

Notice of meeting of

West & City Centre Area Planning Sub-Committee

To: Councillors Watson (Chair), Funnell, Galvin, Gillies (Vice-Chair), Jeffries, Looker, Orrell, Reid and Semlyen

Date: Thursday, 12 July 2012

Time: 2.00 pm

Venue: The Guildhall, York

AGENDA

Site visits for this meeting will commence at 11.00 am on Wednesday 11 July 2012 at Memorial Gardens.

1. Declarations of Interest

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

2. Exclusion of Press and Public

To consider excluding the public and press from the meeting during consideration of annex A to agenda item 6 (Enforcement Cases Update) on the grounds that this item contains information which is classed as exempt under Paragraphs 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

3. Minutes (Pages 5 - 10)

To approve and sign the minutes of the meeting of the West & City Centre Area Planning Sub-Committee held on 14 June 2012.

4. **Public Participation**

It is at this point in the meeting that members of the public who have registered their wish to speak can do so. The deadline for registering is by 5pm the working day before the meeting. Members of the public can speak on specific planning applications or on other agenda items or matters within the remit of the committee.

To register please contact the Democracy Officer for the meeting, on the details at the foot of this agenda.

5. **Plans List**

To determine the following planning applications related to the West and City Centre Area.

a) **10 Bankside Close, Upper Poppleton, York, YO26 6LH (12/00921/FUL)** (Pages 11 - 24)

Two storey side extension to existing dwelling; erection of two storey detached dwelling and detached garage (Revised Scheme) [Rural West York Ward] [*Site Visit*]

b) **10 Beech Grove, York, YO26 5LB (12/01810/FUL)** (Pages 25-30)

Single storey rear extension [Acomb Ward]

6. **Enforcement Cases Update** (Pages 31 - 190)

Members will consider a report which provides a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by the Sub-Committee.

If Members have any specific queries or questions regarding enforcement cases, please e-mail or telephone Andy Blain and Matthew Parkinson by **5pm on Wednesday 11th July** if possible so that officers can bring any necessary information to the meeting.

If Members identify any cases on the list which they consider are not now expedient to pursue and / or could now be closed e.g. due to a change in circumstance on site or the alleged breach no longer occurring, please could they advise officers either at the meeting or in writing, as this would be very helpful in reducing the number of cases, particularly some of the older ones.

7. Any other business which the Chair considers urgent under the Local Government Act 1972

Democracy Officers:

Name: Catherine Clarke and Louise Cook (job share)

Contact Details:

- Telephone – (01904) 551031
- E-mail – catherine.clarke@york.gov.uk and louise.cook@york.gov.uk

(If contacting us by e-mail, please send to both democracy officers named above)

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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WEST AND CITY CENTRE AREA PLANNING SUB COMMITTEE

SITE VISITS

Wednesday 11 July 2012

Members of the sub-committee meet at Memorial Gardens at 11.00

TIME (Approx)	SITE	ITEM
11.15	10 Bankside Close, Upper Poppleton	5a

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City of York Council

Committee Minutes

MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	14 JUNE 2012
PRESENT	COUNCILLORS WATSON (CHAIR), GALVIN, JEFFRIES, LOOKER, ORRELL, SEMLYEN, WILLIAMS (AS A SUBSTITUTE FOR CLLR FUNNELL) AND RICHARDSON (AS A SUBSTITUTE FOR CLLR GILLIES)
APOLOGIES	COUNCILLORS FUNNELL, GILLIES AND REID

1. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
Springfield Farm, Appleton Road, Bishopthorpe	Councillors Galvin, Jeffries, Richardson, Semlyen and Watson.	As objections has been received and the officer recommendation was to approve.
34 St Marys	Councillors Galvin, Jeffries, Looker, Richardson, Semlyen and Watson.	At the request of Councillor Gillies.

2. DECLARATIONS OF INTEREST

At this point in the meeting, members were invited to declare any personal or prejudicial interests they might have in the business on the agenda.

Councillor Galvin declared a personal non prejudicial interest in plans item 4d (Springfield Farm, Appleton Road, Bishopthorpe) as a resident had spoken to him regarding the application but he confirmed that he had not expressed a view on the application.

Councillor Jeffries also declared a personal non prejudicial interest in plans item 4d (Springfield Farm, Appleton Road, Bishopthorpe) as the applicant's son was a friend of hers.

3. MINUTES

RESOLVED: That the minutes of the last meeting of the West and City Centre Area Planning Sub-Committee held on 19 April 2012 be approved and signed by the chair as a correct record.

