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MEETING	PLANNING COMMITTEE
DATE	24 SEPTEMBER 2009
PRESENT	COUNCILLORS R WATSON (CHAIR), D'AGORNE, FIRTH, FUNNELL, HUDSON, HYMAN, JAMIESON-BALL, MOORE, MORLEY, PIERCE, POTTER (VICE-CHAIR), SIMPSON-LAING, B WATSON, WISEMAN, ORRELL (SUB FOR CLLR REID) AND KING (SUB FOR CLLR HORTON)
APOLOGIES	COUNCILLORS HORTON AND REID

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### 13. INSPECTION OF SITES

The following site was inspected before the meeting:

Site	Reason for Visit	Members Attended
Sim Hills, Tadcaster Road, Dringhouses, York (09/01313/FULM)	So that Members could gain an appreciation of the site's location in relation to the highway network, and of its current condition and appearance given that it is in the Green Belt and a potential SINC (Site of Interest for Nature Conservation).	Councillors D'Agorne, B Watson, R Watson and Wiseman.

### 14. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interest they might have in the business on the agenda.

Councillor Potter declared a personal non-prejudicial interest in Plans item 4a (Sim Hills, Tadcaster Road, Dringhouses, York) as a member of the York Access Work Sub Group.

Councillor Pierce declared a personal non-prejudicial interest in Plans item 4b (Proposed University Campus lying between Field Lane and Low Lane, A64 Trunk Road and Hull Road, York) as a member of the Heslington East Community Forum and former member of staff and student of the University.

Councillor Jamieson-Ball declared a personal prejudicial interest in Plans item 4b (Proposed University Campus lying between Field Lane and Low 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.

Councillor D'Agorne declared a personal non-prejudicial interest in Plans items 4a (Sim Hills, Tadcaster Road, Dringhouses, York) and 4b (Proposed University Campus lying between Field Lane and Low Lane, A64 Trunk Road and Hull Road, York) as the Council's Cycling Champion and in agenda item 5 (Fulford Road Conservation Area Appraisal: Consultation Draft) as a Ward Councillor and a resident living near the Conservation Area.

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

Councillor Simpson-Laing declared a personal prejudicial interest in Agenda item 5 (Fulford Road Conservation Area Appraisal: Consultation Draft) as her parents and other relatives lived within and adjacent to the area covered by this draft appraisal and she left the room and took no part in the discussion or voting thereon.

Councillor Firth declared a personal non-prejudicial interest in Agenda item 5 (Fulford Road Conservation Area Appraisal: Consultation Draft) as he had served at the Imphal Barracks and was still associated with the mess.

## **15. MINUTES**

RESOLVED: That the minutes of the last meeting of the Committee held on 27 August 2009 be approved as a correct record and be signed by the Chair.

## **16. 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.

## **17. PLANS LIST**

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

### **17a Sim Hills, Tadcaster Road, Dringhouses, York (09/01313/FULM)**

Consideration was given to a major full application, submitted by Mr Paul Thackray for the construction of a park and ride facility to create 1,250 vehicle car park space with associated access and passenger terminal building, wind turbine and open space.

Officers updated Members with the following points:

- The Yorkshire Wildlife Trust raised no objections to the proposal but sought reassurance that the drainage scheme would not impact upon the Askham Bog SSSI. They also hoped that the management of the new areas of habitat would be adequately funded and supported;
- The Environmental Protection Unit and the Environment Agency had now responded in detail to the proposal. They raised no objections to the development but they wished to see a number of additional conditions attached to any permission (it is recommended that Conditions 14 and 15 of the Committee report be replaced by the following five conditions):

1. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts a to c of this condition have been complied with:

a. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination (including ground gases, where appropriate);
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

b. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### c. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

2. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the previous condition, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the previous condition.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out

safely without unacceptable risks to workers, neighbours and other offsite receptors.

3. A monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the gas protection system and the provision of reports on the same, must be prepared and is subject to the approval in writing of the local planning authority. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

4. 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.

Reason: The protection of shallow groundwater, and the nearby Askham Bogs.

5. Development shall not begin until a surface water drainage scheme for the site, based upon 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 should include:

- i) Details of existing and proposed surface water run off rates.
- ii) Details of the proposed attenuation storage. The design should ensure that storm water resulting from a 1 in 100 year event although surcharging the drainage system can be stored on the site without risk to people or property and without overflowing into the watercourse.
- iii) An additional 20% shall be included in any calculations to take into account climate change.
- iv) Details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure maintenance of the surface water drainage system.

