



Notice of a public meeting of

East Area Planning Sub-Committee

To: Councillors Galvin (Chair), Douglas (Vice-Chair), Fitzpatrick, Funnell, King, McIlveen, Cuthbertson, Watson, Firth and Warters

Date: Thursday, 7 March 2013

Time: 2.00 pm

Venue: The Guildhall, York

AGENDA

Members are advised to note that if they are planning to make their own way to the Site Visits to let Judith Betts know by **5pm** on **Tuesday 5 March 2013** on **(01904) 551078**.

1. **Declarations of Interest**

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. **Minutes**

(Pages 4 - 15)

To approve and sign the minutes of the last meeting of the Sub-Committee held on 7 February 2013.

3. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Sub-Committee's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is **Wednesday 6 March 2013 at 5.00 pm.**

4. Plans List

To determine the following planning applications related to the East Area.

**a) 305 Hull Road, Osbaldwick, York. YO10 3LU (Pages 16 - 24)
(12/03560/FUL)**

Erection of triple garage with storage space above (resubmission). [Osbaldwick] **[Site Visit]**

**b) 96 Dodsworth Avenue, York. YO31 8UD (Pages 25 - 29)
(13/00001/FUL)**

Installation of an air source heat pump. [Heworth]

**c) 10 Wensleydale Drive, Osbaldwick, York. (Pages 30 - 41)
YO10 3PH (13/00171/FUL)**

Change of use from dwelling house (Use Class C3) to house in multiple occupation (Use Class C4). [Osbaldwick] **[Site Visit]**

**d) 26 Granville Terrace, York. YO10 3DY (Pages 42 - 46)
(13/00233/FUL)**

Installation of thermal insulation cladding to external walls. [Hull Road]

5. Urgent Business

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

Democracy Officer:

Name- Judith Betts

Telephone – 01904 551078

E-mail- judith.betts@york.gov.uk

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

- Registering to speak
- Business on the agenda
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Contact details are set out above.

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Scrutiny Committees

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- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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EAST AREA PLANNING SUB COMMITTEE

SITE VISITS

Wednesday 6 March 2013

**Members of the Sub Committee to meet at Union Terrace Car Park
at 10.00 am.**

TIME (Approx)	SITE	ITEM
10:10	305 Hull Road	4a)
10:35	10 Wensleydale Drive	4c)

City of York Council

Committee Minutes

MEETING EAST AREA PLANNING SUB-COMMITTEE

DATE 7 FEBRUARY 2013

PRESENT COUNCILLORS DOUGLAS (VICE-CHAIR), GALVIN (CHAIR), KING, MCILVEEN, CUTHBERTSON, WATSON, FIRTH, WARTERS, BOYCE (SUBSTITUTE FOR COUNCILLOR FUNNELL) AND HORTON (SUBSTITUTE FOR COUNCILLOR FITZPATRICK)

APOLOGIES COUNCILLORS FUNNELL & FITZPATRICK

Site Visited	Attended by	Reason for Visit
Country Park House, Pottery Lane, Strensall	Cuthbertson, Firth, Galvin, McIlveen, Watson	To inspect the site.
Agricultural Land to the East of Gardenia, Malton Road	Cuthbertson, Firth, Galvin, McIlveen, Warters and Watson	To inspect the site.
Cedar Croft, 4 Hull Road, Kexby	Cuthbertson, Firth, Galvin, McIlveen, Warters and Watson	For Members to understand the objections received in the context of the site.
18 Alma Grove	Cuthbertson, Firth, Galvin, McIlveen, Warters and Watson	To inspect the site.

48. DECLARATIONS OF INTEREST

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

Councillor Cuthbertson declared a personal non prejudicial interest in Agenda Item 4b) (Health Centre, 1 North Lane, Huntington) as he was registered with the Haxby and Wigginton

practice which also operated the health centre under consideration. He explained that he did not use the practice's health centre in Huntington.

No other interests were declared.

49. MINUTES

RESOLVED: That the minutes of the East Area Planning Sub-Committee held on 3 January 2013 be approved and signed by the Chair as a correct record.

50. 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 Committee.

51. 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 view of consultees and Officers.

51a 18 Alma Grove, York. YO10 4DH (12/03547/FUL)

Members considered a full application by Mrs Dorothy Evans for a single storey rear extension.

Representations in objection to the application were received from Muriel Oates, a next door neighbour. She told Members that the proposed extension was too large and extended for the entire length of her back yard, leading to a large amount of overshadowing and an increased feeling of enclosure. She added that improvements could be made by shortening the length of the extension and lowering the height of the roof. Members stated that the height and proximity of the extension to the neighbouring property was intrusive and so felt that planning permission should not be granted.

RESOLVED: That the application be refused.

REASON: It is considered that the proposed extension would detract from the standard of amenity that the occupiers of the adjacent dwelling at 17 Alma Grove, in particular its small rear yard, could reasonably expect to enjoy by virtue of its excessive size, scale and proximity to the boundary, and the loss of light, overshadowing and unduly oppressive and overbearing impact that would result. As such, the proposal would conflict with Government advice contained within paragraph 17 (bullet point 4) of the National Planning Policy Framework which states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings, and Policies GP1 (i) and H7 (d) of the City of York Draft Local Plan (2005).

51b Health Centre, 1 North Lane, Huntington, York. YO32 9RU (12/03081/FUL)

Members considered a full application by Mr J McEvoy for alterations and extensions of existing GP surgery to provide additional consulting, treatment and administration rooms and a dispensing pharmacy following demolition of existing dwelling (3 North Lane) and erection of cycle storage, new car park and improved vehicular access.

In their update to Members, Officers reported that a lease had been signed between the Health Centre and the Sports and Social club to allow patient and staff car parking to occur at the club. However, the agreement had yet to be finalised although it was understood that the Parish Council had no objections to the sub lease, this needed to be confirmed formally. Officers added that if Members were minded to approve the application that authority be delegated to Officers to issue the decision once all legal formalities were concluded. They added in response to comments received, that all documentation associated with the application had stated that the application included a dispensing pharmacy.

Furthermore, this was considered to be ancillary to the principal use of the building as a Health Centre. In their opinion the pharmacy could not be reasonably considered as being a separate use as its main function would be to dispense prescriptions prescribed at the health centre. It was also considered that the scale of the pharmacy was small and therefore would only form a small part of the overall scheme.

