
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	21 SEPTEMBER 2006
PRESENT	COUNCILLORS BARTLETT (VICE-CHAIR), SUE GALLOWAY, HORTON, LIVESLEY (CHAIR), MACDONALD, SIMPSON-LAING, SUNDERLAND AND B WATSON
APOLOGIES	COUNCILLOR REID

20. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
Car Park adjacent to The Dutch House, Ogleforth	To familiarise Members with the site.	Cllrs Livesley, Macdonald, S Galloway, B Watson, Sunderland, Bartlett, Horton.
35 Walmgate	To familiarise Members with the site.	Cllrs Livesley, Macdonald, S Galloway, B Watson, Sunderland, Bartlett, Horton.
53 Skeldergate	To familiarise Members with the site.	Cllrs Livesley, Macdonald, S Galloway, B Watson, Sunderland, Bartlett, Horton.
The Judges Lodging, 9 Lendal	To familiarise Members with the site.	Cllrs Livesley, Macdonald, S Galloway, B Watson, Sunderland, Bartlett, Horton.

[Amendments agreed at the meeting on 19 October 2006.]

21. DECLARATIONS OF INTEREST

At this point Members were requested to declare any personal or prejudicial interests in any of the business on the agenda.

None were declared.

22. MINUTES

RESOLVED: That the Minutes of the meeting of the Planning and Transport West and City Centre Sub Committee meeting on 17 August be approved and signed by the Chair as a correct record with the following amendments;

That;

St Mary's C of E Primary School, School Lane, Askham Richard be removed from minute 15. Inspection of Sites and that the declaration made by Cllr Horton under minute 16. Decalrations of Interest should be amended to read that "he knew one of the applicants".

23. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak, under the City of York Council Public Participation Scheme, on general issues within the remit of the Sub-Committee.

24. 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.

24a. 41 Station Road, Upper Poppleton, York, YO26 6PX (06/00662/FUL)

Members considered a full application, submitted by Mrs and Mrs Deighton, for the erection of a single dwelling with garage and stable block.

Officers clarified that the application site was within the settlement limits and not within the greenbelt, as identified in the Local Plan incorporating the 4th set of changes, approved by Full Council in 2005. Officers also stated that there had been no record of Members or residents being formally consulted on the boundary alteration at this site.

Mr Lawson addressed the committee and raised the following concerns as he had always understood the greenbelt boundary to run along the line of his rear garden and he could see no reason why this should have changed. He also expressed concerns about his potential loss of privacy, hours of work for any potential construction, fearful of business use being made of the site, protection of trees, particularly the willow, maintenance of the ditch.

Mr Hill addressed the committee to object to the application, He raised strong concerns in connection with the location of the proposed stable block only 40 yards from his house, he raised the existing problems of the sewerage/drainage problems and that more additions to the system would out more pressure on. He also expressed the view that he believed the

site to be in the greenbelt and was very worried about any development taking place in it.

Cllr Hopton addressed the committee in her capacity as Ward Member and she raised substantial concerns in relation to the lack of formal consultation about alterations to the greenbelt in this area. She expressed the view to the committee that she felt that there was material consideration, in that the site should not have been removed from the greenbelt as it served an important greenbelt function and that the consultation procedure at that point, which should have made people aware of the change was inadequate.

Members discussed the application and the significance of the greenbelt and also expressed concern about the impact of the development on the character of the area.

RESOLVED: That the application be refused.

REASON: The scale, design and location of the proposed backland development would be out of character with the existing linear housing development pattern along Station Road; as such the proposal would harm the character and appearance of the area. This would be contrary to Policy GP10 and H4A of the Development Control Local Plan which states that planning permission for infilling will only be granted where this would not be detrimental to the character and amenity of the local environment and it is of an appropriate scale and density to surrounding development; and contrary to Design Guideline 3 of the Poppleton Village Design Statement Supplementary Planning Guidance which states that any new development on the village periphery should be in keeping with surrounding properties and the countryside and should enhance external views of the village.

24b. 53 Skeldergate York, YO1 6DS (06/01293/FUL)

Members considered a full application submitted by A and K Clark for the change of use and alterations to existing gymnasium building to create an additional 4 no. apartments at first and second floor and extension to existing ground floor entrance (revised scheme).

Officers updated the committee with a revision to condition 2 which was that the third drawing reference was LAL Drawing No.3 Rev.E.

RESOLVED: That the application be approved in line with the conditions and informatives in the report.

REASON: As the development complies with Policy E4 of the North Yorkshire County Structure Plan; Policies HE3, HE4, L1 GP15 and GP1 of the City of York Draft Local Plan – Incorporating the proposed 4th set of changes

deposit draft and national planning guidance contained in Planning Policy Statement 1 “Delivering Sustainable Development” and Planning Policy Guidance Note No. 15 “Planning and the Historic Environment”.

24c. 53 Skeldergate, York, YO1 6DS (06/01294/LBC)

Members considered an application for Listed Building Consent, submitted by A and K Clark, for internal and external alterations to existing gymnasium building to create an additional 4 no. apartments at first and second floor and extension to existing ground floor entrance (revised scheme).

Officers updated the committee with a revision to condition 2 which was that the third drawing reference was LAL Drawing No.3 Rev.E.

