
MEETING	PLANNING COMMITTEE
DATE	30 AUGUST 2007
PRESENT	COUNCILLORS SIMPSON-LAING (VICE-CHAIR), CREGAN, CRISP, D'AGORNE, SUE GALLOWAY, GALVIN, HORTON, JAMIESON-BALL, KING, MOORE, REID, B WATSON, WISEMAN, HYMAN (SUBSTITUTE), MORLEY (SUBSTITUTE) AND GILLIES (SUBSTITUTE)
APOLOGIES	COUNCILLORS R WATSON, FIRTH AND HUDSON

15. SITE VISITS

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
Oaklands Sports Centre	To enable Members to familiarise themselves with the site.	Councillors Reid, Moore, Horton, B Watson, Gillies, Crisp, Wiseman, Simpson-Laing & Sue Galloway.
Dunnington Lodge, Elvington Lane, Dunnington	This was a retrospective application. The visit gave Members the opportunity to assess the visual impact of the development.	Councillors Reid, Moore, Horton, B Watson, Gillies, Crisp & Wiseman.

16. DECLARATIONS OF INTEREST

Members were invited to declare any personal or prejudicial interests they may have in the business on the agenda.

Councillor Jamieson – Ball stood down from the Committee for plans item 4c (Dunnington Lodge, Elvington Lane, Dunnington), under the provisions of the Planning Code of Good Practice and spoke from the floor on behalf of the Applicant. He took no part in the debate thereafter.

Councillor D'Agorne declared a personal non-prejudicial interest in plans item 4d (Racecourse, Racecourse Road, Knavesmire, York), as he regularly used the cycle route across the Racecourse.

Councillor Horton declared a personal prejudicial interest in plans item 4d (Racecourse, Racecourse Road, Knavesmire, York) as he received free

race facilities as a previous Lord Mayor. He left the room and took no part in the debate.

Councillor Hyman declared a personal prejudicial interest in plans item 4d (Racecourse, Racecourse Road, Knavesmire, York) as he received race tickets from the Lord Mayor in his role as Sheriff. He left the room and took no part in the debate.

17. MINUTES

RESOLVED: That the minutes of the meeting held on 26 July 2007 be approved and signed by the Chair as a correct record.

18. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak, under the Council's Public Participation Scheme, on general issues within the remit of this Committee.

19. PLANS LIST

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

19a **Factory Bishopthorpe Road York YO23 1NA (07/01547/FUL)**

Members considered a full application submitted by GHT Developments LLP for temporary change of use to offices of the Headquarters Building and minor and external alterations to office accommodation (B1 use).

Officers updated that the reference number and description published in the agenda were incorrect and should read as follows:

'07/01547/FUL' and 'Refurbishment and change of use to offices (B1 use)'

It was reported that the Applicants had submitted further details regarding the proposed disabled access ramp (at the front of the building) and proposals to subdivide the staff kitchen. These were as follows:

Disability Discrimination Act (DDA) Ramp

The Council's Conservation Architect had previously advised that the proposed design of the ramp was unacceptable. The balustrading was heavy in appearance and a more suitable design should be sought which would not have such a detrimental impact upon the external appearance and setting of the listed building. The Applicants had now submitted further details regarding a metal 'key clamp style' railing which was also deemed to be unacceptable as the design appeared crude and heavy in appearance. It is considered that the Applicants should seek a design which is less bulky and has smaller profile balustrading. The Officer also

added that the ramp should be removed, after the use of the building as temporary office accommodation ceases, to allow for a permanent ramp for the hotel.

Sub-division of staff room

The Applicants submitted details regarding the sub-division of the proposed kitchen at both ground and first floor level. It was now proposed to include a toilet and a shower within each staff room. The Applicants state that the rooms are not panelled and the wall details will be similar to those for the corridor fire doors. The cubicles will be a proprietary system. The Council's Conservation Architect raised no objections to these proposals.

Representations were received from the Development Director who said that the overall application for the site was out for consultation. There was already a proposed tenant for the temporary office building and the proposed use would compliment the City of York Council's aspirations for the use of the site.

Representations were also received from Bishopthorpe Parish Council who raised concerns about traffic movements in the vicinity of the site.

Members raised concerns regarding the piecemeal way the site was being brought to Planning Committee and very much hoped that they would be able to see the overall development and transport plan for the site as a whole in the not too distant future.

Members requested that additional and amended conditions be added regarding cycle storage, waste storage & deliveries.

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

1. That the final design of the DDA ramp be agreed with City of York Planning Officers under delegated powers.

Reason: To ensure that the design is satisfactory.

2. This use shall cease by 30/08/2009 unless prior to that date the consent of the Local Planning Authority has been obtained to extend the period of the permission.

Reason: So that the Local Planning Authority may assess the impact of this use upon the surrounding area.

