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| Meeting          | Planning Committee B  |
| Date             | 13 September 2023   |
| Present          | Councillors B Burton (Chair), Baxter, Clarke, Melly, Warters, Cuthbertson (Substitute for Cllr Hollyer) and Fisher (Substitute for Cllr Orrell) |
| Apologies        | Councillors Fenton, Hollyer, Fisher   |
| Officers Present | Gareth Arnold, Development Manager<br>Natalie Ramadhin, Development Management Officer<br>Sandra Branigan, Senior Solicitor                     |

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### **23. Declarations of Interest [4.37 pm]**

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

In relation to item 4b, 10, Church Road, Osbaldwick, York, YO10 3NW, Cllr Warters noted that he had called in the application.

### **24. Minutes [4.37 pm]**

Resolved: That the minutes of the last meeting held on 16 August 2023 were approved and signed as a correct record.

### **25. Public Participation [4.37 pm]**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

### **26. Plans List [4.38 pm]**

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.

**27. 21A Holyrood Drive, York, YO30 5WB [23/00864/FUL] [4.38 pm]**

Members considered a full application at 21A Holyrood Drive York YO30 5WB for the conversion of existing two storey side annexe to main house to form 1no. separate dwelling (part retrospective).

The Development Manager gave a presentation on the application and an update was provided which updated the committee with respect to the additional planning history as follows:

Application 21/01503/FUL – dormer to rear and 2no. rooflights to front. Approved on appeal Feb 2022.

The officer responded to questions from members on the plans and conditions, it was noted that the property had a single room loft conversion and parking was to be accommodated by extending the dropped kerb in front of 21a. The Highways team would liaise with Streetworks to manage the kerb. It was confirmed that the Highways team had raised no objections to the application.

Public Speaker

Cllr Waudby, Ward Councillor for Rawcliffe and Clifton Without spoke on behalf of a number of residents. She noted that this was a retrospective application and raised concerns about highway safety and bins / refuse not being managed properly.

In response to questions, Cllr Waudby reiterated that the residents of Conway Close were primarily concerned with unsafe parking in the road.

Officers responded to further questions from Members and reported that there was to be a gate to provide access to the rear garden.

Officers gave advice on the weighting to be given to planning guidance and the senior solicitor outlined the National Planning Policy Framework (NPPF) relating to highways and noted that Highways officers did not consider the impact on the highway network to be unacceptable.

Following debate, Cllr Burton proposed the officer recommendation to approve the application, this was seconded by Cllr Melly.

There followed a vote, with four in favour and 3 against, it was:

Resolved: That the application be approved:

Reason:

Subject to the recommended conditions it is considered that the development will provide reasonable living accommodation in a sustainable location. The design and form of the new dwelling reflects the general character of the immediate area. The proposal complies with draft policies D1, D11 and T1 of the draft Local Plan and with the policies contained within the NPPF.

**28. 10 Church Road, Osbaldwick, York, YO10 3NW  
[23/01220/FUL] [5.17pm]**

Members considered a full application at 10 Church Road, Osbaldwick, York, YO10 3NW, for the change of use from single dwelling (use class C3) to House in Multiple Occupation (use class C4) and single storey rear extension following removal of conservatory and alterations to garage.

The Development Manager gave a presentation on the plans and the Development Officer gave an update regarding an additional letter of representation which raised the following concerns:

- On street parking
- Council tax
- Loss in property value

Officers noted that in terms of parking, this was addressed in the public report at section 5.15-5.20. Council tax was a separate matter to Planning and property values are not a material planning consideration.

The Officer's recommendation remained for approval, subject to conditions.

In response to questions from members, officers reported that the occupants were responsible for managing refuse and storage, this was covered by the condition 4, the management plan.

Officers were satisfied with the proposed parking and the space available met the standard parking space size.

Public Speaker

Nicholas Bell, the applicant, spoke in support of the application and stated his intention to provide 'high-end' HMO (House of Multiple Occupation) and

to put in place robust measures to ensure that the property was well managed.

In response to questions from Members, he confirmed that the property had been his family home and, in his experience, up to three cars could be parked. He noted that it was important to move the bin store to the back of the property for aesthetic reasons. He also confirmed that vehicles would be required to move to enable the movement of bins and cycles through the driveway.

Officers reported that they would consult with the ecologist on the need for a bat survey prior to the demolition of the conservatory if required to do so by members. They would therefore seek delegated authority to approve the officer recommendation, and amend the decision notice if recommended to do so by the ecologist.

The comments of Housing Standards were also clarified for members, as this was a new process in relation to HMOs; their comments had not led to any additional conditions

Following debate, the Chair proposed the officer recommendation to approve the application, subject to officers consulting with the ecologies as outlined above. This was seconded by Cllr Clarke. A vote was taken and, with four votes in favour and three against it was:

Resolved: That officers were given delegated authority to approve the application, subject to consultation with the ecologist with reference to a bat informative.

Reason:

The application property is considered to be appropriate for the needs of future occupants for a 4no. bedroom small HMO. The existing density levels of current HMO's is below the policy threshold (at both Street Level and Neighbourhood Level). The single storey rear extension is of a suitable design and scale. There are no residential amenity issues arising for either the proposed occupants and neighbouring dwellings. Acceptable provision for off-road vehicle parking has been demonstrated and secure cycle storage will be required by condition. A management plan for the site can be condition. The proposal is considered to comply with policies within the National Planning Policy Framework, Policies H8, D11, ENV2, WM1 and T1 of the Draft Local Plan and guidance set out within the Draft Supplementary Planning Document (SPD): Controlling the

Concentration of Houses in Multiple Occupancy and House Extensions SPD.

**29. 16 Northcote Avenue, York, YO24 4JD [23/00822/FUL] [5.50 pm]**

Members considered a full application at 16 Northcote Avenue York, YO24 4JD, for a two-storey side and single storey front extension.

The Development Manager gave a presentation on the plans and, in response to questions from members, he clarified the boundaries and explained that condition 4 required the garage to have a roller door or doors that opened internally.

An informative relating to the storage of skips and materials on the highway was requested by members.

Following a brief debate, Cllr Warters proposed the officer recommendation, to include the additional informative. This was seconded by Cllr Fisher. Members voted unanimously in favour of the recommendation and it was:

Resolved: That the application be approved, subject to an additional informative as outlined above.

Reason: The works proposed will respect the general character of the building and area and the impact on the amenity of neighbouring residents would be acceptable. It is considered it complies with national planning guidance, as contained in the National Planning Policy Framework, City of York Council Draft Local Plan 2018, and the City of York Council's draft Supplementary Planning Document (House Extensions and Alterations).

**30. Planning Appeal Performance and Decisions [6.00 pm]**

The Development Manager presented report which provided information on the planning appeal decisions determined by the Planning Inspectorate between 01 January and 31 March 2023.

Resolved: That the report be noted.

Reason: To keep members informed of the current position of planning appeals against the Council's decision as determined by the Planning Inspectorate.

Cllr B Burton, Chair

[The meeting started at 4.32 pm and finished at 6.07 pm].