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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	18 MARCH 2010
PRESENT	COUNCILLORS HORTON (CHAIR), SUE GALLOWAY (VICE-CHAIR), CRISP, GALVIN, GILLIES, REID, SUNDERLAND, B WATSON AND MOORE (SUBSTITUTE)
APOLOGIES	COUNCILLORS STEVE GALLOWAY
IN ATTENDANCE	COUNCILLOR C VASSIE

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**55. INSPECTION OF SITES**

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
Manor Church of England School, Millfield Lane, Nether Poppleton	Councillors Crisp, Gillies, Horton and B Watson.	As objections had been received and the officer recommendation was for approval.
Land to the Rear of Field View and Avondhu, Millfield Land, Nether Poppleton	Councillors Crisp, Gillies, Horton and B Watson.	As objections had been received and the officer recommendation was for approval.
Playing Field, Millfield Lane, Nether Poppleton	Councillors Crisp, Gillies, Horton and B Watson.	As objections had been received and the officer recommendation was for approval.
Land Adjacent to Northminster Business Park, Wykeham Road, Upper Poppleton	Councillors Crisp, Gillies, Horton and B Watson.	As objections had been received and the officer recommendation was for approval.
Castle Museum, The Castle	Councillors Crisp, Gillies, Horton and B Watson.	At the request of Cllr B Watson.
Edmund Wilson Baths, Thanet Road, York	Councillors Crisp, Gillies, Horton and B Watson.	As objections had been received and the officer recommendation was for approval.

## **56. DECLARATIONS OF INTEREST**

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

Councillor Sunderland declared a personal and prejudicial interest in Plans Item 4c (Doctors Surgery, 40 Moorcroft Road) as she has longstanding family ties and a close relationship with the surgery. She left the room for discussion on this item and took no part in the debate or vote on this application.

Councillor Reid declared a personal interest in Plans Item 4c (Doctors Surgery, 40 Moorcroft Road) as she also has ties with the surgery.

Councillor Horton declared a personal interest in Plans Item 4d (Edmund Wilson Baths, Thanet Road) as he knew the speaker.

## **57. MINUTES**

RESOLVED: That the minutes of the meeting of the West and City Centre Area Planning Sub Committee held on 18 February 2010 be approved and signed by the Chair as a correct record.

## **58. PUBLIC PARTICIPATION**

There were no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Sub-Committee.

## **59. 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.

### **59a Castle Museum, The Castle, York, YO1 9RY (09/02258/LBC)**

Members considered an application for Listed Building Consent from Mr Michael Woodward for external and internal alterations at ground and first floor levels in the concourse and debtors prison.

Officers confirmed that that they had now received comments from English Heritage, therefore the Committee could now determine the application in line with normal procedures rather than officers requiring delegated authority to do so as stated in the report.

Officers drew Members' attention to an error in paragraph 1.3 of the report which they advised should refer to the "original *internal* (not external) walling of the Debtor's Prison"

Some Members raised concerns that the proposed outside seating area, would detract from the appearance and ambience of the museum and could create a noise disturbance to the court house opposite and also queried the ownership of the land to be used for this seating area. Officers reminded Members that any concerns over the seating area or noise could not be considered as this was an application for listed building consent.

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

**REASON:** The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the visual amenity and character of the listed building. As such, the proposal complies with Policies HE4 and GP1 of the City of York Development Control Local Plan - Incorporating the Proposed 4th Set of Changes ( 2005); and national planning guidance contained in Planning Policy Statement 1 " Delivering Sustainable Development " and Planning Policy Guidance Note No. 15 " Planning and the Historic Environment. "

**59b Crabtree And Evelyn Ltd, 7 St Helens Square, York, (10/00347/LBC)**

Members considered an application for Listed Building Consent from Mr Colin Hughes for the infilling of basement vaults to provide additional structural support.

Officers reported that a response had been received from Guildhall Planning Panel which asked if there were other methods in which the building could be underpinned. They advised that both the Conservation Officer and City Archaeologist had no objections to the application and circulated photographs of the vaults for Members information.

Representations were received from Alan Wood and Partners, Consulting Civil and Structural Engineers for Crabtree and Evelyn, in support of the application. They circulated some information and advised Members that the method of infilling of the vaults with a foamed concrete, which they had recommended, would cause minimum intervention and would be reversible if a full archaeological investigation was required in the future and answered Members queries on specific issues.