4. 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.

5. 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.

5a 34 Cranbrook Road, York, YO26 5JA (12/01424/FUL)

Members considered a full application from Mr G Peters for a single storey front and side extension.

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

REASON: 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 impact on the residential amenity of neighbours or the impact upon the streetscene. As such the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan and

City of York Supplementary Planning
Guidance to Householders (Approved March
2001).

5b 9 Cranbrook Road, York, YO26 5JB (12/01836/FUL)

Members considered a full application from Mr Rob Graham for a two storey side, single storey rear extension and porch to the front.

RESOLVED: That delegated authority be given to officers to approve the application in consultation with the chair and vice-chair of the sub-committee following the end of the consultation period (15 June 2012).

REASON: 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 effect on residential amenity and the impact on the streetscene. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

5c 34 St Marys, York, YO30 7DD (12/01006/FUL)

Members considered a full application for alterations to the garage to form a room in the roof.

Officers advised members that their recommendation to refuse the application was due to the impact of the increased height and massing on both the conservation area and on the living conditions of the neighbouring property as a result of loss of outlook.

The Conservation Architect confirmed that at present, the garage sits quite low on the site which preserves the openness of the area behind the houses across the railway line to the tree cover which is important to the character of the street. However

this application to increase the height of the garage would change this.

Representations were received from a neighbour in objection to the application. He circulated a set of photographs of the garage for Members information. He explained that the garage had been allowed as an exception as the impact on the street scene was reduced due to its height, however these proposals would lead to a considerable increase in both height and size. This would lead to the neighbour at no 35 having to look out onto a large blank wall and the garage would become a large presence in the garden. He agreed that it would harm the character and appearance of the conservation area.

Representations were also received from the applicant in support of the application. He pointed out that the increase in height was less than 5ft stating this would not harm the setting nor the view from the street to the railway line. He advised Members that care had been taken with the design of garage to maintain the relationship with host dwelling, the gable feature of the garage reflecting that of the main house. He explained that he was a publisher and needed the extra space above the garage for storage of books, as there was no longer sufficient space in the house to store them and they were currently in a storage facility which caused problems for access.

Members acknowledged officers concerns regarding the increased height and mass of the building and its impact on neighbours and the conservation area, particularly the possible loss of views from St Marys across the railway line and beyond and noted that some loss of view has already occurred due to other development which has taken place on the street.

Members asked whether it would be practical to condition limiting the use of the additional first floor to storage but having taken advice from planning officers, agreed that the use of the garage extension for any purpose incidental to the use of the house was acceptable and a condition was not necessary.

Members expressed the view that it was an admirable scheme which would enhance the look of the house. Members concluded that the proposed changes would not significantly harm either the conservation area or the neighbour's amenity.

RESOLVED: That the application be approved and delegation be given to officers to agree the conditions in consultation with the chair and vice chair of the sub-committee.

REASON: The proposal, subject to conditions agreed, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the character and appearance of the conservation area and the living conditions of the adjacent property. As such the proposal complies with Policies GP1 and HE2 of the City of York Development Control Local Plan.

5d Springfield Farm, Appleton Road, Bishopthorpe, York, YO23 2XA (12/01117/FUL)

Members considered a full application from Mr R J Edmondson for the erection of a 15 metre (to hub) high wind turbine (resubmission).

Officers clarified that any references to “Proven” within the appraisal should be replaced by “Kingspan KW6 turbine”, which was the new name for the Proven turbine which had been proposed in the previous application.

Officers advised that a further representation had been received from a previous objector stating that the Proven and Kingspan KW6 were not the same and the Proven model had a cut off device for higher wind speeds, whereas the Kingspan does not. It asked that, if the application is approved they would like confirmation that the noise levels would be monitored, and action taken to ensure the readings are not above the background level outside the dwellings.

Officers also advised the Committee of the consultation response which had been received from the Ecology Officer. In response to residents observations of a large flock of starlings in the area, the Ecology Officer advised that the location of the turbine in the centre of the field was not thought to be within any major migratory routes and taking into account the proposed location, surrounding area and size of turbine, it was not

considered that any further information or survey work is required as part of this application.

With regard to bats, the Ecology Officer confirmed that the turbine was not close to any potential roosting sites, commuting corridors, mature trees and other areas of good foraging habitat. Furthermore there were no known/recorded bat roosts within close proximity.

