
MEETING	PLANNING COMMITTEE
DATE	21 FEBRUARY 2013
PRESENT	COUNCILLORS HORTON (CHAIR), GALVIN (VICE-CHAIR), AYRE, BURTON, D'AGORNE, DOUGHTY, FIRTH, KING, LOOKER (SUBSTITUTE), MCILVEEN, REID, RICHES, SIMPSON-LAING, WATSON (SUBSTITUTE), WILLIAMS AND WISEMAN
APOLOGIES	COUNCILLORS CUNNINGHAM-CROSS AND BOYCE

33. INSPECTION OF SITES

Site	Reason for Visit	Members Attended
Mille Crux Sports Ground (2/03606/FULM)	To enable Members familiarise themselves with the site.	Cllrs Galvin, King, and Watson and Wiseman.
University of York, Heslington Campus (12/03617/REMM)	To enable Members familiarise themselves with the site.	Cllrs Galvin, King, and Watson and Wiseman.
Matmer House, Hull Road (12/03551/FULM)	To enable Members familiarise themselves with the site.	Cllrs Galvin, King, and Watson and Wiseman.

34. DECLARATIONS OF INTEREST

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

Councillor Horton declared a personal non prejudicial interest in agenda items 4b and 4c as last years Lord Mayor. He had received hospitality at a number of functions conducted by The University of York and York St. John University.

35. MINUTES

RESOLVED: That the minutes of the last meeting of the Planning Committee held on 20th December 2012 be approved and signed by the Chair as a correct record.

36. PUBLIC PARTICIPATION

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

37. PLANS LIST

Members considered a report of the Assistant Director (City Development and Sustainability) relating to the following planning application, which outlined the proposal and relevant planning considerations and set out the views of the consultees and officers.

38. 1 MATMER HOUSE, HULL ROAD, YORK (12/03551/FULM).

Consideration was given to a major full application submitted by Mr Ashgar Choudry for a front and rear extension to ground floor shops, change of use of first floor to create 16 one bedroom student flats and create two new floors to accommodate a further 31 one bedroom student flats. In addition, a free standing unit containing a lettings/management office with managers accommodation over, incorporating cycle, bin and furniture stores (resubmission).

Officers reported that they had no update to the committee report.

Councillor Warters spoke in objection to the scheme. He advised that he agreed with the officers recommendation to refuse the application. He compared the application with similar developments in the area that he considered inappropriate.

Councillor Barnes spoke as Ward Member and in objection to the application. He advised that the student housing market in York is changing due to the University expanding its on campus accommodation and that such a large scheme with flats solely for single people is not appropriate at this time. He suggested that a revised scheme for 10 2 bedroom flats would be more appropriate and beneficial to the community.

The Officers recommendation was moved and seconded.

RESOLVED: That the application be refused.

REASON: For the reasons outlined in the officers report.

39. MILLE CRUX SPORTS GROUND, HAXBY ROAD, YORK (12/03606/FULM).

Members considered a major full application by York St John University for outdoor sports facilities with floodlighting and associated access, parking and landscaping.

Officers circulated an update to the Committee report, which covered the following points:

- Comments received from the Council's Countryside Officer following the submission of revised plan showing the floodlighting being removed from the southernmost tennis court.
- The final list of proposed plans to be secured under condition 2.

Representations in support of the scheme were made by the Pro Vice Chancellor of York St John University. He advised that in a highly competitive Higher Education Sector, York St. John continues to grow and see an increase in both home and international students. He stated that sport is integral to St. Johns University and that Mille Crux Sports Ground will be giving a heart to sport and providing much needed facilities for students and the community.

Members queried why the applicant had not accepted a condition on community use. The agent advised that the proposed facilities would primarily be for York St John students, however community involvement is already incorporated into the

sports programmes and the University intends to continue this work. Following further discussion it was:

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

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 development
- Visual impact of development including lighting and loss of trees
- Access, car and cycle parking
- Neighbouring residential amenity
- Ecology

As such the proposal complies with Policies GP1, GP4a, GP7, GP9, GP15a, T4, T13a, HE10, NE1, NE6, NE7, L1a and L2 of the City of York Development Control Local Plan.

40. PROPOSED UNIVERSITY CAMPUS, LYING BETWEEN FIELD LANE AND LOW LANE A64 TRUNK ROAD AND HULL ROAD, YORK. (12/03617/REMM)

Members considered a major reserved matters application by the University of York and Evans Advisory Ltd for the reserved matters of student residences in 8 buildings (620 bedrooms and Dean's flat) with social hub building, cycle parking and landscaping granted under outline permissions 04/01700/OUT and 08/00005/OUT.

Officers circulated an update which contained details of revised plans as some of the plans listed in condition 1 had been

amended slightly. The update also included responses to queries received from Councillors D'Agorne and Levene.

Councillor Warters spoke to query whether it was right for Councillors to approve a development exclusively for students when Houses in Multiple Occupation are refused on the basis of not promoting mixed communities. In his opinion the student flats should be open to single parents and professionals as well as students.

Robert Hughes spoke on behalf of the University of York Students Union. He advised that students have raised concerns over the lack of resources on campus and that he was pleased to note that an improvement in facilities had been promised. Overall the students union is pleased with the application.