They also informed the Committee that the Council's Highways Department had no problem regarding deliveries to the pharmacy as the potential effect on traffic would be intermittent and short lived, that delivery vehicles would be able to park in the car park and therefore would cause minimal disruption to the free flow of traffic.

Representations in objection were received from Bill Kochhar, a local pharmacist. He made reference to two emails that had been circulated to Members both prior to and at the meeting. These were attached to the agenda, which was subsequently republished after the meeting. He highlighted to Members that the proposed demolition of the bungalow at 3 North Lane, in order to extend the Health Centre would deplete existing housing stock in the city. He also expressed further concerns that the narrow walkway between the social club and the surgery was unsafe and questioned where patients would park after 6.30 pm.

Members asked if the social club wanted to develop the parking space offered to the health centre if they could do. Officers responded that as the lease could not be controlled by a planning condition it would not be possible to place further restrictions on the social club.

Further representations were received in objection from Ian Domville. He spoke about the government policy of 100 hour pharmacy contracts awarded by the NHS. He reported that this policy had been withdrawn. He therefore questioned why the proposed pharmacy would be operating for 100 hours.

Some Members noted that there had been no indication as to the opening hours of the surgery and asked whether the surgery building would have to be open in order to access the pharmacy. Officers responded that the potential existed to shut one area of the building but that both parts of the facility would use the same entrance.

Additional representations in objection were received from Dominic Page, a local pharmacist's agent. He felt that the 100 hours of operation for the pharmacy was excessive in a residential area, in that it would lead to an increase in traffic and noise at night. He also felt that the identification of the pharmacy as ancillary to the surgery was incorrect as it could be accessed independently of the surgery building.

Representations were received from the applicant, John McEvoy. He explained to Members that the ancillary pharmacy would not have a negative impact commercially on other pharmacies because the nearest chemists to it were closed at lunchtimes. He added that a robust agreement had been signed with the Sports club to address parking concerns, and that this would be in effect over 38 years and that the Health Centre would pay £2000 a year to the club for the provision of parking for its patients.

Members asked the applicant a number of questions including;

- What alternative arrangements were available to patients if the pharmacy did not open?
- If the pharmacy could operate for less than 100 hours according to government legislation?
- If the pharmacy could not open for the same amount of time as the GP surgery?

The applicant explained to the Committee that patients would have to travel out of the area if the pharmacy on site did not open. In response to the two questions about times of operation of the two facilities, the applicant explained that they were advised by the local NHS that in order to extend their opening hours they had to be granted a 100 hour contract. In addition, it was reported that proposed government policies would extend GP opening hours, and therefore the extended time of operation of the pharmacy would reflect this.

Members felt that their previous concerns regarding the application had been satisfactorily addressed.

RESOLVED: That the application be approved and authority be delegated to Officers to issue planning consent once legal formalities in relation to additional parking at the Health Centre are concluded.

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

- Principle of Development
- Design and Visual Impact
- Car and Cycle Parking
- Neighbouring Amenity

As such the proposal complies with Policies GP1, H9, C1 and T4 of the City of York Development Control Local Plan.

**51c Country Park, Pottery Lane, Strensall, York. YO32 5TJ
(12/03229/FUL)**

Members considered a full application by Miss Raquel Nelson for the retention of an existing building and the installation of a non mains drainage system.

In their update to Members Officers stated that a response had been received from the Environment Agency who did not object to the proposal. It was also noted that the applicant had received discharge consent to a water course in relation to the proposed package treatment plant.

Members were also informed that objections had been received from a local resident and Strensall Parish Council. These objections related to the impact of the outfall from the beck onto the local surface water drainage pattern, the capacity of the treatment plant and the size of the proposed amenity building.

Officers suggested that if Members were minded to approve the application that an informative be added, that approval should be sought from the Foss Internal Drainage Board if there were any material increases in discharges from the site to the adjacent water course.

Representations in objection were received from John Chapman of Strensall Parish Council.

He raised concerns over the use of the amenity block as an office all year round, the location of the chemical toilet bins on the site and foul drainage discharge into the adjacent stream.

Officers confirmed that the caravan site and the office building would be open for 10 months of the year, but that the office would be open for all year round to take bookings. In response to a Member's suggestion to condition the hours of use of the office building to 9-5, Officers suggested that this condition would only be viable if the Committee could demonstrate that there would be harm caused by the use of the building outside of these hours.

Representations in support were received from Alistair Dalton, the applicant's Drainage Consultant. He informed Members that the drainage system had been designed in accordance with guidelines received from the Environment Agency. He confirmed that there would be no increase in foul drainage into existing watercourses.

Further representations were received from Councillor Wiseman, who had called in the application for consideration by the Committee. She questioned how the proposed drainage system would work, and how the site would operate successfully with an increase in touring caravans if the amenity building was reduced in size. In her opinion, although the Environment Agency had granted consent for a package treatment plant, they were solely concerned about drainage issues rather than the discharge of foul water into the watercourse. She also felt that the change of use for the amenity block into an office building constituted inappropriate development in the Green Belt.

In response to concerns raised by the speakers Officers advised that there was no stipulation as to the standard of amenity provision that was required, and this was largely a commercial consideration.

Regarding the discharge of water from the site, it was noted that following a previous application, the Foss Internal Drainage Board had suggested the use of a package treatment plant, which the applicant was now proposing.

RESOLVED: That the application be approved.

REASON: In the opinion of the Local Planning Authority 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 upon the open character and purposes of designation of the Green Belt and impact upon the local surface water drainage pattern. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GB1, V5 and GP15a) of the City of York Development Control Local Plan and Central Government advice contained within paragraphs 79 - 92 of the National Planning Policy Framework.

**51d Cedar Croft, 4 Hull Road, Kexby, York. YO41 5LA
(12/03487/FUL)**

Members considered a full application by Mr and Mrs Ward for the conversion of a workshop including alterations to the roof and an extension to the side to create a holiday cottage (Use Class C1) and the erection of double garage and stable.

In their update Officers informed Members that there was an error in the report in relation Paragraph 4.12. It should have referred to the speed limit on the section of the A1079 Hull Road from where the site is accessed as being at 40 mph, rather than 60 mph.

Representations in support were received from the applicant, Jennifer Ward. She gave background to the Committee about the history of the use of the adjoining paddock. It was reported that the hardstanding which had been previously placed on the land when it had been used by caravans would be removed and returned to grass.

In addition, it was confirmed that the application would have a fence alongside its boundary for security purposes.

RESOLVED: That the application be approved.