- The Highways Agency had responded following receipt of further assurances relating to traffic modelling and subsequent operation of the roundabout, controlling of the combined cycle/footway crossing of the free left slip into the P&R site and minimisation of queuing to enter the P&R site at the barriers.

No objections were raised subject to inclusion of the following conditions:-

1. Prior to commencement of works on site, details of vehicular access arrangements, including barrier locations, shall be submitted to and agreed in writing by the Local Planning Authority after consultation with the Highways Agency.

Reason: In the interests of highway safety

2. Prior to commencement of works on site details of all proposed signage (including VMS) shall be submitted to and agreed in writing by the Local Planning Authority after consultation with the Highways Agency.

Reason: In the interest of highway safety.

An informative was also requested relating to modelling works on the operation of the barrier system.

- With regard to concerns expressed by Councillor Merrett, the scheme had been amended from that originally formulated to reduce the extent of the diversion of the pedestrian/cycleway from approximately 60 metres to around 10m. Further information had also been obtained in relation to the use of the left slip into the site, which suggested that 60 vehicles per hour would use this slip road, allowing sufficient opportunity for pedestrians and cyclists to cross the access. Also measures to control the speed of vehicles along this carriageway would be included.
- Condition 2 would require amendment to refer to the more up to date drawings 0797/AB/01 – 03 instead of Drawings 0863-01 – 03.
- The following plans were circulated:
  - General context plan
  - Treatment of the SINC area
  - Proposed layout
  - Elevation of the terminal building and waiting area
  - Elevations and details of the wind turbine
  - Details of the parking proposals and cycle lockers.

Officers reported that Councillor Merrett's comments in paragraph 3.14 of the report had not been reproduced in full as he had also raised concerns in relation to the cycle route access to the site. Officers confirmed that this point would be examined at the detailed design stage and that the applicant was aware of the need to incorporate a cycle safe crossing point with the necessary restrictions.

Representations in support of the application were made by the applicant's agent. She confirmed that a comprehensive assessment of potential sites and extensive consultation had been undertaken prior to making this application within the Green Belt. She pointed out that the provision of park and ride facilities were considered appropriate development with the Green Belt.

Officers reported that Councillor Reid had confirmed her support for the proposals as this had proved to be a popular scheme with residents and she made reference to community orchards and the possibility of introducing appropriate fruit trees on the site.

Members questioned and commented on the following points:

- Number and position of cycle lockers;
- Landscaping details and the need to retain a balance between screening and the openness of the site;
- Positioning of the disabled parking bays in relation to the terminal building;
- Commitment to collection and drop off point at existing terminus and the safety of pedestrians;
- Operation of the site barriers;
- Cycle route design in relation to access/slip road;
- Wind turbine and its possible distraction to drivers.

Officers confirmed that a number of these points would be taken into account at the detailed design stage of the scheme.

Members confirmed that they welcomed the scheme, which they felt had been sensitively designed and would prove to be an exemplar of sustainability and assist in reducing traffic in the centre of the city.

RESOLVED: That the application be approved subject to the conditions listed in the report, including the deletion of Conditions 14 and 15 and the following additional and amended conditions and informative: <sup>1</sup>.

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

Drawing Refs: CBHAEL500/01 Rev B,  
HE\_DEC08010353\_001, HE\_DEC08010353\_007A,

HE\_DEC08010353\_008, HE\_DEC08010353\_009,  
HE\_DEC08010353\_010, HE\_DEC08010353\_011,  
0797/AB/01, 0797/AB/02, 0797/AB/03 Date Stamped 7th July  
2009.

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

**Additional Conditions:**

20. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts a to c of this condition have been complied with:

a. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination (including ground gases, where appropriate);
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

b. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and



other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

21. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the previous condition, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the previous condition.

22. A monitoring and maintenance scheme, to include monitoring the long-term effectiveness of the gas protection system and the provision of reports on the same, must be prepared and is subject to the approval in writing of the local planning authority. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

23. 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.

24. Development shall not begin until a surface water drainage scheme for the site, based upon 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 should include:

- i) Details of existing and proposed surface water run off rates.
- ii) Details of the proposed attenuation storage. The design should ensure that storm water resulting from a 1 in 100 year event although surcharging the drainage system can be stored on the site without risk to people or property and without overflowing into the watercourse.
- iii) An additional 20% shall be included in any calculations to take into account climate change.
- iv) Details of how the scheme shall be maintained and managed after completion.

