
MEETING	PLANNING COMMITTEE
DATE	22 NOVEMBER 2012
PRESENT	COUNCILLORS HORTON (CHAIR), CUNNINGHAM-CROSS, GALVIN (VICE- CHAIR), AYRE, BOYCE, BURTON, D'AGORNE, DOUGHTY, FIRTH, KING, MCILVEEN, REID, RICHES, WILLIAMS, WISEMAN AND LOOKER (SUBSTITUTE)
APOLOGIES	COUNCILLORS SIMPSON-LAING
IN ATTENDANCE	COUNCILLORS TAYLOR AND WARTERS

24. INSPECTION OF SITES

Site	Reason for Visit	Members Attended
32 Lawrence Street (12/02609/FULM)	To enable Members familiarise themselves with the site.	Cllrs D'Agorne, Horton, Boyce, Galvin, Reid.
Land Lying to the West of Metcalfe Lane, Osbaldwick. (12/01878/REMM).	To enable Members to view the two site entrances.	Cllrs D'Agorne, Horton, Boyce, Galvin, Reid and Warters (as Ward Member).

25. DECLARATIONS OF INTEREST

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

Councillor McIlveen declared a personal interest as a York Residential Landlord Association member and as a landlord for a University student.

26. MINUTES

RESOLVED: That the minutes of the last meeting held on 25th October 2012 be approved and signed by the Chair as a correct record.

27. PUBLIC PARTICIPATION

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

28. PLANS LIST

Members considered the reports of the Assistant Director (City Development and Sustainability) relating to the following planning applications, which outlined the proposals and relevant planning considerations and set out the views of the consultees and officers.

28a 32 Lawrence Street, York (12/02609/FULM).

Members considered a major full application, submitted by Mr. Richard Lockey, for the demolition of an existing car showroom and the erection of 3, 4 and 5 storey high blocks of student accommodation comprising of 244 bedrooms within 43 clusters together with associated external works.

Officers circulated a Committee update (a full copy of which has been published with the online agenda for the meeting) the main points of which were:

- Correction at paragraph 1.2 which should read 'grade 1 listed building and scheduled ancient monument not area of archaeological importance.
- An amended plan had been received in response to concerns about the design.
- There had been 4 further objection letters following re-consultation on the original plans.
- Details of an additional condition regarding mechanical ventilation to address air quality concerns.
- Information on the Statement of Community Involvement and a possible Operational Management Statement.

Members then went on to question the officers on a number of points including:

- The provision of air quality management and whether the suggested condition would form a basis for further negotiation with the applicant. Officers confirmed this to be the case.
- The noise associated with mechanical air quality management and if the noise was considered a problem for potential tenants.
- Confirmation that the height of the development would not cause residents of Tannery Mews to be overlooked.
- Clarification of how the £48k open space provision would be spent.

Councillor Taylor spoke as Ward Councillor. He advised that he had mixed views about the scheme. He confirmed he was happy to see a sustainable development but had concerns regarding the proximity of the student blocks to Alms Houses and Tannery Mews although he acknowledged that there had been some improvements made to the mass of the proposed buildings. The key document would be the Management Plan and he welcomed the suggestion of 24 hour management and car park control.

Councillor Warters spoke in objection to the scheme. He advised that there is already a large student accommodation block on Hull Road at the old Dairy site and he objected to the principle of any further off campus site which allows the University to escape its obligations to provide on site accommodation. He felt that the condition of such buildings deteriorates quickly and urged the applicant to amend the scheme to provide flats for the residents of York. If approved he asked that similar conditions to that of the dairy site be considered.

The applicants agent spoke in support of the scheme, in particular to highlight the changes made to address the Planning Inspectors concerns. He advised that the open space provision had been increased by 20% and there had been a reduction in bed spaces. The proposed buildings are to be set back further as to not detract from the setting of St. Lawrence Church.

Following further discussion, Members agreed that the scheme was an improvement on the previous submission and welcomed the addition of accommodation for students which is in addition to that being provided by the Universities.

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

Unless otherwise agreed in writing with the Local Planning Authority (LPA) all windows to habitable living spaces (bedrooms and living rooms) of Block A, facing Lawrence Street, shall be non-opening. Mechanical ventilation shall be provided to draw clean air from the rear of the building. Prior to the commencement of the development or within such longer period as may be agreed in writing with the LPA details shall provided of a maintenance schedule for such ventilation systems, and clarification of the responsibility for running costs and maintenance works. Thereafter the details of the scheme shall be implemented to the satisfaction of the LPA in accordance with the timescales agreed within the scheme.

Reason: To protect the health of future occupants of the proposed development, in an area of poor air quality.

Informative: The requirements of condition 36 are based on on-going air quality monitoring adjacent to the site. If the applicant wishes to agree alternative or reduced protection to bedrooms and living spaces for the occupants this should be based on survey work carried out by the applicant the method of which should have prior approval of the Environmental Protection Unit.

