at 7:06pm and reconvened at 7:10pm]

**16. York Designer Outlet, St Nicholas Avenue, York, YO19 4TA
[24/01633/FULM] (5:07pm)**

Members considered a Major Full Application by the DROC York Limited Partnership for the change of use of amenity field to temporary (3 years) seasonal (November and December) overflow car park for the use of employees only.

The Development Manager gave a presentation on the plans and noted the proposed application was inside the greenbelt. It was reported that National Highways had concerns over the application and therefore the options open to the committee with regard to approval would be to refer the application for approval by the Secretary of State for Housing, Communities and Local Government. The Development Manager concluded by confirming their recommendation to reject the application due to the reasons outlined in the report.

An update to the published report was provided by the Principal Development Projects Officer, this covered the concerns raised by National Highways and additional information received by the Applicant which was shared with members at the meeting.

It was reported that the final sentence of paragraph 5.24 on page 89 of the agenda needed amending to read:

“A holding direction such as the one issues by National Highways prevents the Local Planning Authority from granting planning permission without first referring the matter to the Secretary of State”.

Public Speakers

Janet O'Neill, the Agent acting for the Applicant, spoke in support of the application. She stated that York Designer Outlet provided good employment for York and contributed a lot in business rates to City of York Council. It was highlighted that their original planning application granted the premises 2700 parking spaces, with York and Ride Car Park, owned by the Applicant and used by York Park and Ride as one of the most used car parks in York, held over 1000 spaces. In the Autumn and Winter periods both car parks became very busy and could often cause congestion on the roads.

In response to questions from members, Janet stated that:

- As opposed to Park and Ride spaces where one space could be used by one car all day, the parking spaces at the Designer Outler could often be used by multiple cars in one day.
- Approval of the application would grant more spaces to be used by customers which would support the ease of congestion on the roads and those in getting to work.
- York Designer Outler provided parking wardens at busy times.
- Community engagement had taken place with the York Designer Outler and: The Executive Member for Transport, the Mayor of York and North Yorkshire, and local Members of Parliament (MPs).

Paul Tyler, on behalf of the Applicant as the Centre Manager for York Designer Outler, spoke in support of the application. He highlighted that we had been Centre Manager at York Designer Outlet for the past five years and that the Outlet provided employment for 1600 people and contributed £4 million in business rates to CYC. He reported that the Applicant hosted the Designer Outler Park and Ride and that this worked well throughout the year up to Autumn and Winter where congestion increased for commuters, visitors, and Park and Ride busses.

In response to questions from members Paul stated that:

- The purpose of the application was to deal with the problem of congestion on the roads due to a lack of and pressure on parking spaces. Approval would free up an extra 350 parking spaces to be used.
- Many staff members are encouraged to walk, cycle, use public transport, or to car share, but many staff members were not in positions to do this and therefore staff parking spaces were still required.
- Some parking spaces have previously been encroached upon such as due to the installation of a car wash (four spaces), but actions which took place as a result from this allowed extra spaces to be made by turning the route effected into a one-way system.
- The Designer Outlet hosted a fair during the winter on behalf of the city for no cost.
- The Travel Plan for the Designer Outler needed to be drafted in consultation with CYC.

In response to questions from members, the Principal Development Projects Officer confirmed that the written information submitted by the Applicant had been considered and the recommendations had been made with sight of the information.

Following debate, the Chair proposed the officer recommendation to reject the application, this was seconded by Councillor Cullwick. On being put to a vote, members voted four in favour, one against, and one abstention. It was therefore:

Resolved: That the application be refused.

Reason: The proposed development is an inappropriate development in the Green Belt and should not be approved unless very special circumstances exist. The NPPF at paragraph 153 of the agenda stated that very special circumstances would not exist unless this potential harm to the Green Belt by inappropriateness, and any other harm resulting from the proposal was clearly outweighed by other considerations. In view of the assessment above on whether very special circumstances exist, it was considered that very special circumstances do not exist to justify the proposed development in the Green Belt. As such the principle of the proposed development in this Green Belt location is not acceptable as it conflicts with Policy GB1 of the Local Plan and with National Green Belt Policy as contained within the National Planning Policy Framework (NPPF).

[The meeting adjourned at 6:01pm and reconvened at 6:10pm]

Cllr D Merrett, Chair

[The meeting started at 5.00 pm and finished at 7.21 pm].