25. Prior to commencement of works on site, details of vehicular access arrangements, including barrier locations, shall be submitted to and agreed in writing by the Local Planning Authority after consultation with the Highways Agency.

26. Prior to commencement of works on site details of all proposed signage (including VMS) shall be submitted to and agreed in writing by the Local Planning Authority after consultation with the Highways Agency.

**INFORMATIVE:**

The operation of the barriers will require modelling at the detailed design stage, the submission of this for approval by the Highways Agency as per condition 25. Consideration needs to be given at the detailed design stage as to contingencies in the event of barrier failure/human error prolonging the amount of time for a vehicle to clear the system. The closing arrangements on the entry slip will also require the Highways Agency's approval prior to implementation and first use of the site.

**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 impact of the

proposals on the open character and purposes of designation of the Green Belt, impact of the proposal upon the Askham Bog SSSI, the inclusion of a potential SINC within the development site, proposed hard and soft landscaping associated with the scheme, use of sustainability principles in the design of the scheme particularly in relation to the Terminal Building and associated wind turbine, treatment of possible land contamination within the site, design of the proposed surface water drainage system and design of the access to the site. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GP1, GP3, GP4a), GP6, GP9, GP11, NE7, NE5a) T6 and GB1 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

Action Required

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

SS

**17b Proposed University Campus Lying between Field Lane and Low Lane, A64 Trunk Road and Hull Road, York (09/01472/REMM)**

Members considered a major reserved matters application, submitted by the University of York for the erection of a catalyst building along with access cycle parking and landscaping.

Officers confirmed that no comments had been received from Natural England or any additional comments from Highways. They also confirmed that details of the scheme for dealing with the temporary arrangements for surface water from Cluster 1 had still not been agreed with the applicants agent and that the update report, circulated at the meeting covered this point.

Copies of the following information was circulated at the meeting:

- Recommended revised conditions in relation to Conditions 2, 9 and 10:

2. **Within three months** of commencement of development a detailed landscaping scheme shall be submitted and approved in writing by the Local Planning Authority. The scheme shall illustrate the number, species, height and position of trees and shrubs. The scheme shall be implemented within six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar

size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

9. Prior to commencement of development, details of foul and surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. **The works shall be carried out in accordance with these approved details.**

Reason: In the interests of the proper drainage of the site.

10. Development shall not begin until **either:**

(I) part 2a of the central lake and the outlet control centre, both approved under reserve matters application 08/02543/REMM, have been constructed and are operational to the satisfaction of the local planning authority; **or**

(II) details of alternative temporary drainage works have been submitted to and approved in writing by the local planning authority and subsequently constructed in accordance with approved details and are operational to the satisfaction of the local planning authority.

Reason: So that the Local Planning Authority may be satisfied with the proper drainage of the site during construction.

- Plans of the landscaping proposals for Cluster 1 (Western and Central Vistas);
- Overall view of Cluster 1 buildings;
- Perspective of the Catalyst building;
- Details of north and south elevation and proposed materials;
- Details of the developed footprint calculations to September 2009, which gave the cumulative percentage footprint as 5.4% following the relevant submission/approvals to date.

Officers stated that Structures and Drainage were now satisfied with the temporary lagoon arrangements and it was hoped that agreement on a permanent solution would soon be reached.

Representations were received in support of the application from the applicant's agent. She confirmed that the catalyst building would be used for knowledge transfer for which a Yorkshire Forward European Regional Development Fund Grant had been received. The building would provide accommodation for start-up businesses that developed university research and existing businesses that worked with university researchers and was essential to economic recovery in York. She confirmed that she was happy with the Officers revised conditions. In relation to the drainage arrangements she confirmed that she was awaiting additional information

and that, subject to receipt of this, a drainage solution for the Cluster 1 site could be agreed.

Members questioned the following aspects of the scheme:

- Details of the Travel Plan and parking arrangements for Cluster 1;
- Public transport arrangements for the site;
- Reasons for delay in providing drainage details.

In answer to a question the Legal Officer confirmed that planning permission should not be withheld solely for drainage reasons. She stated that if permission was granted and conditions imposed that any subsequent breach of these could then be enforced

Some Members confirmed that they were not satisfied with the car parking arrangements within the site and its management in the absence of a Travel Plan.