Some Members raised concerns that alternative options had not been fully explored and voiced their concerns that damage may be caused to the vaults and that there was not sufficient proof that the infill could be safely removed. Other Members agreed that it was the simplest and least obtrusive way to make the vaults safe which would preserve them and could be easily removed in future if required.

**RESOLVED:** That officers be given delegated authority to approve the application, subject to the conditions listed in the report, once the consultation period had expired.

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the fabric of the Grade II listed building. As such the proposal complies with Planning Policy Guidance 15: Planning and the Historic Environment and Policy HE4 of the City of York Development Control Local Plan.

**59c Doctors Surgery, 40 Moorcroft Road, York, YO24 2RQ (10/00035/FUL)**

Members considered a full application from the Partners at York Medical Group for the erection of a two storey GP surgery building after demolition of the existing building.

Officers updated that further objections had been received from 29 Moorcroft Road, submitting photographs indicating parking problems, from 38 Moorcroft Road raising concerns over the accuracy of site measurements and issues regarding the car port wall, and from 40 Moorcroft Road reiterating their objections to the scheme due to its width and height.

Officers advised that an additional condition be added to require that a minimum gap of 1 metre be retained between the flank wall of the new surgery and the flank wall of no.38 Moorcroft Road in the interests of the visual amenities of the street.

Representations were received from a resident who raised concerns about parking. He advised that the parking situation had worsened over the years and warned that it was now time to rectify the problem.

Representations were also received from a further local resident raising concerns over the accuracy of the site measurements used. Officers confirmed that they were now in possession of an accurate representation of the site.

Representations were also received from a doctor at the practice. She explained that they had reduced the height of the proposed building and addressed the issue of the gap with no 38 Moorcroft. She confirmed that she had taken on board residents' concerns regarding parking issues and agreed to contribute to finding a solution to this.

Members acknowledged that the practice had gone as far as reasonably practical to address the concerns of residents but noted that parking was still an issue of concern. Officers advised that this could be addressed with an additional condition requiring parking restrictions to be implemented.

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

Additional Condition

A minimum gap of 1 metre shall be retained between the flank wall of the new surgery and the flank wall of no.38 Moorcroft Road.

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

Additional Condition

Unless otherwise agreed in writing by the local planning authority, the new surgery shall not be brought into use until parking restrictions have been implemented in the vicinity of no.40 Moorcroft Road.

Reason: The new surgery is considered to be likely to result in additional parking on Moorcroft Road which will harm the free-flow of traffic, road safety and existing residential amenity.

REASON: The proposal, subject to the conditions listed in the report and the additional conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to residential amenity, the character of the area and highway safety. As such the proposal complies with Policies GP1 and C1 of the City of York Development Control Local Plan.

**59d Edmund Wilson Baths, Thanet Road, York, YO24 2PE  
(09/02284/FULM)**

Members considered a major full application (13 weeks) from Lidl UK GMBH for the erection of a foodstore with associated parking and landscaping after demolition of the existing swimming pool.

Officers advised that although the agent had submitted additional drainage details, Structures and Drainage still considered some information to be outstanding and recommended that this information be requested through the addition of a Surface Water Drainage (Drain 1) condition which officers considered would also cover the information required by Yorkshire Water.

A letter of support received from Councillor Steve Galloway was circulated to the Committee for information. This expressed his support in principle for the proposed development but questioned the requirements for Condition 17 (cycle parking location, and additional cycle parking), Condition 26 (additional glazing on the Thanet Road elevation), Condition 27 (duo post structure), and Condition 28 (number of parking spaces reduced). In respect of condition 25 (boundary fencing) he suggested that the fencing should be the same as existing at present.

Officers recommended the following amendments to the conditions listed in the report:

- Condition 17 – remove reference to the siting of the cycle parking adjacent to the entrance but require details of additional cycle parking areas within the car park to be submitted to and approved in writing by the Local Planning Authority before occupation of the building.