REASON: In the opinion of the Local Planning Authority, the proposal, subject to the conditions listed in the Officer's report, would not cause undue

harm to interests of acknowledged importance, with particular reference to:

- Principle of Development in the Green Belt
- Impact on the Green Belt
- Highway Safety

As such the proposal complies with Policies GB1, GB3 and GB4 of the City of York Development Control Local Plan.

51e Agricultural Building Lying to the East of Gardenia, Malton Road, Stockton on the Forest, York. (12/01667/FULM)

Members considered a major full application by Mr Ian Parker for the retention of unit 1 as a car wash, retention of units 3-12 incl. 13 to 16 inc. and unit 18 for B2/B8 industrial/storage use, retention of units 20-34 for B8 storage use. Demolition and replacement of existing building for B2/B8 use (part retrospective unit 19), retention and provision of car parking to serve the site and provision of area for external storage of agricultural equipment.

In their update Officers reported that an amendment needed to be made to Paragraph 4.30 of the Officer's report because the site was not on mains drainage for foul sewage but was served via septic tanks. They also reported that a plan had been submitted by the applicant which showed the position of soakaways which would take surface water from the buildings and hard areas to distribute the water on to the adjacent field, which was within the applicant's ownership. It was noted that this arrangement had previously been used when the site had been under agricultural use. The plan would also mean that if the application was approved that no additional drainage conditions would need to be added to permission.

Officers also informed the Committee that in their view the proposal was appropriate within the green belt as for the most part it related to the re-use and conversion of existing buildings.

It was also recommended that further amendments be made to conditions on landscaping, parking and the removal of all materials and hardstanding. They also added that if Members were minded to approve the application that conditions be added in relation to the car parking layout, the storage of

agricultural machinery and the use of the site and deliveries to the site.

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

2. Within 3 months of the date of this permission there shall be submitted in writing to the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs on the northern, southern and eastern boundaries within the site area. This scheme shall be implemented within the first planting season following the approval of the scheme.

Any trees or plants which within a period of five years from the completion of the development die, or are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing with the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site to enhance the setting of the buildings in this Green Belt location.

3. Within 3 months of the date of this permission the car park layout shown on drawing no, PAR-251-02 10 rev B shall be implemented to the satisfaction of the Local Planning Authority and thereafter there shall be no parking of vehicles anywhere else within the site without the prior written approval of the Local Planning Authority.

Reason: To ensure the adequate provision of car parking facilities for each unit within the site and to protect the visual amenity of the Green Belt.

4. Within 3 months of the date of this permission all materials and hardstanding located in the area edged blue to the east of the application site shown on the attached plan shall be removed to the satisfaction of the Local Planning Authority and the land thereafter be kept clear of all materials associated with the approved use on the application site.

Reason: The land is a relatively open area of Green Belt, and its use for industrial storage is considered to be inappropriate and detrimental to visual amenity of the area.

9. Areas of existing car parking to be removed as part of the car parking layout shall be treated in accordance with a scheme and within a time scale to be submitted and agreed by the Local Planning Authority in writing within three months of the date of this permission.

Reason: In order to protect the visual amenity of the Green Belt.

10. The area shown for the storage of agricultural machinery and equipment on the approved plan and identified in green on the attached plan shall only be used for the storage of agricultural machinery in association with the applicant's agricultural activities and for no other purpose.

Reason: In the interest of the visual amenity of the Green Belt.

11. The use hereby permitted shall be restricted to 07:00 to 21:00

Reason: To protect the amenity of neighbouring residents.

12. All deliveries to and from the site shall be confined to the following hours:

Monday- Sunday 7:00 am to 21:00

Reason: In the interests of the amenity of adjacent residential properties.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the Officer's report, would not cause undue harm to interests of acknowledged importance, with particular reference to the principle of the development including the consideration of the appropriateness of the development in the Green Belt having regard to openness and the purposes of including land within the Green Belt design and landscape, highways and parking arrangements, sustainability, drainage and flooding, contamination and residential amenity. As such the proposal complies with Policy YH9 and Y1C of the Yorkshire and Humber Plan, policies GB3 and GP1 of the City of York Development Control Local Plan and Government policy contained within paragraphs 79-92 of the National Planning Policy Framework.

Councillor J Galvin, Chair

[The meeting started at 2.00 pm and finished at 3.50 pm].

Planning History

1.6 In November 2012 (12/2932) planning permission was granted for a detached dormer bungalow within the same garden - this is to be located adjacent to 54 Thirkleby Way. In assessing this application it is assumed that the planning permission will be implemented.

1.7 In October 2012 a planning application for a triple garage with living accommodation above was withdrawn (12/02932).

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYH7
Residential extensions

CYGP1
Design

3.0 CONSULTATIONS

3.1 Internal

None consulted.

3.2 External

Parish Council - Object to the application. Feel that the size is too large and that if it is approved the garage will be extended further.

Neighbours

Objections were received from the occupiers of 54, 56 and 58 Thirkleby Way. The concerns raised were:

The large tall structure is out of scale with the area.

Concerned that the upper floor will become a flat or a House in Multiple Occupation.

The proposal will lead to the loss of light to the adjacent bungalow and possible damage to boundary fencing and vegetation.

4.0 APPRAISAL

4.1 The key issues in assessing the proposal are:

The impact on residential amenity
The impact on the streetscene.
Possible use as a detached dwelling.
Parking and highway safety.

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. The framework 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. One of 12 principles set out in paragraph 17 is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.3 Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible. The NPPF states that there are three dimensions to sustainable development - an economic role, a social role and an environmental role. In considering proposals for new or improved residential accommodation, the benefits from meeting people's housing needs and promoting the economy will be balanced against any negative impacts on the environment and neighbours' living conditions.

4.4 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 content of the NPPF.

4.5 There are no site specific policies or proposals relevant to the site in the Local Plan.

4.6 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 and alterations 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.

4.7 Local Plan Policy GP1 'Design' states that development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, and mass and design that is compatible with neighbouring buildings, spaces and vegetation. The design of any extensions should ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

Impact on residential amenity

4.8 It is considered that the main neighbour impacted upon by the proposal is number 56. This property has been visited internally. The garage is located on land around 35cm higher than number 56. There is a square bay on the side elevation facing the site of the new garage. This contains a glazed door. The space is used as a lobby area/circulation space with a staircase leading to the bedroom in the roof space. It is understood from the occupier that this is used as a sitting area. Despite its use it is not considered that it is a main habitable room. The taller and deeper garage will lead to a loss of some outlook, however the level of use of the space is not considered to be so significant that the impact merits refusal. Because the opening is in the form of a bay it does allow an outlook to the front and rear as well as the side. Number 56 contains two reception rooms on the ground floor along with a bedroom.