The Ecology Officer acknowledged that, whilst individually, this proposed turbine and the other small turbine on adjacent land at Park Farm, were considered unlikely to have any significant impact on local wildlife, there was a potential for a cumulative impact, and if additional turbines were proposed within the area in the future, then these issues would need to be taken into account and further survey information may be required.

Members took account of the noise survey submitted with the application and agreed that it was unlikely that noise from the turbine would be an issue. Members also agreed that the trees in the area would limit the visual impact of the turbine from Temple Lane.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, the visual amenity of the locality and the greenbelt. As such, the proposal complies with Policies GP1, GB1, and GP5 of the City of York Council Development Control Local Plan (2005); national planning guidance contained in the National Planning Policy Framework and "Planning for Renewable Energy - A Companion Guide to PPS22".

Councillor B Watson, Chair
[The meeting started at 3.00 pm and finished at 4.00 pm].

COMMITTEE REPORT

Date: 12 July 2012 **Ward:** Rural West York
Team: Major and **Parish:** Upper Poppleton Parish
 Commercial Team Council

Reference: 12/00921/FUL
Application at: 10 Bankside Close Upper Poppleton York YO26 6LH
For: Two storey side extension to existing dwelling; erection of two storey detached dwelling and detached garage (Revised Scheme)
By: Mark Harris
Application Type: Full Application
Target Date: 4 May 2012
Recommendation: Approve

1.0 PROPOSAL

1.1 The application is for a two storey 4 no. bed dwelling to the side/northwest of 10 Bankside Close, and detached double garage.

1.2 The application is a resubmission. In addition revised plans and elevations have been submitted during this application. The previous application showed the garage with accommodation above with a dormer window, this has been removed in this application. The garage has been reduced in height from 4.9 metres to 4.4 metres. The proposed dwelling has been increased in width by 0.2 metres to 10.7 metres and the rear single storey element has been removed. The two storey extension to 10 Bankside Close has been removed from the proposal leaving a gap of 4.8 metres between the host dwelling and the proposed dwelling.

1.3 The proposed two storey dwelling would be 10.7 metres in width and the same height as the host dwelling. The proposed dwelling would be deeper than the host dwelling: 9.35 metres along the northwest elevation (the host dwelling is 7.3 metres in depth). To the front of the proposed dwelling would be block pavers. The proposed pitched roof garage would be 4.4 metres in height and 5.45 metres in width, and 6.65 metres in depth. The proposed front elevation would have a pedestrian door and single garage door; the rear elevation would have a double garage door, access to the garden to the rear of the garage would be through the building.

1.4 The site is within the Poppleton settlement envelope, outside of the conservation area.

1.5 The site is within a spacious and established street built in the 1970s. The dwellings in Bankside Close are generally two-storey and detached, the application site is one of a line of three houses which are set within more generous plots with larger side gardens. There are a mixture of styles and scale of dwellings in the surrounding streets.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP1 Design

CYGP4A Sustainability

CYGP10 Subdivision of gardens and infill devt

CGP15A Development and Flood Risk

CYH4A Housing Windfalls

CYL1C Provision of New Open Space in Development

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

FLOOD RISK MANAGEMENT TEAM - Object

Insufficient information has been provided by the developer to determine the potential impact the proposal may have on the existing drainage systems

ENVIRONMENTAL PROTECTION UNIT - No objections

COMMUNITIES AND CULTURE As there is no on site open space commuted sums should be paid to the Council for (a) amenity open space - which would be used to improve a local site within the Parish (b) play space - which would be used to improve a local site such as within the Parish (c) sports pitches - would be used to improve a facility within the West Zone of the Sport and Active Leisure Strategy. The contribution to off site provision is to be based on the latest York formula through a Section 106 Agreement.

EXTERNAL CONSULTATIONS/REPRESENTATIONS

UPPER POPPLETON PARISH COUNCIL - Object to original scheme, at the time of writing the report no comment has been received for the revised scheme, any further comments received will be reported to committee

Application Reference Number: 12/00921/FUL

Item No: 5a

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- Over development of a green space in a quiet residential area
- Grounds submitted on previous application still valid