3. The hours of delivery to and dispatch from the new offices shall be confined to the following

times, unless otherwise approved in writing by the local planning authority:

Monday to Friday 08:00 to 18:00
Saturday 09:00 to 13:00
Not at all on Sundays and Bank Holidays

Reason: To protect the amenity of neighbouring residents.

4. Prior to the development commencing, details regarding the location of the service door for the temporary offices shall be submitted to and approved in writing by the Local Planning Department. Details should indicate the precise location of the service door.

Reason: In order to protect the setting of the listed building and protect the character of the Terry's Conservation Area.

5. Before any development on site takes place, a scheme for the provision of cycle parking facilities shall be submitted to the Local Planning Authority for approval in writing. The approved scheme shall then be implemented in its entirety prior to the occupation of the development hereby approved and thereafter so retained.

Reason: To comply with the Local Planning Authority's parking standards and to ensure appropriate facilities are provided for cyclists as part of the development.

6. Prior to the development commencing, details regarding the storage and collection of waste shall be submitted to and approved in writing by the Local Planning Department. Details should indicate the precise location of the waste storage area and a method statement should accompany the details explaining the waste removal strategy for the temporary office use.

Reason: In order to protect the setting of the listed building and protect the character of the Terry's Conservation Area.

REASON: The proposal, subject to the conditions listed in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to the Former Headquarters Building which is a listed building and the Racecourse and Terry's

Conservation Area. As such this proposal complies with policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and policies GP1, HE2, HE3, GP4 (a), GP11, T4, T5, E3b and E4 of the City of York Local Plan Deposit Draft, also PPS1 and PPG19.

19b Factory Bishopthorpe Road York YO23 1NA (07/01548/LBC)

Members considered an application for Listed Building Consent submitted by GHT Developments LLP for temporary change of use to offices of the Headquarters Building and minor and external alterations to office accommodation (B1 use).

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

REASON: That 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 Former Headquarters Building which is a listed building and the Racecourse and Terry's Conservation Area and the adjacent listed buildings. As such this proposal complies with policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and policies HE3 and HE4 of the City of York Local Plan Deposit Draft also PPS1.

19c Dunnington Lodge Elvington Lane Dunnington York YO19 5LT (07/01335/FULM)

Members considered a major full application submitted by Mr Tom Percy for the use of land at Dunnington Lodge, Elvington Lane as a Maize Maze with conversion of farm buildings to associated stores, offices and farm shop including construction of a toilet building and a 200 space car park (part retrospective). This application is a resubmission.

Officers updated that conditions four and six in the report had been altered; the changes to these were shown in the Resolution below. There were also two additional conditions regarding drainage and removal of permitted development rights.

Councillor Jamieson-Ball stood down from the Committee under the Planning Code of Good Conduct and spoke from the floor on behalf of the Applicant. He said that the current site operated successfully and had not received any complaints. The proposed site would not cause any harm to the greenbelt and the Maize Maze fits in well with the existing use of the site. The Applicant had also addressed the traffic concerns raised by the Highways Department.

Members queried the opening hours of the maze and the Applicant confirmed that it was generally during the daytime but there were infrequent evening events that he would like to continue running. It was

also noted that the Applicant had agreed to provide funding for some nearby bus stops.

Members raised concerns regarding the surface of the children's play area and requested an informative be included regarding this.

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

1. Amended condition 4 – Prior to the development coming into use, all areas used by vehicles, including the car park shall be surfaced only in accordance with details to be approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in the Green Belt.

2. Amended condition 6 – Prior to the development commencing details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall not commence until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads in the interests of sustainability and the amenity of nearby residents.

3. Development shall not begin until details of any foul and surface water drainage works from any new building or proposed use within existing buildings 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.

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order),

development of the type described in Class A of Part 2 of Schedule 2 (Minor operations including all gates, fences, walls or other means of enclosure) of that Order shall not be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and the protection of the openness of the Green Belt the Local Planning Authority considered that it should exercise control over the erection of any future or means of enclosure, which without this condition, may have been carried out as 'permitted development' under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

Informative

The ground surface under and around the play equipment as installed shall meet the health and safety requirements for use of such equipment by the general public. This is the responsibility of the site owner and advice and information on such requirements should be sought by them. This surface, where possible, should be designed to blend in with its surroundings in terms of colour, material and texture.

REASON: That, subject to the conditions outlined above and in the report, the proposal would not cause undue harm to interests of acknowledged importance, with particular reference to the impact of the Green Belt, local highway safety and issues of sustainability. As such the proposal complies with Policies E8A, E9, R1 and R2 IN of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GB1, GB3, GB13, GP4A and T5 of the City of York Draft Local Plan incorporating the 4th set of changes approved April 2005.