4.9 It is not considered that the proposed rooflights in the garage will allow significant overlooking.

Impact on the streetscene

4.10 The street is made up of post-war dormer bungalows; most have pyramidal roofs, though two nearby bungalows have a gable roof form.

4.11 The garage is a relatively large structure and is similar to the scale of nearby bungalows. It is the case, however, that the host property is very large and the proposed garage is clearly located within its garden. In this context the garage would appear subservient in respect to the height and footprint of this property. Part of the garage is close to the boundary with number 56; however, because of a slight 'dog leg' in the garden it will not appear unduly cramped in respect to the side garden boundary when viewed from the street. Because of the absence of glazing on the front elevation, the structure will 'read' as a garage serving 305 Hull Road rather than a new dwelling. The steep roof pitch is well related to the roof pitch of the host dwelling.

4.12 The rear elevation of the application property, though prominent, does not make a significant positive contribution to the appearance of the street. In assessing the merits of the proposed garage regard should be given to the fact that if the structure had a flat roof that did not exceed 2.5m in height it would not typically require consent. Pitched roof detached buildings in rear gardens that are more than 2m from the garden boundary also do not normally require planning permission providing the ridge does not exceed 4m high.

4.13 It is noted that planning consent has recently been granted for a detached dormer bungalow at the opposite side of the rear garden. It is considered that there is adequate separation between the two to avoid the site appearing over-developed.

Possible use as a detached dwelling.

4.14 The scale and shape of the building is similar to nearby bungalows. It should be considered whether it would be reasonable and necessary to impose planning conditions preventing its conversion to habitable accommodation. On balance, it is considered that the insertion of windows in the front elevation would be detrimental to the streetscene given that the structure reads as an ancillary store/garage in relation to the main house. If it had the fenestration of a dwelling it is considered that it could appear visually cramped in respect to the setting of the main house. It is not considered unreasonable to include glazing in the ground floor 'rear' elevation or 'rear' roof slope given that they are not visible from Thirkleby Way.

4.15 If approved the structure (like most other domestic outbuildings in the city) could be converted to sleeping accommodation providing it is not self-contained and remains ancillary to the main house. Planning permission would be required to create a self-contained or separate dwelling. As the property has additional off-street car parking accessible from Hull Road and space to erect a small store for cycles it is not considered reasonable to require that the property cannot be used as ancillary sleeping accommodation. It should be noted that planning permission would be required to use the garage and or original dwelling as a House in Multiple Occupation (use class C4).

4.16 The applicants have agreed to a condition that no additional openings are created in the roof or front and side elevations of the garage. They have also agreed to a condition that no additional outbuildings are erected between the house and Thirkleby Way. It should be noted that conditions are in place removing rights to erect extensions on the approved new dwelling in the garden and also to restrict development on the proposed paved areas to the front of the proposed dwelling.

Parking and highway safety.

4.17 Thirkleby Way is not a heavily used route. The use should not generate additional traffic. There are existing vehicular accesses serving the property.

Planning permission is not typically required to create or widen a vehicle access to a non-classified highway such as Thirkleby Way.

5.0 CONCLUSION

5.1 The garage is a large structure in itself; however, it is small in scale in relation to the main house and its large garden. In design terms it is considered that it is logical that it should relate to the host dwelling. Although the scale is similar to nearby buildings the form is different and there are only access doors on the front elevation.

5.2 Neighbours' concerns that the building will be used as a flat are noted, however, planning permission would be required to use the building as self-contained accommodation. Planning permission would also be required to use the property as a House in Multiple Occupation.

5.3 The applicant has agreed to conditions restricting many external changes to the building and preventing the erection of further outbuildings in the front garden should the consent be implemented.

5.4 It is recommended that the application is approved subject to the conditions below.

COMMITTEE TO VISIT

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:-

Garage plan D/44-PL-104A received on 7 December 2012.

Layout Plan D/44-PL-25A received on 11 December 2012.

Elevation drawing D/44-PL-105B received on 16 January 2013.

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

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

The development shall be carried out using the approved materials.

Application Reference Number: 12/03560/FUL

Item No: 4a

Reason: So as to achieve a visually cohesive appearance.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) no windows or other openings shall be created in the roof of the building, side elevations of the building or elevation facing Thirkleby Way other than those shown on the approved plans.

Reason: To protect the amenity of adjacent occupiers and the appearance of the street.

5 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), prior to the completion of the building approved by this consent no development of the type described in Class E of Schedule 2 Part 1 of that Order (outbuildings etc) shall be commenced between the front of the main house (305 Hull Road) and 54 Thirkleby Way and following the completion of the building no development of the type described in Class E of Schedule 2 Part 1 of that Order shall be erected between the front of the main house and 54 Thirkleby Way.

Reason: To avoid the application site appearing over-developed it is considered reasonable to remove permitted development rights for the erection of further outbuildings.

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), the outbuilding shall be constructed as approved and thereafter shall not be extended.

Reason: To avoid the application site appearing over-developed it is considered reasonable to remove permitted development rights for the extension of the building.

7 Notwithstanding the information contained on the approved plans, the ridge height of the approved development shall not exceed the ridge height of 56 Thirkleby Way.

Reason: To ensure that the approved development does not have an adverse impact on the character of the surrounding area.

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

2. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve an acceptable outcome:

The design was amended to remove the first floor flat and conditions included to avoid overdevelopment of the rear garden.