17 LETTERS OF OBJECTION to the revised scheme:

- Reduce light to properties on Riversvale Drive
- Cause a loss of privacy to properties on Riversvale Drive
- Loss of outlook from the properties on Riversvale Drive
- Revision does not address the original objections to the scheme
- Contest that a garage can be built under permitted development
- Dwellings around Bankside Green have double garage, removal of garage for host dwelling without replacement would be contrary to Policy GP1
- 6 off street parking spaces is excessive in the context of the street scene and out of character
- Concerned that the proposed garage would be constructed over the existing foul drain servicing part of Bankside Close
- Request that the garage is restricted to garage use only
- Impact to the Green Belt
- Detrimental impact on the open aspect of this part of Bankside Close
- Scheme more out of character than previous
- Two-storey building which harms the open aspect of Bankside Close and increases the density of development
- Cause further parking congestion
- Concerned that the garage may become a dwelling further impacting on the open aspect of the street
- Concerned regarding the precedent of infilling
- No benefit for the community or improvement in amenity
- Does not overcome the previous reason for refusal
- Overdevelopment of the plot, cramped, and not in keeping with the surrounding area and environment
- Scale will dominate neighbouring dwellings
- Does not have the amenity space that would be expected of a dwelling of this size, and as other properties in the surrounding area
- The site is currently a well maintained landscaped garden which enhances the area and is in keeping with the area
- The need is for starter and family homes not luxury houses
- The proposed design does not respect the relationship between buildings
- The massing of the dwelling does not complement adjacent dwellings
- The proposal ignores building relationships and does not appreciate the way space have been used in the area to maintain and enhance the character of the village.
- The daylight/sunlight assessment plays down the impact
- Not considered to be a sustainable development
- Too high and too close to the boundary

- Existing problems with foul drainage, an additional dwelling will exacerbate the issues
- Concerned regarding safety of children during construction
- The original application was refused on inadequate drainage, this still stands
- The proposed garage remain the same height as the proposed two storey, too tall for a structure within a garden
- Proximity of proposed garage to neighbouring dwellings has the potential to cause noise disturbance and loss of privacy

18 LETTERS OF OBJECTION to the original scheme

- Result in a loss of light and overshadowing
- Cause a loss of privacy
- Cause a loss of outlook
- Concerned that the garage has double garage doors in the front and rear elevation
- Result in overdevelopment of Bankside Close and a cramped appearance
- Existing problems with foul drainage, an additional dwelling will exacerbate the issues
- The minor alteration to not improve the situation for occupants of neighbouring dwellings
- Not in keeping with prevailing character of development which includes the gaps between dwellings in sizable plots
- Cause access problems by virtue of small turning area
- Construction would cause disturbance
- Represents an increase of development of 109%, significant increase on the existing density
- Represent a substantial change to the character and appearance of the area
- Contrary to Policies GP1, H7, H4a of the Local Plan
- Contrary to design Guideline 12 and 17 of the Poppleton Village Design Statement
- Loss of on street parking
- Incorrect boundary treatment shown
- Set a precedent for infilling
- Impact to the trees on site unknown
- Scale of the building will be overbearing and dominate outlook
- Users of the proposed garage will cause disturbance to neighbouring dwellings
- Massing not in keeping with surrounding
- Proposed refuse area would cause disturbance to neighbouring dwelling

4.0 APPRAISAL

RELEVANT SITE HISTORY

11/02699/FUL - Two storey side extension to existing dwelling; erection of two storey detached dwelling and detached garage with room above - Refused for the following reason:

- The proposed dwelling and detached garage by virtue of its scale, cumulative impact, massing, bulk, awkward relationship to the host dwelling, and the loss of a green space and gap between buildings would appear cramped and overdeveloped. In addition the proposed development would result in a harmful sense of enclosure in the street, and would have an unduly prominent and over dominant appearance within the area and the street.

KEY ISSUES

1. Visual impact the area
2. Impact on neighbouring property

ASSESSMENT

PLANNING POLICY

4.1 National policy contained in the National Planning Policy Framework (NPPF) states a presumption in favour of sustainable development. The NPPF sets out three dimensions/roles to sustainable development: economic, social, and environmental - development should fulfil all three roles.

4.2 The NPPF attached great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Development should add to the quality of the area, establishing a sense of place as well responding to local character and reflect the surroundings and materials, whilst not preventing or discouraging appropriate innovation, and create developments that are visually attractive as a result of good architecture and appropriate landscaping. The NPPF acknowledges that securing high quality design and inclusive design goes beyond aesthetic considerations and that decisions should address the connections between people and places and integration of new development into the built environment. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

4.3 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the NPPF.

4.4 Policy GP1 'Design' of the City of York Council Development Control Local Plan includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.5 Policy GP4a 'Sustainability' of the City of York Council Development Control Local Plan (2005) states that proposals for all development should have regard to the principles of sustainable development.