19d Racecourse Racecourse Road Knavesmire York YO23 1EJ (07/01311/FULM)

Members considered a major full application for the widening of the South Bend of the Racecourse, surfacing of service track and associated works including drainage works submitted by York Race Committee.

The Officer updated that he had received a response from the Structures and Drainage Section; the development was in a high risk flood zone and regularly suffered from flooding. However, no objections were raised, as the proposals were compatible with the zone. The developer would liaise

with the Council's drainage section regarding existing land drainage that may be affected by the proposals.

An additional letter had been received from a local resident who said that:

- The additional hard surfacing would add to the saturation of land on both sides of the proposed road
- Where were the yellow publicity notices displayed?
- There would be easy access to the new road from Cherry Lane and use by unlicensed vehicles could become a problem
- Could the existing grass surface be levelled as an alternative, or other materials used such as plastic mesh which would allow rain to drain away safely.

The Officer clarified that the yellow site notices had been displayed in four locations these being, Cherry Lane, Bracken Road, Alongside the Green Lane Cycle Path and the Knavesmire Road entrance to the site. A Newspaper advert had also been placed in the Evening Press dated 20th June 2007.

Representations were received from the Applicant who said that the aim of the proposals was to improve the racing surface and to reduce the risk of having to abandon race meetings. There would be improved Health and Safety on the course and improvements to the service track.

Members asked the applicant if it was possible to tone down the colour or seek an alternative material for the service track and the applicant said that the present material had been chosen because it was the best for what they needed. The blackness would fade and blend in over time. The Applicant was asked if the installation of an improved drainage system would lessen the chance of having to abandon race meetings and he replied that it would. The water from the racecourse itself would be more quickly and effectively drained.

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

1. Prior to the commencement of the development, details of the surface colour of the service track shall be submitted to and agreed in writing with the Local Planning Authority, and the proposed development shall be carried out in complete accordance with the approved details.

Reason: In the interests of visual amenity.

REASON: That, subject to the conditions outlined in the report and the above additional condition, the proposal would

not cause undue harm to interests of acknowledged importance, with particular reference to:

- Impact on the openness of the Green Belt
- Visual impact of service road

As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GB1 and HE2 of the City of York Local Plan Deposit Draft.

**19e Oaklands Sports Centre Cornlands Road York YO24 3DX
(07/01345/GRG3)**

Members considered a General Regulations (Reg3) application submitted by City of York Council for extensions to the existing sports centre to provide swimming pool and associated facilities including additional car parking and associated plant. The application also seeks approval for a new canopy to the existing sports centre entrance.

Officers updated that Highway Network Management stated that due to current swimming facilities at the adjacent Edmund Wilson Pool on Gale Lane, vehicular traffic associated with the proposed facility is likely to already be on the highway network in the vicinity of the site. The peak periods of usage of the sports centre/pool facilities differ from the peak periods of traffic on the highway network and the peak operating hours of the schools which will further diminish the impact, in traffic terms, that the proposal would have on the network. As such Officer's views are that the proposal will not have a material impact on the surrounding highway.

The car parking as shown on the submitted plans is the total provision for all uses on the Cornlands Road site (school, sports hall and pool). The level of parking proposed is in accordance with City of York Council maximum standards.

York Consultancy were satisfied that there was sufficient information to approve the drainage element of the design.

Officers informed Members that the Applicant had responded to an objection received regarding viewing facilities in the following terms:

'The City of York Council's swimming facilities strategy identifies the need for one competition pool in York to include spectator/gallery seating to host swimming galas. The University development includes the construction of a community accessible competition standard pool to be built on the new campus. Provision of this pool is a condition within the University's Section 106 agreement. The strategy provides for facilities elsewhere in the city to be at a community level. The new Oaklands Pool is proposed to offer York residents a high quality swimming experience with enough spectator seating for general community use. The current design includes a viewing spectator area separate of the pool hall, behind a double glazed screen to offer maximum comfort.'

There were also amendments to condition 12 in the report (detailed in the resolution below) and two additional conditions regarding cycle storage and bike with trailer storage.

Members discussed a range of issues regarding the swimming pool including:

- The size of the hydrotherapy pool
- The spectator/viewing area
- The location of the disabled parking bays
- The depth of the main pool in comparison with Edmund Wilson pool
- Planting in the car park areas
- Dark sky lighting
- Sustainability features

Councillor Reid moved and Councillor Moore seconded a motion to approve the recommendation; on being put to the vote the motion was lost.

RESOLVED: That the application be deferred

REASON: To enable Officers to provide more details on spectator provision, depth of the main pool, size of the hydrotherapy pool, design details and other concerns raised.

COUNCILLOR T SIMPSON-LAING
CHAIR

The meeting started at 4.35 pm and finished at 7.20 pm.