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MEETING	PLANNING COMMITTEE
Date	22 AUGUST 2013
Present	Councillors Horton (Chair), Galvin (Vice-Chair), Ayre, Boyce, Burton, Crisp, Cunningham-Cross (Substitute), D'Agorne, Doughty, King, McIlveen, Orrell (Substitute), Reid, Riches, Simpson-Laing and Watt
Apologies	Councillors Firth and Williams
In Attendance	Councillors Fitzpatrick, Looker and Watson.

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**Site Visit.**

Site	Reason for Visit	Members Attended
York Press Site, Walmgate.	To enable members to familiarise themselves with the site	Boyce, Galvin, Horton, McIlveen, Reid, Watt (and Fitzpatrick as Ward Councillor)

**12. Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda. None were declared.

**13. Minutes**

Resolved: That the minutes of the last meeting of Planning Committee held on 25<sup>th</sup> July 2013 be approved and signed by the Chair as a correct record.

**14. Public Participation**

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

## 15. Plans List

This item invites Members to determine the following planning applications:

### 15a **Monks Cross Shopping Park, Monks Cross Drive, Huntington, York YO32 9GX (13/01559/FUL).**

Consideration was given to a major full application for external alterations to amalgamate five existing units (numbers 3, 4, 5/6, 11 and 12) and create additional mezzanine floorspace to create two non food retail units; external alterations and variation of condition 3 of permission ref 3/66/650AK/OA-3/61/207G/OA to subdivide Unit 16 (resubmission).

Officers circulated an update to the committee report, full details of which are attached to the online agenda for this meeting. The main points were as follows:

- A variation to the recommendation to state that if approved, the application will need to be referred to the Secretary of State due to the amount of additional floor space.
- A variation to condition 7 to refer to the reconfiguration of Unit 16 to allow the current retailer to continue to operate.
- Clarification of the obligation being recommended on page 34 of the report to clarify that the obligation can not require a specific operator to occupy a site.

Peter Brown, representing York Civic Trust spoke in objection to the scheme. He advised that collectively all shopping parks in York will have an impact on the City Centre and that in his opinion, application failed on a number of aspects of planning policy.

Eric Hall had registered to speak on behalf of the applicant. He advised that the proposals would safeguard jobs at the shopping park and that the application was to enable current traders to remain at the site with units that were more suited to their business needs rather than to add additional traders.

Councillor Watson had registered to speak as Ward Member. He queried page 29 of the agenda which referred to the acceptance that the Castle/Piccadilly site would not be brought

forward in the foreseeable future. He queried if such a statement was protecting the interests of the City Centre.

Members questioned if the travel plan for the site would include a car park management plan. The applicant's agent advised that as the application was not expected to impact on traffic levels the measures detailed on pages 30 to 31 of the agenda were considered sufficient.

Following further discussions it was:

**Resolved:** That the application be approved subject to the conditions listed in the officer's report and the varied conditions as detailed in the officer update (attached to online agenda).

**Reason:** The development proposals for the creation of larger units at Monks Cross would subject to the conditions detailed in the report, amended conditions above and the obligation as described in the report, a have an acceptable level of impact upon the existing planned and future investment in the city centre and upon the vitality and viability of the city centre. As such the development which would involve two operators having stores in the city centre as well as at MCSP, would be acceptable.

**15b Yorkshire Evening Press, 76-86 Walmgate, York (13/01916/FULM).**

Consideration was given to a major full application for the erection of a 3 storey and a 4 to 7 storey block and the conversion of Wards Warehouse to provide student accommodation (648 student rooms and management facilities); erection of a 3 storey office (class B1), extension to the 'Poads' Building and the provision of associated cycle and car parking facilities and landscaping.

Officers circulated an update, full details of which are attached to the online agenda for this meeting. The main points were as follows:

- Clarification that the overall amount of car parking spaces on site is 19, 10 of which are disabled.
- Missing text at paragraph 4.41
- Additional conditions on site drainage and archaeology.

Barry Crux had registered to speak as a resident of Rowntree Wharf. He advised that he was not against the redevelopment of the site but had concerns about this scheme due to the scale and height. He also had concerns about the potential for noise nuisance due to the proposed communal kitchen and living rooms. He urged members to refuse and asked for a better scheme to be brought forward.

Joan Graveson had registered to speak as a resident of John Walker House. She raised 3 concerns; the impact on the easterly aspect of John Walker House; soundproofing of the proposed buildings and management of the site.