Contact details:

Author: Neil Massey Development Management Officer (Wed/Thurs/Fri)

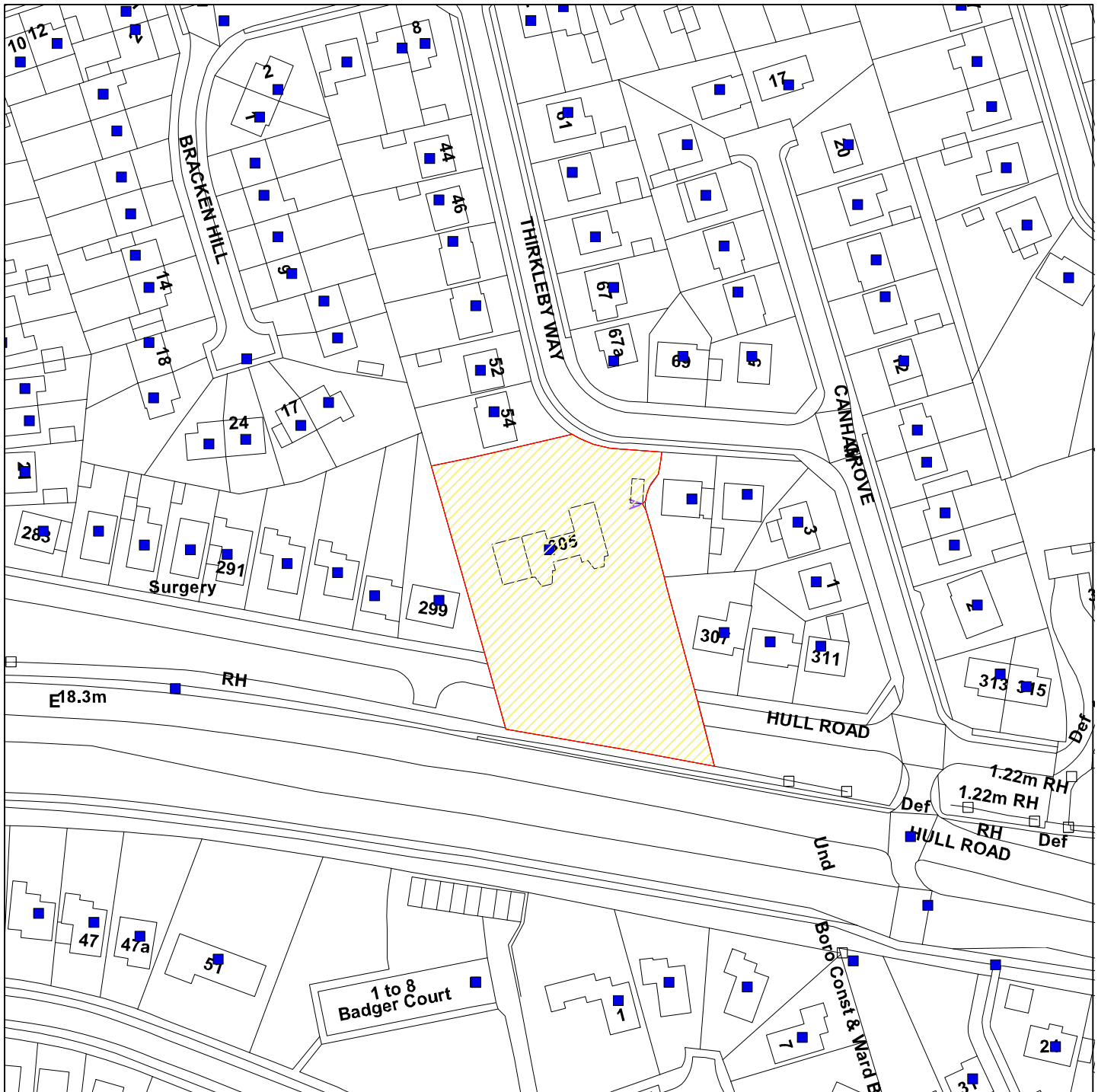
Tel No: 01904 551352

12/03560/FUL

305 Hull Road



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Scale : 1:1250

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	25 February 2013
SLA Number	Not Set

COMMITTEE REPORT

Date: 7 March 2013
Team: Householder and Small Scale Team
Ward: Heworth
Parish: Heworth Planning Panel

Reference: 13/00001/FUL
Application at: 96 Dodsworth Avenue York YO31 8UD
For: Installation of an air source heat pump
By: Mr Tom Shepherd
Application Type: Full Application
Target Date: 28 February 2013
Recommendation: Recommendation Pending

1.0 PROPOSAL

1.1 The application property is a mid-terraced house located on a main suburban thoroughfare. It is intended to erect an air source heat pump to the rear of the house. The external apparatus will be located at ground floor level and is approximately 1 metre wide by 1 metre high.

1.2 An air source heat pump is a heating system that extracts heat from the outside air, raises the heat to a higher temperature and then distributes warmth around the home. Subject to the nature of heating systems used in the house it can significantly reduce CO2 emissions.

1.3 Air source heat pumps require planning permission at domestic properties when their noise level exceeds standards set out in Planning Standard MCS 020. In assessing compliance, regard is given to the distance to neighbouring habitable room windows and the existence of any solid barriers between the pump and nearby windows.

1.4 As the first floor habitable room windows of neighbouring properties (numbers 94 and 98) are relatively close to the location of the pump and the existing garden fences do not provide a barrier, the applicant calculated that the decibel level reaching the windows would slightly exceed the acceptable threshold for permitted development. As such planning permission is required.

1.5 The application is brought to committee as the applicant's partner works for the City of York Council.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001
DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYGP5
Renewable energy

3.0 CONSULTATIONS

3.1 Internal

Environmental Protection Unit:

Inadequate information has been provided to assess the noise impact of the proposal. Further information is being sought from the applicant.

3.2 External

Planning Panel - No objections.

Neighbours - No comments received.

4.0 APPRAISAL

4.1 The only issue to assess when considering the application is whether noise from the operation of the heat pump would cause unacceptable harm to the living conditions of neighbours.

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. One of 12 principles set out in paragraph 17 is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 123 states that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

4.3 The NPPF supports the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. Paragraph 98 states that when determining planning applications, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. They should approve the application if its impacts are (or can be made) acceptable.

4.4 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 content of the NPPF. Local Plan Policy GP1 'Design' states, inter alia, that development proposals should ensure that residents living nearby are not unduly affected by noise.

4.5 Policy GP5 recognises that the development of renewable energy will make a vital contribution to the reduction of carbon dioxide emissions, facilitating the delivery of the Government's commitment on climate change. Proposals for the development of renewable energy facilities will therefore be encouraged provided there is no significant adverse effect on the existing landscape, air quality, biodiversity,) water resources, agricultural land (defined as grades 1, 2 or 3a) or sites of archaeological or historic importance.

4.6 Officers from the Council's Environmental Protection Unit have stated that the information initially submitted by the applicant is insufficient to adequately assess whether the proposal will have an unacceptable impact on adjacent occupiers in terms of noise. The applicant has stated that he will provide further information and evidence to the Council to allow the noise impact of the pump to be properly assessed. This should be available in advance of the committee meeting and Members will be updated of the results.