- Condition 25 – revise to require details of the colour of the paladin fence to the northeast and northwest boundaries to be submitted to and approved in writing by the Local Planning Authority.
- That an additional condition be added requiring the external car park lighting to be switched off a maximum of 30 minutes after the store has closed for business, and switched on a maximum of 30 minutes before the store opens for business.
- that the reason for approval refer specifically to the “retail impact on Acomb District Centre and the City Centre”

Officers advised that a letter had been received from the Acquisitions Manager from Lidl with regard to the consultation responses shown in the report and other points raised in the report. They also advised that a letter of objection had been received from Peacock and Smith acting on behalf of Morrisons Supermarkets with regard to the Lidl retail study and stating that the proposed store would not comply with certain areas of planning policy, to which the Council’s City Development Team had provided a written response.

Representations were received from a representative of York Natural Environment Trust (YNET) in objection to the application. He reminded Members that Hob Moor had one been linked with Acomb Moor and now that the land was no longer required for a swimming baths there was the opportunity to enable this corridor of open space to exist again.

Representations were also received in objection to the application from a local resident. He urged Members to look into the legal aspect of a Ministry of Housing requirement for the site to be used for a swimming baths. He also asked that, should be application be approved, that consideration be given to local residents during demolition, construction and operation of the store.

Representations were received from the Acquisitions Manager of Lidl in support of the application. She advised Members that a retail assessment had shown that there was a requirement for a retail store in the area with a public consultation even held in November 2009 revealing a desire for a deep discount foodstore in the locality. She commented on some of the proposed conditions and advised the Committee that the store would seek to employ up to 25 employees from the local area.

Officers responded to Members queries regarding the ownership and use of the land and confirmed there was no longer a need for the land to be used for leisure facilities (as alternative facilities were provided nearby) and no requirement to return the land to stray land.

Members requested that the following amendments be made to the conditions listed in the report:

- that Condition 9 which covers the Construction Environmental Management Plan be amended to include not just heavy goods vehicles but all contractors vehicles.

- that Condition 14 be amended to refer to a “minimum” of BREEAM standard of very good.
- That the condition limited parking to 59 car parking spaces be deleted as this could force people to park on the road which could lead to safety concerns in view of the large number of elderly residents living close by.
- that condition 26 regarding glazed panels on the Thanet Road elevation be strengthened to include additional glazed panels agreed by the applicant.

RESOLVED:

That the application be approved subject to the conditions listed in the report and the amended, additional and removed conditions listed below.

Conditions to be removed:

Existing Condition 17 (re siting of cycle parking)

Existing Condition 21 (re landscaping)

Existing Condition 28 (re limit on car parking spaces)

Amended Condition (re plans)

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

Drawing Number 01 Revision F received 3 February 2010

Drawing Number 02 Revision H received 3 February 2010

Drawing Number 03 Revision E received 2 March 2010

Landscaping Detail, Drawing Number R/1063/1A received 3 February 2010

Except where conditions have been imposed which require amendments to the above drawings.

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

Amended Condition (re Construction Environmental Management Plan)

Before the commencement of development, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and waste disposal resulting from the demolition, site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle access to the site. It shall include details of measures to be employed to prevent the egress of mud, water and other detritus onto the public highway. It shall include for the provision of a dilapidation survey of the highways adjoining the site. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenity of residential occupants on the site and in the surrounding area and in the interests of highway safety.

Amended Condition (re BREEAM Standard)

The development hereby approved shall be constructed to a minimum of BREEAM standard of 'very good'. No building work shall take place until a BREEAM Pre-Assessment Estimator (Design and Procurement Stage) is submitted to the Local Planning Authority documenting a 'very good' rating. A formal Post Construction assessment by a licensed BREEAM assessor shall be carried out and a copy of the certificate shall be submitted to the Local Planning Authority prior to occupation of the building. Should the building fail to achieve a "very good" BREEAM rating a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a "very good" rating. The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposal complies with the principles of sustainable development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction

Amended Condition (re fencing)

Prior to the commencement of development on site details of the colour of the paladin fence to the northeast and northwest boundaries shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenities of the area

Amended Condition (re glazed panels)

Notwithstanding the submitted plans and prior to commencement of development on site details shall be submitted to and approved in writing by the Local Planning Authority showing at least one further feature rendered panel/bay on the Thanet Road/south west elevation replaced with 3 full length glazed panels. The development shall be carried out in accordance with the approved details.

Reason: in the interests of the amenity of the area

Additional Condition

The external car park lighting shall be switched off a maximum of 30 minutes after the store has closed for business, and switched on a maximum of 30 minutes before the store opens for business.

