

Meeting	Area Planning Sub-Committee
Date	14 April 2022
Present	Councillors Hollyer (Chair), Daubeney, Fisher, Galvin, Melly, Orrell, Waudby, Perrett and Webb
Apologies	Councillors Craghill and Crawshaw

63. Appointment of the Vice-Chair

In the absence of the Vice-Chair, Cllr Webb accepted the nomination to act as Vice-Chair for the meeting.

64. Declarations of Interest

Members were invited to declare, at this point in the meeting, any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests that they might have in the business on the agenda.

Cllr Waudby declared a personal, non-prejudicial interest in the item, as she recognised the applicant as an acquaintance of hers from when she used to work in a shop.

65. Minutes

Resolved: That the minutes of the Area Planning Sub-Committee meeting held on 16 February and 10 March 2022 be approved and then signed by the Chair as a correct record.

66. 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.

67. Plans List

Members considered a schedule of reports of the Development

Manager, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

**68. 20 Kerver Lane, Dunnington, York YO19 5SH
[21/02659/FUL]**

Members considered an application to demolish a 4m long rear conservatory and erect in its place a two storey extension.

The Development Manager gave a presentation and noted an error in the diagram which showed the side elevation of the existing conservatory in brick whereas it was, in fact, glazed.

Following a question from a Member regarding the presentation, the Officer confirmed that the proposed window on the side elevation was in a similar position to an existing window, it was therefore considered unreasonable to attempt to control that window.

Public Speakers

Edward Gallacher, the direct neighbour, spoke in objection to the application. He stated that there would be significant loss of amenity and that the plans were in breach of a number of planning regulations.

Cllr Jenny Brooks spoke in objection to the application on behalf of the Dunnington Parish Council. She raised concerns regarding the adverse effect on the enjoyment of the neighbouring property and highlighted the overbearing and dominant nature of the proposed extension.

In response to questions from Members she explained that she believed there were some inaccuracies regarding the tapering of the gap between the houses and the position of the wall. She confirmed that the Dunnington Neighbourhood Plan was advisory as it had not yet been adopted.

Cllr Mark Warters, the Ward Councillor, spoke in objection to the application and raised his concerns regarding the mass and scale of the planned extension and its impact on the neighbouring amenity.

In response to further questions from Members, the Development Manager noted the following:

- The General Permitted Development Order allowed for first floor side elevation windows within permitted development rights subject to requirements for fixed and glazed with obscured glass. He considered this policy to be sufficient in mitigating concerns regarding privacy between neighbouring properties.
- It was likely that the extension was not covered by permitted development rights due to the proximity to the boundary but he did not know for certain.
- The line drawn at a 45° angle should normally be taken from a rear facing window, in this case, the French door on the ground floor. Some weight should be given to the impact on the conservatory in the decision making process.

Following a debate, Cllr Webb moved to approve the application. This motion was seconded by Cllr Fisher. A vote was taken and Members voted unanimously to approve the application. It was therefore:

Resolved: That the application be APPROVED.

Reason: The development would not have a significant impact on the streetscene. It would bring two-storey development closer to the conservatory/rear garden of 22 Kerver Lane, however, it is not considered that the extent of the negative impact of this on the reasonable enjoyment of the home and garden would be such to justify refusal of the application. The proposal as revised would comply with the National Planning Policy Framework (2021), policy D11 of the Publication Draft Local Plan 2018 and advice contained within Supplementary Planning Document 'House Extensions and Alterations' (Dec. 2012).

Cllr Andrew Hollyer, Chair

[The meeting started at 4.30 pm and finished at 5.00 pm].

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