
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	30 JANUARY 2007
PRESENT	COUNCILLORS LIVESLEY (CHAIR), BARTLETT (VICE-CHAIR), HORTON, MACDONALD, REID, SIMPSON-LAING AND B WATSON
APOLOGIES	COUNCILLORS SUE GALLOWAY AND SUNDERLAND

60. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
42 Neville Terrace, York	As the application is recommended for approval and objections have been received	Councillors Horton, Macdonald and B Watson

61. 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.

Councillor Bartlett declared a personal prejudicial interest in agenda item 3b (2 Clifford Street, York) as a member of the Licensing Sub-Committee that had considered an application for the premises. He left the room and took no part in the discussion or decision on the item.

Councillor Horton declared a personal prejudicial interest in agenda items 3b (2 Clifford Street, York) and 3d (Bar 38, Coney Street, York) as a member of the Licensing Sub-Committees that had considered applications for these premises. He left the room and took no part in the discussion or decision on these items.

Councillor Simpson-Laing declared a personal prejudicial interest in agenda item 3c (218 Salisbury Terrace, York) as a local resident. She left the room and took no part in the discussion or decision on the item.

62. 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.

63. 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.

63a. 42 Neville Terrace, York (06/02557/FUL)

Members considered a full application, submitted by Mr and Mrs Martin, for a two storey, pitched roof, side extension and garage to the rear, after demolition of the outside WC.

Representations were received in objection to the application, from a neighbouring resident.

The case officer briefed Members on factors considered when assessing whether a property was a House of Multiple Occupation (HMO) and expressed the view that 42 Neville Terrace was a shared house, not an HMO. Members requested that copies of the briefing note on HMO's be circulated to them for future reference.

Some Members expressed concern regarding the visual impact of the proposal on the street scene and the noise that would result from the roller shutter garage door. Councillor B Watson proposed and Councillor Horton seconded a motion to refuse the application on these grounds. On being put to the vote, the motion was lost.

Members also expressed concern regarding the possible transmission of sound through the party wall to 76 Park Grove. It was therefore proposed that the application be deferred for advice on designing adequate sound attenuation into this wall.

RESOLVED: That the application be deferred.

REASON: For advice on designing adequate sound attenuation into the party wall with 76 Park Grove.

63b. 2 Clifford Street, York (06/02690/FUL)

Members considered a full application, submitted by Wayne Dixon, for the removal of condition 6 of planning permission 06/00372/FUL to allow 24 hour opening Monday to Sunday (current hours 0800 - 0100 hrs Monday - Thursday and 0800 - 0300 hrs Friday - Sunday).

Representations were received in objection to the application, from a nearby resident, and in support of the application, from the applicant's solicitor.

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 to residential amenity, the character and appearance of the conservation area and the special historic interest of the listed building. As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies S6, HE3 and HE4 of the City of York Local Plan Deposit Draft.

63c. 218 Salisbury Terrace, York (06/02777/FUL)

Members considered a full application, submitted by the York Diocesan Board of Finance Ltd., for the conversion of the existing church hall to 3 no. 1 bed apartments and external alterations.

The case officer reported that Environment Agency had objected to the application, as they had not yet seen the Flood Risk Assessment, and that the Council's Environmental Protection Unit had requested the inclusion of a condition controlling the hours of construction and ancillary operations on any permission granted. He also reported that Council's Network Management section had not raised any highway objections and had requested the inclusion of a condition requiring revised plans for cycle storage to be submitted. In relation to paragraph 4.14 of the report, he clarified that the street was not within a residents' parking scheme.

Representations were received in support of the application, from the applicant's agent. A 69 signature petition from residents of the Leeman Road area, objecting to the application, had been handed to the case officer before the meeting and copies of the covering letter, outlining their concerns, were circulated to Members.

Members raised some concerns regarding the relocation of ballet classes from the church hall to the refurbished church, in terms of whether the type of flooring would be appropriate. They expressed the view that there was a lack of information available about alternative facilities proposed at the refurbished church and available at the nearby school and therefore it was difficult to assess their suitability and affordability. They concluded that the application would result in the loss of an existing community facility, without demonstrating that it was no longer needed or that suitable alternative facilities had been provided, and was therefore contrary to Policy C3.

RESOLVED: That the application be refused.

REASON: The proposed development would result in the loss of an existing community facility. The Local Planning Authority considers that application does not adequately demonstrate that the existing facility is surplus to the requirements of the local community or that alternative acceptable sites have been provided.

As such the proposal is contrary to Policy C3 of the City of York Draft Local Plan, which states permission will only be granted for the redevelopment or change of use of existing community facilities where it can be demonstrated that the existing land or buildings are surplus to, or no longer capable of meeting, the existing or future needs of the local community, or where it can be demonstrated that alternative acceptable sites for the existing use can be provided.

63d. Bar 38, Coney Street, York (06/02789/FUL)

Members considered a full application, submitted by Inventive Leisure, for the variation of condition 12 of planning permission 97/01825/FUL to extend opening hours from 0900 - 2400 Monday - Sunday to 0900 - 0200 Monday - Wednesday and 0900 - 0300 Thursday – Sunday.

Representations were received in support of the application, from the applicant's agent.

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 would not cause undue harm to interests of acknowledged importance, with particular reference to residential amenity, crime and disorder and the character and appearance of the conservation area. As such the proposal complies with national planning policy guidance note PPS:6, policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and policies HE3 and S6 of the City of York Local Plan Deposit Draft.

COUNCILLOR D LIVESLEY

Chair

The meeting started at 12.00 pm and finished at 1.35 pm.