Reason: In order to protect the amenities of the neighbours and the character and appearance of the area from excessive illumination.

Additional Condition

Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

REASON: The proposal, subject to the conditions listed in the report and the removed, amended and additional conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, the visual amenity of the building and the locality, the retail impact on Acomb District centre and the city centre, and highway safety. As such, the proposal complies with Policies SP7a, GP1, L1b, GP4a of the City of York Council Development Control Local Plan (2005); and national planning guidance contained in Planning Policy Statement 1 "Delivering Sustainable Development", Planning Policy Statement 4 "Planning for Sustainable Economic Growth", and Planning Policy Guidance 13 "Transport".

**59e Land Adjacent To Northminster Business Park, Wykeham Road, Upper Poppleton, York (09/02291/FULM)**

Members considered a major outline application (13 weeks) from Northminster Properties Limited for the construction of a 2 storey building for business use (Class B1) with associated car parking and landscaping (on land to the south of Acer House).

Officers reported an error in paragraph 1.5 of the report which stated the plant/laser room on the roof would be 13m by 7m and which should read 11m by 7m. They also advised that Condition 3 should be amended to remove the word "indicative" and that an additional condition be added requiring that at least 10% of the development's predicted energy requirements would be provided by renewable energy sources.

Representations were received from a resident in objection to the application. He raised concerns that the proposed development was on safeguarded land within the green belt and this could set a precedent for future applications on safeguarded land. He also expressed concerns over the visual impact of the development stating that it would need to be properly screened.

Representations were also received from a representative of Measurement Devices Limited (MDL) who explained that the company had been established on the business park since 2004 and was serviced by an established skilled local workforce. He explained that due to recent and planned future growth, their current accommodation was no longer suitable and their assessments had shown this site to be the only suitable one for their new headquarters.

The representative from MDL answered Members' queries in relation to the operations of the company. Members acknowledged that the company had made thorough enquiries and visits in their search for alternative sites and noted that this site was on the edge of a high quality business park and was well shielded. They noted the residents concerns regarding safeguarded land however stated that his was a unique development with unique requirements.

RESOLVED: That the application be approved, following referral to the Secretary of State, subject to the conditions listed in the report and the amended and additional condition listed below

Amended Condition (re plans)

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

- Access and layout as shown on drawing A863.2009.05 date stamped 18.12.2009.
- Scale of the building as shown on A863.2009.03B date stamped 18.12.2009.
- Proposed pedestrian route as shown on A863.2009.06 dated Feb2010.

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

Additional Condition

No building work shall take place until details have been submitted and approved in writing by the Local Planning Authority, to demonstrate how the development will provide from on-site renewable energy sources, at least 10 per cent of the developments predicted energy requirements. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of the development. The site thereafter must be maintained to the required level of generation.

Reason: To ensure that the proposal complies with the principles of sustainable development, and as required by the council's adopted Interim Planning Statement on Sustainable Design and Construction and policy ENV5 of The Yorkshire and Humber Regional Spatial Strategy Plan 2008.

REASON: The proposal, subject to the conditions listed in the report, and the amended and additional conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the historic character and setting of York, the highway network and flood risk. The Local Planning Authority are also of the opinion that very special circumstances have been demonstrated that outweigh the impact of the development on the green belt (within which the application site is located). As such the proposal complies with PPG2: Green Belts, PPS4: Planning For Sustainable Economic Growth, policies Y1 and YH9 of The Yorkshire and Humber Plan, and of the City of York Local Plan policies SP2, SP6, SP7A, GP1, GP3, GP4a, GP13, GP24, GB1, GB11, T2b, and T4.

**59f Manor Church Of England School Site Millfield Lane, Nether Poppleton, York, YO26 6PQ (09/02306/FULM)**

Members considered a major full application (13 weeks) from the Chair and Governors of Manor Church of England School for the erection of a two storey creative media centre building and a two storey link to the existing school, erection of single storey changing room facility and associated shelters and stores.

Officers updated that the authority's landscape architect had made further representations suggesting that a number of specimen trees be planted around the proposed informal student hard play area which they supported. They also noted that a further letter of objection had been received requesting that the proposals be reconsidered to allow for a greater depth of tree planting adjacent to the A1237 Outer Ring Road to enable the wider area including the planting associated with the proposed Poppleton Park and Ride and the Wheatlands Community Woodland to form an exemplar green approach to the City.