5.0 CONCLUSION

5.1 The air source heat pump is a physically small piece of apparatus and will be located against the ground floor rear elevation of the terraced house.

5.2 A recommendation on the application can not be made until more detailed information is received in respect to its noise impact. It is anticipated that this will be received in advance of the Committee and the Officer recommendation, along with any conditions, will be updated at the meeting.

6.0 RECOMMENDATION: Recommendation Pending

7.0 INFORMATIVES:

Contact details:

Author: Neil Massey Development Management Officer (Wed/Thurs/Fri)

Tel No: 01904 551352

13/00001/FUL

96 Dodsworth Avenue



Scale : 1:1250

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	25 February 2013
SLA Number	Not Set

COMMITTEE REPORT

Date: 7 March 2013 **Ward:** Osbaldwick
Team: Householder and **Parish:** Osbaldwick Parish
 Small Scale Team Council

Reference: 13/00171/FUL
Application at: 10 Wensleydale Drive Osbaldwick York YO10 3PH
For: Change of use from dwelling house (Use Class C3) to house in multiple occupation (Use Class C4)
By: Mrs Heather Richardson
Application Type: Full Application
Target Date: 28 March 2013
Recommendation: Approve

1.0 PROPOSAL

THE APPLICATION SITE:

1.1 The application site is a semi-detached two storey dwelling which has been previously extended at two storey height to the side elevation up to the joint boundary with 12 Wensleydale Drive, to provide an integral garage with bedroom above. In addition there is a single storey extension to the rear of the two storey element which currently provides a utility area and study. The dwelling is set back from the public highway, located within a residential cul-de-sac. The outside area comprises of an open plan frontage with some domestic planting, including a driveway and enclosed garden areas to the rear of the property.

THE PROPOSAL:

1.2 This application seeks planning permission to convert the existing use as a dwelling (Use Class C3) to a house in multiple occupation (HMO) (Use Class C4) for six individual occupants. The internal layout of the dwelling would provide four bedrooms at first floor and two bedrooms at ground floor following a sub-division of the lounge area and conversion of the existing study into a bedroom. One of the bedrooms would benefit from an existing en-suite shower room. In addition there would be a house bathroom on the first floor and an additional shower room on the ground floor.

PROPERTY HISTORY:

1.3 Outline planning application for the construction of 74 dwellings (ref: 3/100/157B/PA) approved 02.08.1982

Two storey side and single storey rear extension (ref: 01/02018/FUL approved 31.08.2001 and ref: 02/00982/FUL approved 19.07.2002).

OTHER DOCUMENTATION:

1.4 Design and Access Statement detailing the application site and the proposal.

1.5 A Flood Risk Assessment confirming the site is not within a high risk flood zone.

AREA HISTORY:

1.6 There are currently two other properties with a Class C4 (HMO) status within 100 metres of the site known to the planning authority through assessment of the current 2012/13 Council Tax records. These properties are 10 and 18 Wensleydale Drive.

FOR INFORMATION:

1.7 This application has been called in to the East Area Planning Sub Committee by Councillor Mark Warters on the basis of neighbour amenity issues.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001
DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

CYH8
Conversion to flats/HMO/student accom

3.0 CONSULTATIONS

INTERNAL:

3.1 Integrated Strategy Unit:

10 Wensleydale Drive falls within a neighbourhood area where 6.4% of properties are shared houses. Within 100m of the property, 5.9% are shared houses. As such, in accordance with the provisions of the Draft HMO SPD the neighbourhood and street level threshold have not been breached and further change of use to HMO is likely to be acceptable. Albeit an assessment of residential amenity (bin storage, parking etc.) and the ability of the area to absorb further change of use should also be undertaken.

EXTERNAL:

3.2 Osbaldwick Parish Council:

- (i) Parish Council maintain long standing objection to any further loss of family homes to the student let market
- (ii) Location of proposed HMO as adjoining semi-detached at no 8 is a rental property, is not suitable & will potentially have greater impacts on neighbouring amenity in terms of noise, disruption, parking issues than a stand alone rental property.
- (iii) Location of proposed HMO & lack of parking provision will inevitably, if approved, lead to on street parking & conflict with neighbours' access to property & difficulty in service vehicles accessing the street.
- (iv) The proposed internal layout of the property represents a gross overdevelopment of the house creating a sub standard level of accommodation. The access arrangements for bedrooms 5 & 6 are of particular concern.
- (v) Insufficient toilet/ bathroom facilities for 6 bedroom property that could potentially house 12 occupants, insufficient information as to capacity of sewers to cope with both No 8 & No 10 as adjacent HMO's
- (vi) The Parish Council fully support the concerns & upset of residents over the Council Tax Exempt status of these student HMO's & whilst not a planning concern wish to draw the planning committees attention to the extra financial burden being placed on the Council Tax paying public of York.
- (vii) Ongoing concerns as to the reliability of CYC's records of known HMO/s in Osbaldwick, leading to doubts as to accuracy of neighbourhood & street level percentages,

3.3 Neighbours

At the time of writing four objection letters have been received from local residents, as follows:

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Item No: 4c

14 Wensleydale Drive
16 Wensleydale Drive
17 Wensleydale Drive
24 Wensleydale Drive

The objections make the following points:

14 Wensleydale Drive:

- (i) The number of student properties in the area has increased steadily over the years resulting in the loss of a balanced community.
- (ii) Students are not long term members of the community and the balance is now tipping in the wrong direction.
- (iii) The large amount of student housing removes family properties from the market and deters families from moving into the area. This causes the mix of the community to change resulting in closures of essential facilities and services such as the pending closure of Burnholme Community College.
- (iv) 6 students in this property is unacceptable given the current nearby student population.

16 Wensleydale Drive:

- (i) Numbers 8 and 18 Wensleydale Drive are already occupied by a total of 10 students.
- (ii) Car parking problems and highway safety issues
- (iii) There is a shortage of family homes in York
- (iv) The University is building its own accommodation and other purpose built student accommodation is standing empty so more is not needed.
- (iv) Student lets do not contribute to the community do not pay Council Tax meaning residents of York have to pay more.

17 Wensleydale Drive

- (i) Parking problems
- (ii) Student properties are poorly maintained

(iii) Waste/litter problems

(iv) Noise

(v) Students should be accommodated in purpose built accommodation blocks

24 Wensleydale Drive:

(i) The property is in a corner location which could cause additional car parking problems.

(ii) Lack of outside maintenance resulting in properties becoming eyesores, thus downgrading the area.

(iii) Too many shared houses in the area already.