The applicants agent spoke in support of the scheme. She advised that amenities such as a laundry and meeting rooms have been incorporated into the design and hoped that the committee could look favourably upon the application in order for construction to commence.

Members questioned a number of points as follows:

- Whether the University provided family accommodation. The applicants agent confirmed that there are 52 units of family accommodation on the campus.
- The number of disabled rooms in the scheme. It was confirmed by the agent that the University has an over provision of disabled access rooms and that 5 disabled units is sufficient.
- Further information on the BREEAM rating, in particular why a score of outstanding had not been attained. The applicants agent advised that a score of excellent had been achieved and while it was acknowledged that rain water harvesting had not been incorporated into the scheme, many other features had been included.

Following further discussion it was:

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

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 provision of a campus at Heslington East, provision of student housing, sustainability, visual impact, flood risk, landscaping, and transport issues. The application therefore complies with policies GP1, GP4a, T4, ED9, ED10, GP9 and GP15a of the City of York Local Plan Deposit Draft.

40a Royal York Hotel (Wheel), Station Road, York, YO24 1AY (13/00047/FUL).

Members considered an application by Wheels Entertainments Ltd which asked for the variation of conditions 1,7 and 8 of permitted application 11/02650/FUL to allow an observation wheel to operate until 30 September 2013 and the site to be restored by 30 November 2013.

Officers provided an update to the Committee report, which covered the following points:

- Visit York letter of support;
- Details of further objections received.

Representations in objection to the scheme were made by a resident of York on the grounds of loss of amenity to local residents and the fact that the wheel was only supposed to be on its current site temporarily.

A resident of Westgate Apartments made representations in objection. He advised that residents of Westgate are suffering from loss amenities such as television signal and that the noise levels experienced during windy weather are unacceptable as the wind blows through the structure. He also advised that when the wheel is operating, sweeping shadows affect his property.

A resident of Westgate spoke on behalf of all 114 residents to advise that the loss of amenity outlined by the previous speaker are real issues and that blinds are being drawn throughout the

day to prevent residents being overlooked. He referred to the business dealings of the previous operator, the Councils handling of the public consultation process and questioned the economic benefit to York.

Councillor Warters spoke in objection to the application. He referred to the previous application which had required the removal of the wheel by the end of February 2013 and questioned if the condition in the current application relating to removal by November 2013 could be believed.

The Agent for the application spoke in support of the scheme. In response to claims made by some of the registered speakers, he confirmed that his client was not linked in any way to the previous owners of the wheel. He advised that the wheel is located in a city centre location on a busy route into York and next to a busy sorting office and car park. In relation to the issue of the wheel overlooking the Westgate Apartments he advised that the planning officer was satisfied that the distance between the wheel and the apartments is sufficient.

Councillor Gunnell spoke as Micklegate Ward Councillor in particular on behalf of the residents of Westgate Apartments. She advised that she jointly opposed the application alongside the other Ward Members and asked that the wheel be moved on to another location in line with the original planning application. She stated that there is a noise issue and that on windy days it is audible inside the apartments and a flickering can clearly be seen on residents walls.

In response to claims made by some of the registered speakers relating to the business dealings of the previous operator, the Chair sought clarification from the Councils Legal Officer. It was confirmed that such claims are not material to planning issues.

The Assistant Director for Planning and Sustainability also spoke to confirm that the Council had carried out the online consultation correctly and numerous representations had been successfully submitted to the planning department.

A response was also sought from the Councils Environmental Protection Unit Officer regarding the issue of noise from the wheel. He confirmed that the noise caused as a result of the wind blowing through the structure does not cause an

unacceptable disturbance and the EPU do not object to the operation of the wheel on such grounds.

Members then questioned the applicants agent on a number of points including:

- The relationship between the wheel operator and the Royal York Hotel. It was confirmed that the Hotel is happy for the wheel to remain on the site until November.
- If any other Wheels nationally are located near residential properties. The agent confirmed that a wheel in Weston Super Mare is located close to residential flats.
- At what point the temporary applications would need to cease and a permanent application be made. The Councils Legal Officer advised that there would need to be an end point and that the Planning Authority would expect a full application to be made.

Following lengthy discussion, Councillor Firth moved approval and Councillor Wiseman seconded an amendment to condition 1 to state that the wheel must be removed from the site and areas made good by 31 October 2013 in order that the site is cleared in time for Remembrance Sunday. When put to the vote this was carried.

Approval of the application with the amended condition was moved and seconded. When put to the vote 8 members voted for approval and 8 against. The Chair then used his casting vote and the application was approved.

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

Condition 1:

The wheel shall not operate after 30.9.2013.

The wheel and all its associated fittings and fixtures, including signage and the access arrangements shall be removed from site and areas made good by 30.10.2013.

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 the impact on heritage assets, amenity and highway safety. As such the proposal complies with Policies SP3, GP1, GP3, NE6, HE2, HE3, HE4 & V1 of the City of York Development Control Local Plan.

CLLR D HORTON, Chair

[The meeting started at 4.30 pm and finished at 7.00 pm].