REASON:

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

- Principle of the development
- Design including impact on the setting of listed buildings and the conservation area.
- Landscaping and amenity areas
- Highways, access arrangements and parking
- Residential amenity
- Archaeology
- Sustainability
- Open Space
- Drainage and flood risk
- Biodiversity
- Crime Prevention

As such the proposal complies with Policies ED10, GP1, GP4a, L1c, HE2, HE10, of the City of York Development Control Local Plan.

28b Land Lying to the West Of Metcalfe Lane, Osbaldwick, York (12/01878/REMM).

Consideration was given to a major reserved matters application by the Joseph Rowntree Housing Trust for details of siting, design, external appearance and landscaping of 346 dwellings (phases 3 and 4) granted under outline permission 03/02709/OUT.

Officers presented a Committee update, full details of which have been published online with the agenda for the meeting, the main points of which were:

- Clarification regarding housing numbers.
- Letters received further to the Officer's report.

- A letter had been received from the agent with accompanying drawings submitted in respect of plots 282/283 and 87/88.
- An amendment to condition 4.
- Details of additional conditions relating to the shared cycle/pedestrian route linking to Sustrans cycle route, ground levels around an Oak tree and the boundary enclosure along the eastern boundary.

Tom Hughes had registered to speak on behalf of Meadlands Area Residents Association. A letter was distributed which formed the basis of his objections. He advised that residents have 3 main areas of concern which are the impact of the development upon the water table, ground water retention and drainage, the determination of the finished ground height of new properties compared to adjacent Meadlands properties and the proximity of properties on the new development to the adjacent Meadlands properties. He asked that a professional assessment or report is undertaken in response to residents fears before the development is completed and hoped that residents concerns would be listened to.

Nigel Ingram spoke on behalf of the Joseph Rowntree Housing Trust. He advised that amendments to the scheme had been made in response to concerns raised, in particular introducing dwellings into some garage courts to create a Mews style and plans to encourage cycle use and car sharing. The Trust had also looked into the possibility of an electric shuttle bus service.

Councillor Warters spoke as Ward Member. He expressed his disappointment that there was to be no provision for the relocation of open space in the area and that the Sustrans cycle track would be the only remaining open space for residents. He emphasised the importance of the boundary hedge and agreed to it being conditioned. He pointed out that there is only 18 metres separation between a Meadlands dwelling and the property at 34 Derwenthorpe and asked that consideration be given to the privacy of the Meadlands resident. Concerns still exist with regard to the water table and he asked that the protection be given to existing trees as per condition 5.

Members went on to question a number of points including:

- Rear parking courts and related security issues. It was confirmed that any remaining were due to no other possible solution.

- The difference between lifetime homes and wheelchair accessible homes. The difference was explained by Mr. Ingram.
- Clarification on the monitoring that is being undertaken for groundwater levels. This was provided by Mr. Ingram
- Further details on the eastern boundary to the site. Arrangements for the proposed management of the boundary hedge were explained.

Following further discussion Members approved the application.

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

Amended Condition 4 - Notwithstanding the approved plans, details of the cycle parking facilities serving each dwelling within the site, including the apartments, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The details shall include means of enclosure and method of support. The dwellings shall not be occupied until the associated cycle parking facilities have been provided on site in accordance with such approved details. Thereafter, these areas shall not be used for any other purpose other than the parking of cycles. Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

Additional Conditions:

Notwithstanding the approved plans, details of the shared pedestrian and cycle route from Sustrans Route no.66 to Meadlands to be realigned shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the alignment, construction details and surfacing materials. The path shall be a minimum width of 3.5 metres. Reason: To ensure that the route is appropriate for its dual use and to promote walking and the use of cycles thereby reducing congestion on the adjacent roads.

Notwithstanding the information contained on the approved plans, details of the sensory garden around the existing Oak tree, including ground levels, 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: To ensure adequate protection of a tree that provides an amenity value to the area.

Notwithstanding the information contained on the approved plans, details of the boundary enclosure along the eastern site boundary, including management of the existing hedge, 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.

Notwithstanding the information contained on the approved plans, the height of the houses on plots 87-88 and 278-289 hereby approved shall not exceed 10 metres and 7.3 metres, as measured from the existing ground level relating to each plots, unless otherwise agreed in writing by the Local Planning Authority. Before any works commence on the site, a means of identifying the existing ground levels on the site shall be agreed in writing, and any works required on site to mark those ground levels accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period. Reason: To establish existing ground levels and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area or amenity of the neighbouring properties on Malham Grove and Meadlands.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to layout, design and external appearance. As such the proposal complies with the aims and objectives

of the National Planning Policy Framework and Policies GP1, GP3, GP9, NE1 and T4 of the City of York Development Control Local Plan.

CLLR D Horton, Chair

[The meeting started at 4.30 pm and finished at 6.05 pm].