4.6 The supplementary planning guidance - Poppleton Village Design Statements gives a series of guidelines for development within Poppleton. The guidelines pertinent to this application are as follows: (11) The existing character and traditions must be appreciated when contemplating new development, whatever its size and purpose, imaginative and original design is encouraged but the setting should be considered. (12) To conserve the special character of the traditional communities, the size, scale and massing of the new buildings should harmonise with neighbouring properties and spaces. (13) New development should be mixed, with a variety of design type, size, scale and materials to uphold the present juxtaposition of differing periods of development within the village. (14) Contemporary design should complement and be in sympathy with existing building character. (17) Space should be maintained around the dwellings to avoid the loss of soft landscaping.

PRINCIPLE OF RESIDENTIAL DEVELOPMENT ON THE SITE

4.7 The key aim of local and national policy is to locate new housing in sustainable urban locations, with the emphasis on previously developed land. Policy H4a relates to housing developments within existing settlements and states that permission will be granted within defined settlement limits for new housing developments on land not already allocated on the proposals map, where the site is vacant, derelict or underused land where it involves infilling, redevelopment or conversion of existing buildings. The scheme must be of an appropriate scale and density to surrounding development and should not have a detrimental impact on landscape features. Policy GP10 states that permission will only be granted for subdivision of existing garden areas or infilling where this would not be detrimental to the character and amenity of the local environment.

4.8 The gaps between the dwellings and their landscaping contribute to the appearance of this part of Bankside Close and the proposed development would result in the loss of this gap. The development would result in an element of

enclosure in this corner of the street, however it is not considered to result in harm to the appearance of the area, nor be unduly prominent. The proposed dwelling would be of a similar scale to the host dwelling and the design is considered to be in keeping with the buildings on Bankside Close. The proposed dwelling would be separated from the host dwelling by 4.8 metres. Nos 6, 8, and 10 Bankside Close are set in relatively generous plots however the rest of Bankside Close is more densely developed, the proposed development would reflect this pattern of development.

4.9 The proposed garage would fill the width of the part of the garden it is set within, although the visual impact is mitigated by it being set into the plot and set back from the forward building line. In addition the gap between the proposed garage and dwelling mitigates some of the built appearance. Whilst the door arrangement of the garage is unusual it is not considered to result in visual harm. Any change of use from that ancillary to the dwelling e.g. conversion to a dwelling would require planning permission.

4.10 There would be a relatively small increase in the hardstanding area to the front of the building. Whilst the hardstanding would increase the built appearance of the development it is not considered to cause sufficient harm to warrant refusal. In using the proposed materials the increase in the paved area could currently take place as permitted development. In addition the increase in the number of parking spaces is not considered to be a reason for refusal

IMPACT TO THE RESIDENTIAL AMENITY OF THE OCCUPANTS OF THE NEIGHBOURING DWELLINGS

4.11 The proposed dwelling would be approximately 21 metres from the rear elevation of 21 Riversvale Drive and 17m from its conservatory which is a later addition. The proposed dwelling would affect the outlook from the rear of no 21 Riversvale and to a lesser extent the bungalows to either side, however the removal of the proposed side extension to no.10 and the consequent 4.8m gap between the dwellings reduces the massing and relatively unbroken facade of the previous refused application. Overall the dwelling is not considered to have a harmful impact on neighbouring amenity by reason of loss of privacy, loss of outlook or an increased sense of enclosure.

4.12 The proposed garage would be constructed to the north of the 12 Bankside Close, the proposed garage would project further back from the rear elevation of 12 Bankside Close. Being to the north-east, the proposed garage is not considered to result in a loss of light to 12 Bankside Close. It would result in a small element of enclosure however it is not considered to result in harm to the residential amenity of the occupants of the dwelling. By virtue of its relationship to the neighbouring dwelling it is not considered to dominate their outlook or be overbearing.

OPEN SPACE PROVISION

4.13 Policy L1c 'Provision of New Open Space in Development' of the City of York Council Development Control Local Plan (2005) requires a commuted payment towards off site provision to meet the needs of future residents and the local community. At the time of writing a request was made to the applicant but no written confirmation has been received. Committee will be updated of any further correspondence regarding this matter.

SURFACE WATER DRAINAGE

4.14 Revised details of surface water drainage have been received proposing an attenuation tank to mitigate against the increased surface water run-off from the proposed new development. This is acceptable in principle and further details can be secured through an appropriate planning condition.