Stuart Roberts had registered to speak on behalf of Rowntree Wharf Residents Association. He raised concerns about Rowntree Wharf, which is a grade 2 listed building, being hidden from view. He also raised concerns about the potential for noise nuisance and asked the developer to recognise the concerns.

Mr. Pitchford had registered to speak in order to put forward an alternative suggestion for the site. He suggested that the existing buildings on the site were of interest as examples of late 20<sup>th</sup> century industrial buildings and could be incorporated into the scheme instead of being demolished.

Nigel Ingram had registered to speak on behalf of the Joseph Rowntree Foundation. He advised that the trust supported the scheme in principle but had some concerns about the future tenure of such buildings.

Chris Hale spoke as the applicant's agent. He advised that technically qualified specialists had been consulted to address concerns such as over shadowing and that local residents had been listened to. The scheme would provide much needed student bedrooms for the city and potentially free up family homes. The buildings would be managed round the clock to minimise noise. In response to comments about the scale,

Officers had advised the scheme was considered to be acceptable.

David Coates spoke on behalf of the site owner. He advised that changes in the press industry meant that alternative accommodation was now required. The sale of the site will facilitate a move within York to the Poads Building and there would be no loss of staff.

Councillor Looker spoke as Ward Councillor. She advised that she had concerns about the scheme making Rowntree Wharf invisible. She stated that she had no issue with a development on the site or the proposal for student accommodation but the massing of buildings along the Foss is a concern.

Councillor Watson spoke as Ward Councillor, he advised that he also had concerns about the impact upon Rowntree Wharf. He also had concerns about the accommodation not being managed by one of the Universities.

Members questioned a number of points, including:

- Whether the materials from the existing buildings will be re-used once demolished. The agent confirmed where possible materials will be re-used in particular pantiles.
- The use of non-opening windows as members considered these to be inappropriate for living accommodation.
- The use of obscure glazing as local residents had a preference for this to be used.
- Requested the amendment of condition 4 to state that contact details for the management company be supplied to local residents in case of noise nuisance.

Following further discussions it was:

Resolved: That the application be approved subject to the conditions listed in the officer's report and the following amended conditions:

Condition 4 - An occupational management plan for the student accommodation shall be approved in writing by the Local Planning Authority prior to occupation (of the student accommodation). The development shall be

occupied in accordance with the approved document at all times.

The occupational management plan shall include details of site operation/management and shall detail how the operators of the student accommodation would be contactable should the need arise.

Reason: In the interests of the amenity of surrounding occupants.

#### Condition 10 – Site Drainage

Prior to construction commencing, details of foul and surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with the approved details. Details to include:

- a) Peak surface water run-off from the proposed development, which shall be restricted to a maximum 61.1 lit/sec.
- b) Site specific details of the flow control device manhole limiting the surface water to the 61.1 lit/sec.
- c) Storage volume calculations, using computer modelling, which accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required. The full range of modeling should be provided.
- d) Site specific details of the storage facility to accommodate the 1:30 year storm and details of how and where the volume above the 1:30 year storm and up to the 1:100 year storm will be stored.

- e) Proposed ground and finished floor levels to Ordnance Datum shall be shown on plans. The development shall not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.
- f) Copy of the technical approval notice from Yorkshire Water with regards to the diversion and easement to their existing sewers.
- g) Copy of the formal consent notice from the EA with regards to for any works in, over, under, or within 8m of the Main River Foss (which Wormald's Cut is a part of).
- h) Details of the future management / maintenance of the proposed drainage scheme.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site and that provision has been made to maintain it.

21 – Archaeology Prior to construction commencing the applicant shall submit a foundation design and statement of working methods, which demonstrate at least 95% of the archaeological deposits on the site will be preserved. The document shall be approved by the Local Planning Authority and the development shall commence in accordance with the approved details.

Reason: The site lies within an Area of Archaeological Importance and the development must be designed to preserve 95% of the archaeological deposits within the footprint of the building(s).

22 – Archaeology - No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification supplied by the Local Planning Authority. This programme and the archaeological unit shall

be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits which must be recorded during the construction programme.

Reason: The proposed development will regenerate the area and add to the vitality and viability of this part of the city centre. The loss of employment land will not conflict with national planning policy and there is no evidence that the proposed use will have an undue impact considering crime and disorder. The development will be sustainable and will have no undue impact on the amenity of neighbours or the historic setting

CLLR D Horton, Chair  
[The meeting started at 4.30 pm and finished at 7.00 pm].