
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	18 JUNE 2009
PRESENT	COUNCILLORS HORTON (CHAIR), SUE GALLOWAY (VICE-CHAIR), CRISP, GALVIN, GILLIES, SUNDERLAND, B WATSON AND MOORE (AS A SUBSTITUTE FOR CLLR REID)
APOLOGIES	COUNCILLORS STEVE GALLOWAY AND REID

1. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
Poppleton Community Centre, Main Street, Upper Poppleton	Councillors Crisp, Sue Galloway, Gillies, Horton, Moore and B. Watson.	At the request of Councillor Hudson due to concerns relating to noise nuisance.
St Barnabas Voluntary Primary School, Bright Street, York	Councillors Crisp, Sue Galloway, Gillies, Horton, Moore and B. Watson.	At the request of Councillor Crisp due to significant public interest in the site.
Terry Avenue, York	Councillors Crisp, Sue Galloway, Gillies, Horton, Moore and B. Watson.	As objections have been received and the recommendation is to approve.

2. 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.

There were 3 declarations of interest in respect of Plans Item 4 a (Poppleton Community Centre):

- Councillor Gillies declared a personal non-prejudicial interest as he had submitted a reference in respect of a lottery bid for the centre.
- Councillor Moore declared a personal non-prejudicial interest as he knew Mr P. Hawkins (the registered speaker) through business and community work.
- Councillor Horton declared a personal non-prejudicial interest as he knew the Chairman of Poppleton Community Centre.

3. MINUTES

RESOLVED: That the minutes of the meeting held on 14 May 2009 be approved and signed by the Chair, subject to Minute 73 (Declarations of Interest) being amended to read "Councillor Moore declared a personal non prejudicial interest in Plans Item 4c (*Junction between Boroughbridge Road and Plantation Drive*)"

4. PUBLIC PARTICIPATION

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

5. 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.

5a **Poppleton Community Centre Main Street Upper Poppleton York YO26 6JT (09/00641/FUL)**

Members considered a full application from Mr Robin Tomlinson for a single storey extension to the front to form an extended lounge and entrance foyer after partial demolition of the conservatory (resubmission).

Representations were received from the trustees of Poppleton Community Trust, a registered charity with responsibility for the Poppleton Community Centre. The trustees had submitted a statement which had been circulated to Members and Officers in advance of the meeting and which was also tabled at the meeting. The statement explained that the Trust had suffered financial difficulties over recent years as the centre was not generating adequate income to be self financing and therefore had looked at how better use might be made of the building. It explained that the planned work would include the modification of the bar area to facilitate the operation of a café during the day, demand for which had been proved through detailed market research, and the continued operation of the licensed bar in the evening. However it would also involve the refurbishment and reconfiguration of the toilets and changing rooms.

Mr Hawkins spoke on behalf of the trustees and explained that

- these changes would enable the Centre to generate additional income in order to continue to maintain and develop the facilities available to the residents and make the Trust less dependent on grants.
- Planning permission needed to be in place before they could apply for grants.

- The noise scheme currently in place would eliminate sound from emanating from the building.
- The sliding doors would only be open during the day to enable the café area to extend into the outside space but would be closed in the evening and when music is playing - the trustees would have no problem with a condition being attached to that effect.

In response to a Member's query re noise, Mr Hawkins explained that sound limiting equipment had been purchased and was being used on a temporary basis until installation of noise insulation had been completed. The Environmental Protection Officer provided information on this process. He also raised concerns over the introduction of sliding doors which had less noise retaining properties than the existing wall and would increase existing noise emissions if left open.

Members agreed that the Community Centre was a great asset to the villages and wider community but that the Trust should do as much as possible to ameliorate the noise issue and agreed that a condition should be attached to ensure the sliding doors are closed at 10.00pm.

RESOLVED:

That the application be approved subject to the conditions listed below. ¹

- 1 The development shall be begun not later than the expiration of the three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drg No. 108. 109 and 110

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

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

- 3 The 3 no. folding/sliding doors shall be locked shut between 22.00 hours and 08.00 hours on any day unless otherwise agreed in writing by the local planning authority.

Reason: To prevent noise from the premises causing undue harm to the living conditions of nearby residents in accordance with policy GP1 of the Development Control Local Plan.

REASON:

The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular

reference to the living conditions of nearby residents, the openness of the Green Belt. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GP1, GB1, GB13 and C1 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

Action Required

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

**5b St Barnabas Voluntary Primary School, Bright Street, York, YO26
4XS (09/00648/REM)**

Members considered an application for approval of reserved matters for the erection of 8 terrace houses including landscaping, layout, scale and appearance.

Officers advised that condition 5 should be amended to add a reference to the requirement to enclose areas between the sides of houses 4 and 8 and the pavement. They also reported that two further objections had been received since the publication of the report.