Officers provided clarification to Members regarding the intended access for construction vehicles onto the site and questioned whether this would be through a field gate close to the level crossing or through the school grounds and noted that there were problems with both options.

Representations were received from the York Natural Environment Trust (YNET) in objection to the application. They advised that they had made alternative suggestions with regard to the proposals put forward and were willing to enter into discussion with the school in order to move forward.

Representations were received from a local resident who expressed concerns about the availability of parking as a result of the expected rise in the number of students due to the increased numbers of diploma students attending the school.

Representations were received from the Headteacher of Manor Church of England School. He explained how the media centre would be a unique facility benefiting students across the city. With regard to the issue of access for construction traffic onto the site he stressed that this should not be through the school grounds for reasons of pupil safety. He provided additional information on how the facilities would benefit students from other schools and the community as a whole.

Members discussed the issue of access to the site by construction traffic. Officers advised that Network Rail had objected to access for construction traffic by the existing field gate due to its proximity to the level crossing. Members agreed that suitable access needed to be agreed but stressed that construction traffic should not be allowed to enter the site via the school grounds and asked that a condition to be added to state this. They also requested that sound restricting equipment be installed to protect the amenity of neighbours.

RESOLVED: That the application be approved, following referral to the Secretary of State, subject to the conditions listed in the report and the amended and additional condition listed below

Amended Condition

Notwithstanding the application details hereby approved full details of the proposed construction site access (other than through the school) and associated compound including location, means of enclosure and mode of surfacing shall be submitted to and approved in writing by the Local Planning Authority before work on site commences. Work shall thenceforth be undertaken in strict accordance with the details thereby approved and shall be retained for the duration of the building contract. The access and associated compound shall be reinstated to their condition prior to the commencement of development within 28 days of the completion of building work.

Reason: To safeguard the residential amenity of neighbouring properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

Additional Condition

Prior to the commencement of the development full details of an acoustic fence to protect the residential amenities of Field View and Avondhu during the construction process shall be submitted to and approved in writing by the local planning authority. These details shall include the construction of, height, thickness, acoustic properties and precise location of the fence. The fence shall be erected in accordance with the approved details prior to any construction work taking place.

Reason: To protect the amenities of the residents of Field View and Avondhu from construction noise given the location of the construction compound and access.

REASON: The proposal, subject to the conditions listed in the report and the amended and additional conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the open character and purposes of designation of the Green Belt, impact upon the safety and convenience of users of the nearby level crossing, impact upon the availability of suitable facilities for cyclists, impact upon the local pattern of surface water drainage, impact upon the visual amenity of the surrounding area, impact upon the residential amenity of neighbouring properties and the adherence to the principles of sustainable development. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GP1, GP3, GP4a), GP9, GP15, GB1, GB13, T4 and ED1 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

**59g Land To The Rear Of Field View And Avondhu Millfield Lane Nether Poppleton York (09/02302/FULM)**

Members considered a major full application (13 weeks) from the Chair and Governors of Manor CE School for the change of use of agricultural land to sports pitches, allotments, and informal landscaped open space, hard surfaced recreational area and associated footpaths, car parking and ball fencing.

A copy of a letter dated 12 March 2010 from Wheatlands Education Community Woodland attaching a letter submitted to the Governors of Manor CE School on 3 March 2010, was circulated to Members for their information. This letter asked the school to give further thought to their proposals and laid down their points of objection. It stressed the importance of tree planting in contribution to the establishment of wildlife corridors and combating pollution and specifically asked for consideration to be given to reconfiguring the site by reducing the areas of playing field, hard informal and car park space so that a much greater depth of woodland could be provided along the A1237 boundary while still incorporating the allotment and orchard areas.

Officers updated that the Authority's landscape architect had made further representations suggesting that a number of specimen trees be planted around the proposed informal student hard play area. Officers gave their support to this proposal and advised an amendment to Condition 4.

They also advised that a further letter of objection has been received requesting that the proposals be reconsidered to allow for a greater depth of tree planting adjacent to the A1237 Outer Ring Road to enable the wider area, including the planting associated with the proposed Poppleton Park and Ride and the Wheatlands Community Woodland, to form an exemplar green approach to the City.

