

MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	8 MARCH 2012
PRESENT	COUNCILLORS DOUGLAS (VICE-CHAIR), WISEMAN (CHAIR), FIRTH, FITZPATRICK, FUNNELL, HYMAN, KING, MCILVEEN, WARTERS AND WATSON

Visited	Attended by	Reason for Visit
93 Newland Park Drive	Councillors Douglas, Firth, Fitzpatrick, Funnell, McIlveen, Warters, Watson and Wiseman.	To familiarise Members with the site.
Block C, Chemistry Department.	Councillors Douglas, Firth, Fitzpatrick, Funnell, McIlveen, Warters, Watson and Wiseman.	To familiarise Members with the site.
Former Allenby Nursery Site, Elvington	Councillors Douglas, Firth, Fitzpatrick, Funnell, McIlveen, Warters, Watson and Wiseman.	So that Members can understand the potential impact on the Green Belt and to understand the concerns raised by local residents.
Osborne House, 7 School Lane	Councillors Douglas, Firth, Fitzpatrick, Funnell, McIlveen, Warters, Watson and Wiseman.	To familiarise Members with the site as it had been called in by the Ward Member.

46. DECLARATIONS OF INTEREST

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

Councillor McIlveen declared a personal non prejudicial interest in Agenda Item 4a) (Former Allenby Nursery Site) as he had worked on another site that was owned by the housing association, Home Housing Association.

It was reported that if the application was approved, that the site would be managed by a housing association, such as Home Housing Association. Councillor McIlveen clarified that he only worked for the Association and was not related with the applicant or working for the adjoining owner. He also declared a personal non prejudicial interest in Agenda Item 4e) as a member of York Residential Landlords Association.

Councillor Warters declared personal non prejudicial interests in Agenda Items 4a) (Former Allenby Nursery Site) and 4c) (Osborne House, 7 School Lane) as he knew both applicants but had not entered into any correspondence with them regarding the application.

No other interests were declared.

47. MINUTES

RESOLVED: That the minutes of the East Area Sub Committee held on 2 February 2012 be approved and signed by the Chair as a correct record.

48. 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 the Sub-Committee.

49. 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.

**49a Former Allenby Nursery Site, Wheldrake Lane, Elvington
York (11/02736/FULM)**

Members considered a major full application by Mr Roy Handley for the erection of 18 dwellings at the former Allenby Nursery Site.

In their update to Members, Officers reported that a letter had been received from the local MP outlining a number of concerns regarding the application such as;

- The size of the proposed development.
- The lack of a traffic management plan included in the application.
- That a highways condition be added, if the application was approved, to control the methods of working.

It was also reported that an open space statement had been provided to Officers from the applicant. The statement said that the area would be designated for children's play and that this would be managed by the Housing Association.

The Chair shared a response that she had received from Council Highways Officers about how they felt that the additional level of traffic that would be generated by the proposed development would be limited and that they were of the opinion that there were no safety concerns raised by the application.

In response to questions from Members, Officers reported that the dwellings on the site would remain as affordable homes as a Section 106 agreement would be signed by the applicant. They stated that an eligible resident for the affordable homes would be defined and would include for example someone who had been resident in Elvington Parish for five years or more.

Representations in objection to the application were received from a local resident. He spoke about how he felt that sufficient circumstances had not been provided to show that there was a need for additional housing in Elvington.

Representations in support of the application were received from the applicant's agent. He referred to a Council Housing Needs Assessment survey that concluded that there was a need for more housing in the village. He added that the site would be close to amenities such as the school and medical centre, and stated that the development would have good footpath access and would be well screened.

Questions from Members to Officers related to the Housing Needs survey carried out, if the proposed play area would be for sole use by the residents of the new properties and if the application used an efficient amount of land.

It was reported that the play area would be solely for use by residents and that the site would retain a number of considerable protected trees along its frontage.

Some Members felt that the scheme was altruistic, whilst others felt that existing traffic problems remained.

RESOLVED: That the application be approved subject to a Section 106 agreement and with the following additional conditions;

8. 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.

Details to include:

1. Details to include calculations and invert levels to ordnance datum of the proposals for the new development.
2. Peak surface water run-off from the proposed development must be restricted to a maximum of 2.0 lit/sec (based on a Greenfield Run-off) as per drainage statement by Stevenson Associates dated 24/02/2012.
3. Details of the flow control device limiting the surface water to the 2.0 lit/sec.