5.0 CONCLUSION

5.1 The proposed development of a detached two storey dwelling and detached garage for the above reasons is not considered to result in undue harm to the residential amenity of the occupants of the neighbouring dwellings nor cause harm to the appearance of the streetscene or the character of this suburban area. The proposal is considered to comply with local and national policy, and approval is recommended subject to the following conditions.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

Drawing Number H110/01 received 8 June 2012

Drawing Number H110/06 received 8 June 2012

Drawing Number H110/04 Revision A received 8 June 2012

Drawing Number H110/06 received 8 June 2012;

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

2 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the Local Planning Authority. The Open space shall thereafter

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be provided in accordance with the approved scheme or the alternatives arrangements agreed in writing by the Local Planning Authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1c of the Development Control Local Plan which requires that all new housing sites make provision for the open space needs of future occupiers.

INFORMATIVE:

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £2,836.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

3 TIME2 Development start within three years -

4 The materials to be used externally shall match those of the 10 Bankside Close in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

5 HWAY10 Vehicular areas surfaced, details reqd -

6 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), no extensions, garages or other garden buildings shall be erected or constructed to the northwest side of the existing dwelling at 10 Bankside Close.

Reason: In the interests of the visual amenities of the street scene the Local Planning Authority considers that it should exercise control over any future extensions or alterations 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.

7 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 Classes A, B, E, and F of Schedule 2 Part 1 of that Order shall not be erected or constructed to the new dwelling subject of this planning permission.

Reason: In the interests of the amenities of the adjoining residents, the appearance of the street scene and the pattern of surface water drainage the Local Planning Authority considers that it should exercise control over any future extensions or alterations 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.

8 DRAIN1 Drainage details to be agreed -

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

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 the residential amenity of the neighbours, the visual amenity of the dwellings and the locality, and highway safety. As such, the proposal complies with Policies GP1, GP10, GP15a, H4a, and L1c of the City of York Council Development Control Local Plan (2005); supplementary planning guidance in the Poppleton Village Design Statement (2003); and national planning guidance contained in the National Planning Policy Framework (2012).

2. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

3. INFORMATIVE:

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

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Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

4. INFORMATIVE:

You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

Contact details:

Author: Victoria Bell Development Management Officer

Tel No: 01904 551347

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12/00921/FUL

10 Bankside Close



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Scale : 1:1250

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	02 July 2012
SLA Number	Not Set

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COMMITTEE REPORT

Date: 12 July 2012 **Ward:** Acomb
Team: Householder and **Parish:** Acomb Planning Panel
 Small Scale Team

Reference: 12/01810/FUL
Application at: 10 Beech Grove York YO26 5LB
For: Single storey rear extension
By: Mr And Mrs Whaley
Application Type: Full Application
Target Date: 26 June 2012
Recommendation: Householder Approval

1.0 PROPOSAL

1.1 The application seeks permission for the erection of a single storey rear extension.

1.2 The application has been brought to committee as the applicant is a council employee.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175
City Boundary GMS Constraints: York City Boundary 0001
DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

3.1 External

Acomb Planning Panel - No comments received

Application Reference Number: 12/01810/FUL
Page 1 of 4

Item No: 5b

Neighbours - No comments received

4.0 APPRAISAL

4.1 Key Issues

- Design
- Impact upon neighbours amenity

4.2 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the NPPF.

4.3 The relevant City of York Council Local Plan Policies are H7 and GP1. Policy H7 'Residential Extensions' of the City of York Local Plan Deposit Draft sets out a list of design criteria against which proposals for house extensions are considered. The list includes the need to ensure that the design and scale are appropriate in relation to the main building; that proposals respect the character of the area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.4 Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.5 Advice contained within the National Planning Policy Framework, March 2012 states that 'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

4.6 The application site is a traditional semi-detached house located in a row of mixed house types along Beech Grove, Acomb. The scheme seeks permission for the erection of a single storey rear extension. The extension is relatively large measuring 4.5m in depth and approximately 4.9m wide. It would have an eaves of approximately 2.6m and would be constructed with a central ridge measuring approximately 3.8m high. It would be inset from the shared boundary by 0.5m

allowing for a replacement fence to be erected and the existing boundary hedge to be retained.

4.7 As stated the extension is relatively large. However, the inset from the boundary would allow some relief to the neighbours. Existing natural boundary treatment is to be retained and a new fence erected which would mask the majority of the extension. Furthermore, the pitch of the roof is low reducing the impact further. The orientation mean that the extension lies directly south of the adjoined neighbour. In addition the land to the rear sloped down from the rear elevation of the dwelling, but this is the same for the adjoined property. As such the extension has been slightly built up the rear section in order to create a level internal floor. This results in a higher rear elevation. However, it is considered that the boundary treatment would mask the majority of the extension and prevent any over-dominance.