Councillor Tracey Simpson-Laing had submitted comments by e-mail which had been circulated to Members and Officers prior to the meeting and copies were also tabled at the meeting. She referred to the destruction of a landmark building with historical importance in relation to education in the city and to the history of Leeman road. She reported that the old school building had been listed to appear on the local list of buildings of local significance or historic interest and asked that before any further decisions were made on the future of the site, that officers investigate the claim that the stained glass window may be the work of George Walton, a contemporary of Charles Rene Mackintosh and the link with the church in relation to its designer.

Comments had also been received from Green Party Member, Andy Chase, a local resident who stated that while he appreciated that permission had been granted for demolition of the building, he asked the developers to consider sensitive and imaginative conversion of the building which was in good condition. He remarked that bats had been observed in the vicinity of the site and requested that bat roosts should be considered in the proposed buildings.

Representations were also received from a York resident in objection to the application. He suggested that more consideration should have been given to the possible conversion of the building in line with the new national policy which had come into force. He advised that a development based on conversion would satisfy the planning criteria and would be much less expensive whereas demolition and a new build would be wasteful in respect of building materials and land footprint.

A letter from the Chief Executive of York Conservation Trust was circulated to Members in support of the above representation asking for the

application to be adjourned in order to allow the Trust time to put together an additional proposal to purchase the building and convert it sympathetically.

Members expressed their pleasure that the developers had taken on board their comments made at the time of the last application regarding the need for more housing suitable for families and also older people. They agreed that the developers had produced a good scheme on what was a difficult site.

Members discussed the following issues

- Need for more housing for families and older people
- the correspondence and request from the York Conservation Trust
- inclusion of bat roosts in new building
- significance of window – concern raised over destroying what could be a precious stained glass window

Members agreed that the window could be removed in its entirety and preserved if it was of significance and asked that an informative be added to this effect.

RESOLVED:

That the application be approved subject to the conditions listed in the report and amended condition and additional informatives listed below ¹

Amended Condition 5

Details of all means of enclosure to the site boundaries and to each dwelling, which shall include a low level boundary wall around the soft landscaping to the east side of houses 4 and 8, shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area.

Additional Informatives.

PHOTOGRAPHIC RECORD

It is asked that prior to demolition an annotated photographic record of the interior and exterior of the building be submitted to the Local Planning Authority.

STAINED GLASS WINDOW IN EAST ELEVATION

It is requested that the window is removed and retained as it may be of some value and historic interest. It would be appreciated if local reclamation businesses could be contacted asking whether they wish to acquire the window prior to demolition.

REASON:

The proposal, subject to the conditions listed in the report and the amended condition and additional informatives above, would not cause undue harm to interests of acknowledged importance, with particular reference to the type of dwellings proposed, the appearance of the area, residential amenity, highway safety and flood risk. As such the proposal complies with Policies GP1, GP4, GP15, H3, H4 and NE7 of the City of York Development Control Local Plan.

Action Required

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

5c Terry Avenue, York (09/00596/FUL)

Members considered a full application from Mr Mark Harrison for a temporary mooring for a residential house boat opposite the entrance to Rowntree Park Caravan Site.

Officers advised that Condition 2 should be amended to refer to the mooring being for the applicant's household only.

Representations were received from a local resident in objection to the application. He circulated photographs of the stretch of river in question showing the current openness of the area and the view further along to where barges are currently moored. Speaking on behalf of residents of Marlborough Wharf, he pointed out that although the application site was on the west bank of the river it would be those people living in properties on the east bank who would be affected as they would overlook the site. He stated that the application site was in the conservation area, further out of town than other barges and would have no parking. He raised concerns that there was no planning guidance regarding this type of application and that if granted, this could create a precedent.

Representations were also received from the applicant in support of his application. He asked Members to consider the application within the bigger picture endorsed by City of York on river usage and, in respect of the conservation area, reminded Members that this would be a temporary arrangement and there had been no objections from any agencies with control over the river.

The Chair drew Members attention to the Council's policy regarding riverside development at paragraph 4.8 of the report. Members remarked that it was important to encourage the use of the river and that the mooring of barges and other boats would enhance and add to the vibrancy of the river. Members questioned whether this boat would impact on the fishing on this stretch of river but appreciated that only a very short stretch of the river bank would be affected.

Officers reminded Members that, in certain situations, personal circumstances can be taken into account when considering an application

and that this was a temporary arrangement for a period of 3 years as there was no other option at the present time for the applicant.

RESOLVED:

That the application be approved subject to the conditions listed in the report and the amended condition below: ¹

Amended Condition 2

The mooring shall be used for the applicant's residence, the Cormallen, only and no other vessel.

Reason: In the interests of amenity.

REASON:

Planning permission is granted for a temporary period only while a permanent mooring location is sought in a more appropriate location and as special circumstances have been put forward, which, in addition to the requirement for a temporary consent only, outweigh the harm that would occur to the openness of the green belt and character and setting of this part of the Terry Avenue New Walk conservation area.

Action Required

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

Councillor D Horton, Chair

[The meeting started at 3.00 pm and finished at 4.40 pm].

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