4. Storage volume calculations, using computer modelling must be provided, and must 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 must 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 worse-case volume required.
5. 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.
6. Proposed ground and finished floor levels to Ordnance Datum shall be shown on plans. The development should not be raised above the level of the adjacent land, to prevent run off from the site affecting nearby properties.
7. Details should be provided of the future management/maintenance of the proposed drainage scheme.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

19. Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the LPA. Such a statement shall include at least the following information;
 - a) the routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours
 - b) where contractors will park
 - c) where materials will be stored within the site
 - d) details of how the car parking area will be managed during the construction period to ensure adequate car parking remains
 - e) measures employed to ensure no mud/detritus is dragged out over the adjacent highway.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

20. Details of the communal open space area, as identified on the approved plans, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the design of the open space, any equipment or seating to be installed, and a management and maintenance plan. The open space shall be created in complete accordance with the approved details within three months of the occupation of the first dwelling on the site. This area shall be retained as public open space accessible by local residents.

Reason: To ensure a high quality and usable public open space area is created for the benefit of local residents and thereafter maintained.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the Officer's report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to:

- Principle of development in the Green Belt
- Design and visual impact on the Green Belt
- Neighbouring amenity
- Amenity of future occupiers
- Highway and Traffic
- Sustainability
- Open space
- Drainage

As such the proposal complies with Policies GP1, GP4a, GP6, GP15, GB1, GB9, H4a, H5a, and T4 of the City of York Development Control Local Plan.

49b 77 Lawrence Street, York. YO10 3DZ (12/00045/FUL)

Members considered a full application by Mr Joe Reynolds for the conversion of a shop (use class A1) to an 8 bedroom house in multiple occupation with external alterations including two front dormers (resubmission).

In their update to Members, Officers informed the Committee that an amended plan had been submitted by the applicant showing improved cycle facilities. In response to a question from a Member relating to this, Officers stated that the Council's Housing Standards Officers felt that the residents' amenity would not be affected by the increase in cycle storage in the rear yard.

Some Members raised concerns about parking around the property and the possible use of the ground floor lounge as a bedroom.

Officers responded that although parking had been problematic in the local area that the property was located near to the city centre and was on a bus route. It was reported that planning permission would be needed to convert the ground floor lounge into an additional bedroom.

Representations in support of the application were received from the applicant. He informed the Committee of proposed alterations to the building such as the removal of an external staircase, and the reinstatement of a large bedroom from two subdivided rooms. In response to a question from a Member, the applicant stated that the fire escape was within the building and that there would be fire exit doors at each level.

Some Members felt that the application was better than a previous one which was considered by the Committee. Other Members felt that concerns about parking would not be addressed.

RESOLVED: That the application be approved with the following amended conditions;

5. The house in multiple occupation hereby approved shall not be occupied until the facilities on the approved plan for the secure storage of six bicycles have been

provided. These facilities shall thereafter be retained and used for no other purpose except with the written consent of the Local Planning Authority.

Reason: In the interests of sustainable transport and amenity.

10. No work shall take place on site except between the hours of 0800 and 1800 on Mondays and Fridays and 0900 and 1300 on Saturdays. No work shall take place on site on Sundays or Bank Holidays.

Reason: To safeguard the amenities of local residents.

REASON: In the opinion of the Local Planning Authority the proposal, subject to any amended conditions and those in the Officer's report, would not cause undue harm to interests of acknowledged importance, with particular reference to: use as a house in multiple occupation; design and street scene; neighbour amenity; transport and highway safety; waste management; and provision of open space. The application therefore complies with policies GP1, H8, T4 and L1c of the City of York Local Plan Deposit Draft.

49c Osborne House, 7 School Lane, Fulford, York. YO10 4LU (11/03367/FUL)

Members considered a full application by Ms Karin de Vries for a two storey front extension, two storey rear extension with room in roof, single storey extension and porch to side.

In their update to Members, Officers reported that additional plans had been received and that if planning permission was granted that additional conditions could be added, in respect of the plans.

Representations in support were received from the applicant. She spoke about how she felt that the energy requirements of the property would be significantly lower with the extension. She added that, in her opinion, the property was not in the green belt, but in an urban setting adjoining it. She also stated that the new extension would have a coherent design.

Representations were received from a representative of Fulford Parish Council. He urged Members to consider the site as it currently was and that it should be judged against the Council's Green Belt policy.

Members asked questions about the ways in which a property could detrimentally affect the Green Belt. Officers responded that in some circumstances visibility of a property from the Green Belt could be seen as detrimental by view of its massing. Further questions to Officers from Members related to current extensions in the area and how new regulations would affect permitted development rights.

Some Members felt that as the building was not situated in the Green Belt itself, was not in the conservation area and was not readily visible from the village that it was an acceptable development.

RESOLVED: That the application be approved with the following additional conditions;

3. The proposed louvers shown on the north and south elevation of the dwelling shall be constructed as approved and not removed or materially altered unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect neighbours privacy

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

Revised plans numbered OH/110 Rev B and OH/110 Rev B dated 24.02.2012.