(iv) Student houses do not pay Council Tax placing more pressure on the Parish Council and CYC.

(v) Noise pollution from all night parties and shouting in the street.

Laurence Pye (on behalf of Osbaldwick Parish Council):

(i) Number 10 is one half of a pair of semi-detached houses, the other half (No 8) and already lodging some six students. House of Multiple Occupancy. Acceptance of a similar status for No 10 would produce a pair of semi-detached houses housing some twelve students at any one time! (the proposal for No 10 is for six bedrooms). All this would be on the corner of a cul - de - sac style back water on Wensleydale Drive with another HMO just across at an angle, No 18 with another 5 students.

(ii) The situation would be intolerable for those residents living beside and between these multiple lets in what is a nice quiet residential neighbourhood and they could be no worse off if they lived on York University campus.

(iii) There would be parking problems apart from all the other well known attendant problems associated with student lets.

(iv) The Parish Council do most sincerely believe that the good council tax paying residents who would be most affected do not deserve to have such a threat hanging over their lives.

(v) Irrespective of the quotas involved under the terms of the policy for Controlling the Concentration of Houses in Multiple Occupancy, this is a case where the Committee must apply its own common sense and experience and refuse this application.

4.0 APPRAISAL

4.1 KEY ISSUES:

- Principle of development;
- Impact on the character and appearance of the area;
- Impact on the amenities of local residents;

4.2 The NATIONAL PLANNING POLICY FRAMEWORK (2012) sets out the Government's overarching planning policies. As one of 12 core planning principles, it states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). It states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community.

4.3 SUPPLEMENTARY PLANNING DOCUMENT - Controlling the concentration of Houses in Multiple Occupancy. This document was approved by Cabinet Members on 15 April 2012. This guidance has been prepared in connection with an Article 4 Direction that City of York Council placed on all houses within the defined urban area, bringing within planning control the change of use of dwellings (Class C3) to small HMO's occupied by between 3 and 6 people (Class C4). The new SPD advises applications for change of use from dwellings to HMO's will be permitted where:

- a) The property is in a neighbourhood area where less than 20% of properties are exempt from paying council tax because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO planning consent and are known to the Council to be HMOs; and
- b) Less than 10% of properties within 100 metres of street length either side of the application property are exempt from paying council tax because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO planning consent and are known to the Council to be HMOs; and
- c) The accommodation provided is of a high standard which does not detrimentally impact upon residential amenity.

4.4 DRAFT LOCAL PLAN POLICY CYH8 - "Conversions". Where a material change of use has occurred, for properties changing use from C3 (dwelling house) to the new use class C4 (H.M.O). Policy H8 sets out the current criteria in conjunction with the new (SPD) by which conversions of houses to HMO's should be assessed. On this basis planning permission will only be granted for the conversion of a house to a HMO where:

- the dwelling is of sufficient size (min 4 bedrooms) and the internal layout is shown to be suitable for the proposed number of households or occupants and will protect residential amenity for future residents;
- external alterations would not harm the appearance of the area;
- adequate on and off road parking and cycle parking is incorporated;
- it would not create an adverse impact on neighbouring amenity through noise disturbance or residential character by virtue of the conversion alone or cumulatively with a concentration of such uses;
- adequate provision is made for the storage and collection of refuse and recycling.

4.5 DRAFT LOCAL PLAN POLICY CYGP1 states that development proposals will be expected, amongst other things, to respect or enhance the local environment, be of a density, layout, scale, mass and design that are compatible with neighbouring buildings, and ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

ACCOMMODATION:

4.6 The host dwelling would provide accommodation for up to six unrelated people. There are four bedrooms proposed on the first floor with one bathroom and an en-suite shower room connected to bedroom one. The downstairs compartments would provide two further bedrooms by converting the existing study and subdividing the existing lounge area. In addition the communal facilities situated on the ground floor would consist of a shared living room, kitchen/ utility room and a shower room. The integral garage would remain and could be used as a store for cycles and wheeled bins/ recycling boxes. The retention of the garage could be conditioned. There is an ample sized enclosed rear garden, which can be used as outdoor amenity space and is adequately screened from adjacent neighbouring properties by a close boarded fence and a detached garage on the boundary of 12 Wensleydale Drive. The rear boundary hosts a six foot brick wall separating the garden areas of the bungalows at 41 and 43 Wensleydale Drive to the rear of the application site. It is considered that the facilities provided are of a sufficient standard to accommodate six individual occupants on a shared basis.

PRINCIPLE OF CHANGE OF USE:

4.7 Information received from the Council's Integrated Strategy Team has confirmed that 10 Wensleydale Drive falls within a neighbourhood area where 6.4% of properties are shared houses. Within 100m of the property, 5.9% are shared houses. This equates to two properties. As such, in accordance with the provisions of the Draft HMO SPD the neighbourhood and street level threshold have not been breached and further change of use to HMO is considered to be acceptable.

IMPACT ON THE NEIGHBOUR AMENITY/ CHARACTER AND APPEARANCE OF THE AREA:

4.8 The location of the property is in close proximity to York University and local public transport links into the city centre, together with an ample supply of local shops. The internal layout would seem reasonable to meet the needs of six people. There would be sufficient car and cycle parking available within the existing integral garage and side driveway. Thus, the proposal conforms to the Council's maximum car parking standards and therefore no objections could be sustained on these grounds. In terms of additional on street car parking, there are no car parking restrictions on Wensleydale Drive and the width of the highway allows cars to be parked on the roadside whilst also allowing cars to pass. Furthermore, it would not be envisaged that there would necessarily be a need for high levels of car ownership amongst occupants in this location. On balance, the application property would provide adequately sized accommodation suitable for six occupants that would not have a negative effect on the adjacent neighbours or the residential character of the area.

4.9 However, in order to safeguard the visual appearance of the dwelling and the amenities of the adjacent residents, it is considered that the implementation of a management plan should be controlled by condition on any planning approval. The management plan would assist in such issues as providing information and advice to residents, garden maintenance, refuse and recycling collections and property maintenance issues. Given the low concentration of HMO's in the area (according to statistics based on Council Tax records) there is no specific evidence to suggest that the occupation of the property as an HMO would result in additional noise or disturbance or would adversely affect the character of the area.

4.10 In terms of managing the number of occupiers and future occupiers to the property and its potential effect on the neighbourhood, a condition has been recommended to remove "permitted development rights" from this property in order to exercise control over any future extensions or alterations. It is acknowledged that the house has been extensively extended and any further extensions would be relatively restricted. Nevertheless, without this condition further extensions to the rear of the house could be erected without the need for planning permission.