4.8 There would be no detrimental impact upon the opposite neighbour due to the degree of separation and the presence of the existing garage along the boundary which masks the extension from view. Adequate amenity space would be retained within the site.

5.0 CONCLUSION

5.1 It is considered that the proposed extension would not have any detrimental impact upon the neighbours to a degree that would warrant a refusal. The design is considered acceptable and officers recommend approval.

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

Drawing numbers W12-01, W12-02 and W12-03 received 30th April 2012

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

3 VISQ1 Matching materials -

7.0 INFORMATIVES:

Notes to Applicant

1. Reason For Approval

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 effect on residential amenity and the impact on the streetscene. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

Contact details:

Author: Heather Fairy (Mon - Wed) Development Management Officer

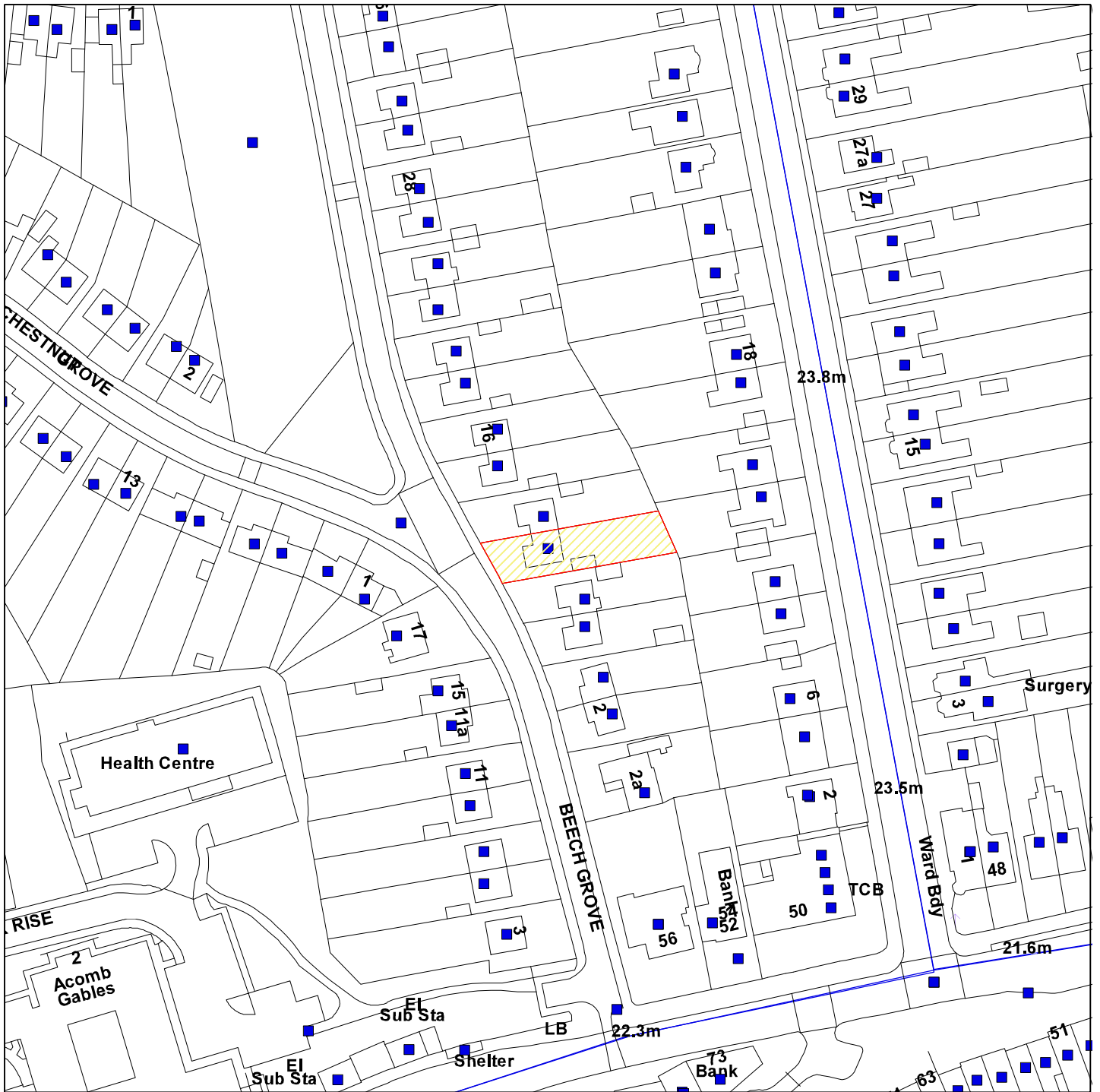
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12/01810/FUL

10 Beech Grove



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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	02 July 2012
SLA Number	Not Set

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West & City Centre Area Planning Sub-Committee

12th July 2012

Report of the Director of City Strategy

Enforcement Cases - Update

Summary

1. The purpose of this report is to provide Members with a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by this Sub-Committee.