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

REASON: In the opinion of the Local Planning Authority the proposal subject to the conditions listed above and in the Officer's report, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the streetscene, neighbours living conditions, the Green Belt and conservation area. As such the proposal complies with Policies GP1 and HE2 of the City of York Development Local Plan and advice contained in Planning Policy Statement 1 (Delivering Sustainable Development) and Planning Policy Guidance 2 (Green Belts).

**49d Block C, Chemistry Department, Alcuin Way, Heslington.
YO10 5NB (11/03412/FULM)**

Members considered a major full application by the University of York for the erection of a two storey Chemistry building incorporating teaching, office and research facilities following the demolition of an existing building.

In their update to Members, Officers suggested that if Members were minded to approve the application that a condition relating to the hours of demolition, construction works and ancillary operations be altered from 08:00-16:00 on Saturday to 09:00-16:00 in order to avoid adversely effecting the amenity student accommodation to the north east and south west of the site.

Representations in support of the application were received from the applicant's agent. He informed the Committee that the planned building would be higher than the current building, but that it would fit in with other buildings around the site. He added that the new building would allow for the Chemistry Department to enhance its teaching reputation and suggested that the proposal would help York's economic strategy.

Questions between Members, the applicant's agent and Officers took place regarding the hours of construction, the comparable increase in people that would use the building and the increase in car parking on and around the site.

It was reported by the applicant's agent that previous construction work had only been permitted to take place until 1pm on a Saturday, but this had lengthened the overall amount of time spent on construction. Members were informed that there would be an increase in usage of the building due to the planned expansion of the department. In relation to car parking on the site, it was reported that the level of parking across sites on the University campus was capped.

Following further discussion on the hours of construction, one Member suggested that construction works could take place from 09:00-16:00 out of term time and from 09:00-13:00 in term time.

RESOLVED: That the application be approved with the following amended condition;

9. All demolition, construction works and ancillary operations which are audible beyond the University site boundary, including deliveries to and despatch from the site shall be confined to the following hours:-

Monday to Friday 08:00 to 18:00
Saturday 09:00 to 13:00 during term time, and
09:00 to 16:00 during vacations.

Not at all on Sundays and Bank Holidays.

Reason: To protect the amenities of neighbouring residents.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the Officer's report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact on the visual amenity of the wider street scene and impact upon the local pattern of surface water drainage. As

such the proposal complies with Policies GP1, ED6, GP15a and T4 of the City of York Development Control Local Plan.

49e 93 Newland Park Drive, York. YO10 3HR (12/00091/FUL)

Members considered a full application by Mr D Rose for a first floor side and rear extension.

Officers informed the Committee that a condition could be added to any approval that the lawned garden of the property remain as a grassed area to prevent it being turned into a concrete parking area. It was suggested that as there was parking provision at the front of the house, that this would be unlikely. Some Members raised further concerns about parking issues such as difficulty in access and egress over the verge and kerb if there was an increase in the number of cars attached to the property.

Other Members asked if a condition could be added to planning permission to state that a planned first floor office space remain in that use, and not be used for another use, such as a bedroom. Officers suggested that when considering the application, Members should judge the property as it was in its current state.

Representations were received from the Ward Member, Councillor Barnes. He made reference to new proposed planning regulations relating to limits on Houses in Multiple Occupation (HMO) and stated that Newland Park Drive would exceed the proposed limit for HMOs. He added that he felt that if the driveway was concreted that it could lead to a detrimental amount of water run-off. Finally, he felt that as there was a potential for seven bedrooms within the property that one bathroom and one kitchen was not sufficient for the occupants.

During debate, Members felt that a condition needed to be added to widen the access for exiting cars from the property. They also added that as the proposed extension would be located over the garage that this would create a terraced effect to a semi detached property, which would in their view, be detrimental to the streetscape.

RESOLVED: That the application be refused

REASON: The proposed first floor side and rear extension, by reason of its size and scale, would not appear subservient to the host property, would unbalance its appearance and significantly erode the original space between the dwellings which is an important visual characteristic of the style of properties in the area. As such, it is considered that it would appear incongruous in the street scene. The development would therefore, conflict with national planning advice in relation to design contained within paragraphs 33 and 34 of Planning Policy Statement 1 (“Delivering Sustainable Development”), Policies GP1 (a and b) and H7 (a, b and e) of the City of York Draft Local Plan (April 2005), and with the Council’s Supplementary Planning Guidance “A Guide to Extensions and Alterations to Private Dwelling Houses” (March 2001).

Councillor S Wiseman, Chair

[The meeting started at 2.05 pm and finished at 4.00 pm].