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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	27 FEBRUARY 2007
PRESENT	COUNCILLORS LIVESLEY (CHAIR), BARTLETT (VICE-CHAIR), SUE GALLOWAY, HORTON, MACDONALD, REID, SUNDERLAND AND B WATSON
APOLOGIES	COUNCILLOR SIMPSON-LAING

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## 69. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
66 Allerton Drive, York	As the application is recommended for approval and objections have been received	Councillors Livesley, Bartlett, Horton, Macdonald, Sunderland and B Watson
Dodsworth Hall, Millfield Lane, Nether Poppleton, York	As the application is recommended for approval and objections have been received	Councillors Livesley, Bartlett, Horton, Macdonald, Sunderland and B Watson

## 70. DECLARATIONS OF INTEREST

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

No interests were declared.

## 71. 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.

## 72. 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.

**72a 66 Allerton Drive, York (07/00151/FUL)**

Members considered a full application, submitted by Mrs S Jackson, for a two storey pitched roof side extension following demolition of the garage, a new sunroom to the rear and a porch at the front.

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

**REASON:** In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, the visual amenity of the dwelling and the locality. As such, the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan (2005); national planning guidance contained in Planning Policy Statement 1 "Delivering Sustainable Development"; and supplementary design guidance contained in the City of York's "A guide to extensions and alterations to private dwelling houses".

**72b 25 George Hudson Street, York (07/00042/FUL)**

It was reported that the application, for the removal of condition 6 of planning permission 04/02949/FUL (formation of 5 retail units and 32 short stay car parking spaces) to allow unrestricted use of the new ground floor car parking spaces, had been withdrawn.

**72c McMillans, 1 Rougier Street, York (07/00152/FUL)**

Members considered a full application, submitted by McMillan (York) Ltd., for the variation of condition 3 of application 04/01534/FUL to extend the hours of use of the pavement cafe as an outside smoking area until 02:00 Sunday to Thursday and 03:00 on Fridays and Saturdays (existing hours 11:00 to 20:00 on all days).

The case officer reported that no responses to the consultation had been received from neighbouring residents. He explained that pavement cafes required a highways licence and that this proposal may not comply with requirements for a licence, so the Council's Network Management section had requested that the application be deferred. He also reported that the Police Architectural Liaison Officer had no objections to the application but had requested that the seating be permanent and secured.

Representations were received in objection to the application, from Councillor Merrett, Micklegate Ward Councillor.

Members expressed a number of concerns about the application, relating to noise and disturbance, crime and disorder, and conflict with other users of the public footpath.

RESOLVED: That the application be refused.

- REASON:
- (i) It is considered that the proposed extension of the hours of use of the pavement café would be detrimental to the amenity of nearby residents by significantly increasing the potential for noise and nuisance as a result of customers and other members of the public gathering outside the premises late at night. Thus the proposal would conflict with Policy S6 of the City of York Draft Local Plan, which states that planning permission for the extension, alteration or development of premises for A3 uses (food and drink) will only be permitted in York City Centre if no unacceptable impact on the amenities of surrounding occupiers would result from traffic, noise, smell or litter.
  - (ii) It is considered that the proposal would significantly increase the potential for crime and anti-social behaviour as a result of the location of the site within the City of York Council's Cumulative Impact Zone, so designated due to the cumulative effect of the concentration of late night drink led refreshment and entertainment premises on crime and/or public nuisance affecting residents, visitors and other businesses in the area.
  - (iii) It is considered that the proposed extension of the hours of use of the pavement café would result in an unacceptable conflict with other users of the public footpath, given the location of the site in an area with a large concentration of clubs, bars, takeaways and other late night uses.

**72d Dodsworth Hall, Millfield Lane, Nether Poppleton, York (07/00088/FUL)**

Members considered a full application, submitted by Honeypots (Dodsworth Hall) Ltd., for a single storey rear extension and 4 no. Velux rooflights in the existing rear roof.

The case officer reported the details of an objection received from a neighbouring resident since the publication of the report.

Members requested the inclusion of an additional condition requiring a scheme to be agreed to accommodate and manage the dropping off and picking up of children, in the interests of highway safety and the free flow of traffic, and an informative asking that the Parish Council be consulted when the scheme was drawn up. They also requested an additional

condition requiring the railings at the rear of the property to be fixed and preventing a vehicle access being formed there, and an amendment to condition 3 to allow the rooflights to be opened for ventilation.

RESOLVED: That the application be approved, subject to the conditions listed in the report, with the following amended condition:

- (i) Condition 3 – “Notwithstanding the hereby approved details, the 4 rooflights in the rear roof slope of the property shall be glazed in obscure glass and their opening shall be restricted. The details regarding the restricted opening of these rooflights and their obscure glazing shall be submitted to the Council in writing prior to the development hereby permitted coming into use and shall thereafter be so retained.

Reason: To protect the residential amenity of surrounding neighbours.”

And the following additional conditions and informative:

- (i) Condition – “Prior to the hereby approved use first coming into operation, details shall be submitted to and approved in writing by the Council of surfacing provision for pedestrian access to and from Dodsworth Hall and also a scheme for the management of 'dropping off' and 'picking up' of children/employees/etc from the Hall. The approved schemes shall thereafter be so retained.

Reason: In the interests of highway safety and the free flow of traffic.”

- (ii) Condition – “The metal railings indicated to either side of the front of Dodsworth Hall (Drawing nr. 07:02:01 - Revision A) shall be permanently fixed. In addition no vehicular access shall be formed to allow vehicular movements to the rear of the Hall.

Reason: To prevent vehicular access to the side/rear of Dodsworth Hall which would have a detrimental impact upon adjacent neighbours amenity.”

- (iii) Informative – “You are advised to contact the Nether Poppleton Parish Council to discuss the conditioned scheme for the 'dropping off/picking up' of children/ employees/persons from the Dodsworth Hall. Concern was raised at the Council’s Planning Sub-Committee (27/2) that the character of the area would be detrimentally affected by such activities and measures taken to accommodate them.

The address for the Nether Poppleton Parish Clerk is:-

Mr B Mackman  
Chawton Cottage  
22a Long Ridge Lane  
Nether Poppleton  
York  
YO26 6LX”

REASON:

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to amenity of neighbouring dwellings and impact upon the area. As such the proposal complies with Policies CYGP1 and GP11 of the City of York Local Plan Deposit Draft.

COUNCILLOR D LIVESLEY

CHAIR

The meeting started at 12.00 pm and finished at 1.45 pm.

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