Background

2. Members have received reports on the number of outstanding enforcement cases within the Sub-Committee area, on a quarterly basis, since July 1998, this report continues this process.
3. Some of these cases have been brought forward as the result of information supplied by residents and local organisations, and therefore “The annexes to this report are marked as exempt under Paragraph 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as this information, if disclosed to the public, would reveal that the Authority proposes to give, under any enactment a notice under or by virtue of which requirements are imposed on a person, or that the Authority proposes to make an order or direction under any enactment”.
4. In order to give Members an up to date report, the schedules attached have been prepared on the very latest day that they could be to be included in this report on this agenda.
5. Section 106 agreements are monitored by the Enforcement Team. A system has been set up to enable officers to monitor payments required under the agreement.

Current Position

6. 52 new cases were received for this area within the last 3 months. 53 cases were closed and 203 remain outstanding. There are 79 Section 106 Agreement cases outstanding for this area after the closure of 6 in the last 3 months. These closed cases brought in a total of £2302 of outstanding financial contributions required as part of approved developments in the west and centre area.
7. To update members on staffing levels in the team, Tim Goodall started work with us as a temporary full time enforcement officer on June 11th. This contract runs until the end of September when the position with the secondment of officers to Union facility time will either be renewed for a further period or will come to an end. In the meantime Tim will be covering enforcement cases across the city and it is expected that this will help reduce the number of outstanding cases in the west and centre area of the city.
8. We have served 1 Listed Building enforcement notice in the last quarter and there are currently two further cases which have authorisation for notices to be served and are currently with legal services for the notices to be drafted. There is also still one enforcement appeal against a Listed Building enforcement notice pending on Micklegate.

Consultation.

9. This is an information report for Members and therefore no consultation has taken place regarding the contents of the report.

Options

This is an information report for Members and therefore no specific options are provided to Members regarding the content of the report.

The Council Plan 2011-2015.

10. The Council priorities for Building strong Communities and Protecting the Environment are relevant to the Planning Enforcement function. In particular enhancing the public realm by helping to maintain and improve the quality of York's streets and public spaces is an important part of the overall Development Management function, of which planning enforcement is part of.

11. Implications

- **Financial** - *None*
- **Human Resources (HR)** - *None*
- **Equalities** - *None*
- **Legal** - *None*
- **Crime and Disorder** - *None*
- **Information Technology (IT)** - *None*
- **Property** - *None*
- **Other** - *None*

Risk Management

12. There are no known risks.

Recommendations

13. That members note the content of the report.

Officers do try to update the individual reports and cases when necessary but it is not always possible to keep up with these straight away. Therefore if members have any additional queries or questions about cases on this enforcement report then please e-mail or telephone Matthew Parkinson, Andy Blain or Tim Goodall by 5pm on Wednesday 11th July. Please note that the cases are now presented in Parish order so hopefully this will make it easier for members to reference cases in their respective areas.

Also, if members identify any cases which they consider are not now expedient to pursue and/or they consider could now be closed, giving reasons, then if they could advise officers either at the meeting or in writing, then that would be very helpful in reducing the number of outstanding cases.

Reason: To update Members on the number of outstanding enforcement cases within the Sub-Committees area.

Contact Details

Author:

Matthew Parkinson
Andy Blain
Planning Enforcement
Officers

**Chief Officer Responsible for the
report:**

Chief Officer's name
Michael Slater
*Assistant Director (Planning and
Sustainable Development)*

Dept Name City Strategy
Tel No. 551647/551314

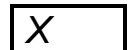
**Report
Approved**



Date 29/6/2012

Specialist Implications Officer(s)
None

Wards Affected: *All Wards in the West and City Centre
area*



For further information please contact the authors of this report

Background Papers:

Environment and Development Services Business Plan (2000/2001).

Report to Area Sub-Committee in July 2006 – Enforcement Cases
Update.

Annexes

Annex A - Enforcement Cases – Update (Confidential)

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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