Officers recommended that an additional condition be added to stipulate a lockable gate should be erected a minimum of 5m within the access to the allotment car park. In response to points raised by Members, officers agreed that this distance should be increased to a minimum of 10metres to allow for a longer car and trailer to park safely while opening the gate.

Representations were received from the following groups and individuals:-

- Wheatlands Educational Community Woodland, in objection to the application. The speaker suggested deferring the application in order that the applicant could consider planting on the triangle of land by the railway. He pointed out that York did not have a tree strategy or any published guidance on tree planting and reminded Members that trees and green landscaping help to combat climate change, provide soft landscaping and habitats for wildlife and improve physical and mental wellbeing.
- a local resident in objection to the application. He asked that more time be given in order for the applicant to modify the proposals to allow the

creation of a tree belt along the bypass and to find an alternative to the removal of trees along the hedgerow.

- a further local resident who raised concerns that access into the allotments would be dangerous due to the proximity to the level crossing and questioned the height of the proposed gate in relation to its use in combating anti social behaviour)
- York Natural Environment Trust (YNET) in objection. The speaker confirmed that he concurred with the points raised by Wheatlands Educational Community Woodland and the first resident who spoke and asked for a deferment so that the school could engage with the community.
- The Head of Manor Church of England School, in support of the application. He stated that he had worked in conjunction with other interested parties on the application including Applefields (Special) School regarding the development of the learning classroom, Poppleton Tigers regarding the additional playing fields and changing room facilities, the York Natural Environment Trust regarding the orchard and the allotment committee regarding the allotments.

In response to queries from Members, the Head of Manor confirmed that the School had been working towards designation as a Forestry School and had been working with the Forestry Commission, had liaised extensively with interested groups and had invested a lot of time in staff training.

Members agreed that the proposals would provide a great improvement for the site and welcomed the involvement of Applefields Special School and the intended community use. They noted residents' concerns regarding anti social behaviour in the area and one Committee Member, who is also a local Ward Member, agreed to look into the issue.

RESOLVED: That the application be approved subject to the conditions listed in the report and the additional condition listed below:

#### Additional Condition

Notwithstanding the application details hereby approved a lockable gate to a design and precise location previously agreed in writing by the Local Planning Authority shall be erected a minimum of 10 metres within the access to the allotment car park before the site is first brought into use and shall be retained thereafter.

Reason: To safeguard the residential amenity of adjoining properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

REASON: The proposal, subject to the conditions listed in the report and the additional condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the open character and purposes of designation of the Green Belt , impact

upon the safety and convenience of users of the Millfield Lane level crossing, impact upon the residential amenity of neighbouring properties, impact upon the visual amenity of the neighbouring open countryside and impact upon the occurrence of crime and anti-social behaviour in the vicinity. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GB1 ,GP1, GP3, GP9 and ED1 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

**59h Playing Field, Millfield Lane, Nether Poppleton, York (09/01940/FUL)**

Members considered a full application from Mr Val Duggan of Poppleton Junior Football Club for the erection of a wind turbine with an 18.3m mast.

Officers advised Members that in the report it was noted that the Environmental Protection Unit (EPU) had some concerns regarding the noise of the turbine. They advised that the EPU had since carried out a mini noise survey during the night at a weekend and subsequently have no objections to the proposed scheme.

Representations were received from Councillor Vassie in support of the application. He responded to concerns raised in 2 letters of objection with regard to the visual aspect of the proposal, the possible danger to wildlife and the issue of noise pollution. He stressed that the proposal would provide a benefit to the environment by reducing carbon emissions from the football club by approximately 60%.

Members welcomed the proposal and in respect of the issue of noise, one Member compared the noise created by a large wind turbine he had visited elsewhere to a slight whisper.

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

**REASON:** The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, the visual amenity of the locality and the greenbelt. As such, the proposal complies with Policies GP1, GB1, and GP5 of the City of York Council Development Control Local Plan (2005); national planning guidance contained in Planning Policy Guidance 2 "Green Belts", Planning Policy Statement 22 "Renewable Energy" and "Planning for Renewable Energy - A Companion Guide to PPS22".

Councillor D Horton, Chair

[The meeting started at 3.00 pm and finished at 6.30 pm].

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