It was then moved by Councillor Pierce and seconded by Councillor Potter that the application be deferred pending receipt of the Travel Plan for Cluster 1. On being put to the vote this was lost.

**RESOLVED:** That the application be approved subject to the conditions listed in the report and the following amended conditions: <sup>1</sup>.

2. Within three months of commencement of development a detailed landscaping scheme shall be submitted and approved in writing by the Local Planning Authority. The scheme shall illustrate the number, species, height and position of trees and shrubs. The scheme shall be implemented within six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

9. Prior to commencement of development, details of foul and surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with these approved details.

10. Development shall not begin until either:

- (I) part 2a of the central lake and the outlet control centre, both approved under reserve matters application 08/02543/REMM, have been constructed and are operational to the satisfaction of the local planning authority; or
- (II) details of alternative temporary drainage works have been submitted to and approved in writing by the local planning authority and subsequently constructed in accordance with approved details and are operational to the satisfaction of 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 principle of the use, scale and appearance of the building, landscaping, transport, sustainability and drainage. As such the proposal complies with policies ED9, GP1, GP9, NE7, T4, GP4a 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

**18. FULFORD ROAD CONSERVATION AREA APPRAISAL: CONSULTATION DRAFT**

Consideration was given to a report, which asked the Committee to approve a draft appraisal of the Fulford Road Conservation Area for public consultation. The draft conservation area appraisal was attached to the report at Annex A.

Officers confirmed that the appraisal offered an opportunity to reassess the designated Conservation Area and its boundaries and to evaluate and record its special interest. The appraisal should then provide a basis for making sustainable decisions about the area through the development of management proposals. It was reported that, if approved, public consultation would be carried out based upon methods used for other conservation areas over a 6 week period.

Officers circulated additional copies of Annex D of the report as the quality of those circulated with the agenda had not sufficiently identified the area concerned. The plan showed the proposed delivery area, the existing Conservation Area boundary and proposed amendments to the Conservation Area boundary.

Officers also reported that in respect of the consultation venues listed under the Consultation section of the report, that the Central Library would be closed from the end of October. However, copies of the draft report would be placed in Fields Fayre shop and the Fulford Arms Public House on Fulford Road.

Members questioned various aspects of the appraisal mainly in relation to the boundaries and Officers confirmed that consideration would be given to any suggested amendments following receipt of consultation responses. Members thanked Officers for the excellent well researched and informative appraisal which would assist future planning in the area.

Consideration was then given to the following options:

Option 1 – approve the draft document for consultation purposes and to approve the method and range of consultation

Option 2 – amend the draft document and/or change the method and range of the consultation process

Option 3 – do not approve the draft document for consultation

RESOLVED: (i) That approval be given to the draft Fulford Road Conservation Area Appraisal, as proposed in Annex A, for use as a consultation document.

(ii) That approval be also given to the consultation method proposed. <sup>1</sup>.

REASON: (i) The document has been prepared in accordance with current guidance from English Heritage. It has adopted a rigorous approach to the assessment of the Fulford Road Conservation Area and as a consultation document it is clearly written and capable of being amended where required.

(ii) The boundary review has been carried out in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and it has adopted relevant criteria a set out in PPG 15 and also as described in the latest guidance documents from English Heritage.

(iii) The proposed consultation process would be based on previous practice.

#### Action Required

1. Undertake consultation by the method proposed.

SS

## **19. APPEALS PERFORMANCE**

Consideration was given to a report, which detailed the Council's performance in relation to appeals determined by the Planning Inspectorate in the 12 month and 3 month periods to 31 July 2009. The report also provided a summary of the salient points from appeals determined in the 3 month period.

Officers confirmed that the report had been prepared in response to a request from Members for a précis of the relevant points of appeals for future reference when considering applications. Officers also confirmed that they would be examining the use of conditions and their refinement for particular applications.

Members were requested for their views on the content, frequency and format of future reports.

RESOLVED: That the Committee approve Option A to receive quarterly reports with the annex of case summaries as presented.<sup>1</sup>

REASON: So that Members can continue to be appraised of appeal decisions within the City of York council area and be informed of the planning issues surrounding each case for future reference in determining planning applications.

Action Required

1. Report appeals decisions on a quarterly basis to the Committee.

SS

R WATSON, Chair

[The meeting started at 4.30 pm and finished at 6.30 pm].