Clearly, if the overall number of occupants within the dwelling exceeded six, then the local planning authority would need to determine whether a material change of use had occurred taking the property outside Use Class C4 into a "sui generis" use, and in those circumstances a further application for planning permission would be required.

LOSS OF FAMILY HOMES:

4.11 In terms of addressing issues relating to the concentration of the amount of student housing resulting in the loss of family homes, this situation is controlled by the Article 4 Direction placed on all houses within the urban areas of York, which is supported by the SPD (Controlling the Concentration of Houses in Multiple Occupancy) and is further reiterated in the council's visionary document City of York Sustainable Community Strategy - A City Making History 2008. The SPD document focuses on avoiding high concentrations of HMO's in particular streets/areas, in order to avoid the undue loss of family homes and maintaining community cohesion and helping the development of strong, supportive and durable communities. Furthermore, within the context of the SPD the aim is to avoid situations where existing communities become unbalanced by narrowing household types which can have a detrimental impact on neighbourhoods. As the proposal complies with the thresholds set out within the SPD, the application is recommended for approval.

5.0 CONCLUSION

The property is within the urban area, well served by local facilities and close to public transport routes. The dwelling is considered to be a sufficient size, and with an adequate internal layout, to accommodate six unrelated individuals. The thresholds within the Council's Supplementary Planning Document have not been exceeded. Furthermore, from a sustainability perspective the use for effectively single person accommodation would be acceptable and would help to meet an identified need in the city. As such the proposal is considered to comply with Policy H8 of the Draft Local Plan and subject to conditions is recommended for approval.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

2 PLANS1 Approved plans - Approved layout plan and supporting documentation

3 Prior to the dwelling being occupied a management plan shall be agreed in writing with the Local Planning Authority to demonstrate the control of the following:

i) Information and advice to residents

- ii) Garden maintenance
- iii) Refuse and recycling collections
- iv) Property maintenance issues

Reason: In the interests of the proper management of the property and the amenity of adjacent residents.

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 Classes A-E of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the amenities of the adjoining residents 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.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), unless otherwise agreed in writing with the Local Planning Authority the garage indicated on the submitted drawings shall not be externally altered or converted to living accommodation.

Reason: To ensure that there is adequate cycle parking/storage space at the property and any proposals to increase living accommodation can be assessed on their merits.

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 residential amenity and the impact on the character and appearance of the area. As such the proposal complies with Policy H8 of the City of York Development Control Local Plan, and the Council's Supplementary Planning Document: 'Controlling the concentration of Houses in Multiple Occupancy' (2012).

2. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH:

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) and taken account of all relevant local policies, and considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to identify solutions to problems arising from the proposed development.

Contact details:

Author: Sharon Jackson Development Management Assistant

Tel No: 01904 551359

13/00171/FUL

10 Wensleydale Drive



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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	25 February 2013
SLA Number	Not Set

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP1
Design

3.0 CONSULTATIONS

INTERNAL:

3.1 Hull Road Planning Panel - no comments received at the time of writing
21.02.13

EXTERNAL:

Adjacent neighbours to the front, side and rear of the property have been consulted on the proposal by letter dated 11.02.13. The 21 day time scale for consultation responses expires on 04.03.13 and any responses will be reported verbally.

4.0 APPRAISAL

4.1 KEY ISSUES:

Impact on street scene
Renewable Energy

The relevant polices and guidance:

4.2 PLANNING POLICY FRAMEWORK (2012) sets out the Government's overarching planning policies. As one of 12 core planning principles, it states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). It states that to support the move to a low carbon future, local planning authorities should actively support energy efficiency improvements to existing buildings (paragraph 95).

4.3 DRAFT LOCAL PLAN POLICY CYGP1 - "Design" sets out a series of criteria that the design of development proposals would be expected to meet. These include requirements to (i) respect or enhance the local environment, (ii) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials, (iii) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, and (iv) accord with sustainable design principles.

BACKGROUND INFORMATION:

4.4 The external wall insulation is a thermally insulated protective exterior cladding system which comprises of an insulation layer applied to all exterior walls which is then protected with a smooth cream water proof finish over insulation boards. The overall aim of the insulation is to maximise thermal efficiency and to reduce CO2 emissions, thus reducing energy bills for the householder and, in terms of climate change, contributing towards carbon reduction. In addition, whilst the thickness of the insulation would extend the property forward by 90mm, the Government has clarified that external cladding is classed as an improvement rather than an enlargement of a dwelling, and thus in such cases the additional forward projection is permitted development and does not fall within planning controls.

IMPACT ON THE STREET SCENE:

4.5 The application site is a two storey mid terraced property of brick construction with slate roof, incorporating two windows facing on to the public highway with decorative brick inserts. The rear of the dwelling incorporates a single storey flat roof extension screened from the rear access lane by traditional boundary walls. In terms of visual appearance the introduction of a cream smooth render covering the red brick walls would be a departure from the traditional red brick appearance of the terraced row. However, it is noted that there are two other properties in this location which incorporate coloured render cladding and painted brick elevations. Therefore, on balance it is not considered that the proposal would alter the traditional appearance of the street scene to an unacceptable degree.

4.6 Furthermore, in addressing the importance of climate change the National Planning Policy Framework (2012) states that local planning authorities should actively support energy efficiency improvements to existing buildings. It also states that even small scale schemes make a valuable contribution to cutting greenhouse gas emissions. Solid wall insulation is a way of cutting down the cost of fuel bills by preventing energy waste and reduces carbon dioxide emissions causing pollution and climate change.

4.7 Therefore, provided that the external render is finished in a cream colour to be agreed in writing by the planning authority (which can be conditioned), it is considered that any harm to the appearance of the surrounding area, which would be minimal, is significantly outweighed by the public benefits in terms of mitigating climate change.

5.0 CONCLUSION

5.1 Subject to a condition relating to the colour of the rendered finish, approval is recommended.

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years -

2 PLANS1 Approved plans - Supporting information received on 5th Feb 2013

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, the colour of the external render to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out in accordance with the approved details.

Reason: So as to achieve a visually cohesive appearance.

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 Policy GP1 (Design) and Government advice in relation to climate change contained within the National Planning Policy Framework.

2. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

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GIS by ESRI (UK)



Scale : 1:1250

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	25 February 2013
SLA Number	Not Set