RESOLVED: That the application be approved in line with the conditions and informatives in the report.

REASON: As the proposal complies with Policy E4 of the North Yorkshire County Structure Plan; Policies HE4 and GP1 of the City of York Draft Local Plan – Incorporating the proposed 4th set of changes deposit draft and national planning guidance contained in Planning Policy Statement 1 “Delivering Sustainable Development” and Planning Policy Guidance Note No. 15 “Planning and the Historic Environment”.

24d. The Judges Lodging, 9 Lendal, YORK, YO1 8AQ (06/00724/FUL)

Members considered a full application, submitted by Judges Lodging Ltd, for alterations and refurbishment of existing hotel, restaurant and bar and canopies to rear terrace area.

Officers tabled the list description for this building and also clarified that it had neither had legal status nor represented a comprehensive list of all of the listed features but rather then idiosyncrasies of the author.

Stephanie Leeman, architect addressed the committee to speak in support of the application and also tabled a drawing. As a result it is recorded that drawing number 3679 (00) 07 A in condition 2 be replaced with drawing number 3679 (00) 07B.

RESOLVED: That the application be approved in line with the conditions and informatives outlined in the committee report.

REASON: The proposal complies with Policy E4 of the North Yorkshire County structure Plan; Policies HE2, HE3, HE4, GP18 and GP1 of the City of York Draft Local Plan – incorporating the proposed 4th set of changes deposit draft and national planning guidance contained in Planning Policy statement 1 “Delivering Sustainable

24e. The Judges Lodging, 9 Lendal, York, YO1 8AQ (06/00725/LBC)

Members considered an application for Listed Building Consent, submitted by Judges Lodging Ltd, for alterations and refurbishment of existing hotel, restaurant and bar and canopies to rear terrace area.

Officers updated the committee that drawing number 3679 (00) 07 A in condition 2 be replaced with drawing number 3679 (00) 07B.

RESOLVED: That the application be approved in line with the conditions and informatives outlined in the committee report.

REASON: The proposal complies with Policy E4 of the North Yorkshire County structure Plan; Policies HE2 and GP1 of the City of York Draft Local Plan – incorporating the proposed 4th set of changes deposit draft and national planning guidance contained in Planning Policy statement 1 “Delivering Sustainable Development” and Planning Policy Guidance Note No.15 “Planning and the Historic Environment.”

24f. 35 Walmgate, York, YO1 9TX (06/01710/FUL)

Members considered a full application, submitted by William Moore, for the change of use from retail class (A1) to hot food takeaway Class (A5) with rear extract duct (resubmission).

Officers updated the committee that a further objection had been received which raised concerns about the detrimental impact on the churchyard, intrusion and noise and the need for bins.

Mr Kightly, Church Warden at St Deny’s addressed the committee and made suggestions to minimise the impact

Members requested a condition to limit the hours for home delivery to 10am - 11.30pm Sunday – Thursday and 10am - 12.30am on Friday and Saturday. In addition, that a further condition be added to request the location of the bin storage to be confirmed in writing with the Local Planning Authority.

RESOLVED: That the application be approved in line with the conditions and informatives in the report as well as the additional conditions above.

REASON: As the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (alteration No.3 adopted 1995) and Policies S6 and S7 of the City of York Local Plan Deposit Draft.

24g. 35 Walmgate, York, YO1 9TX (06/01712/LBC)

Members considered an application for Listed Building Consent, submitted by William Moore, for the change of use from retail class (A1) to hot food takeaway Class (A5) with rear extract duct (resubmission).

Officer advised of the need for an additional condition to retain an existing fireplace and to prevent the use of suspended ceilings.

RESOLVED: That the application be approved in line with the conditions and informatives in the report as well as the additional conditions above.

REASON: As the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (alteration No.3 adopted 1995) and Policy HE4 of the City of York Local Plan Deposit Draft.

24h. Plot 13 Great North Way (06/01244/FULM)

Members considered a full application, submitted by Mandi Riley, for part change of use of block B (currently under construction) from B1, B2 or B8 uses (business, light industry or storage/distribution) to use as indoor children's play centre.

RESOLVED: That the application be refused.

REASON: By the reason of the location of the proposal within an employment site those arriving at the site by sustainable means are likely to be placed in conflict with motor vehicle traffic associated with the employment uses nearby including manoeuvring service traffic this would prejudice road safety conditions.

The proposal would result in the loss of B1, B2, B8 (business, light industry or storage/distribution) employment uses and the applicant has failed to demonstrate that there is sufficient supply of employment land to meet both immediate and long term requirement over the development plan period in both quantities and qualitative terms and that the development of the site will lead to significant benefits to the local economy; as such it is considered that the change of use would harm the City Council's objectives of creating the conditions necessary to stimulate the local economy and to provide for a wide range of new employment opportunities to meet the needs of local incoming employers, this is contrary to policy E3b of the City of York Development Control Draft Local Plan.

The proposed out of centre location is not considered to be genuinely accessible by a wide choice of means of transport and the applicant has failed to demonstrate that sites within York City Centre or on the edge of the City Centre have been assessed and are incapable of meeting the development requirements of the proposal. As such the location is considered to be inappropriate for leisure development and contrary to policy SP7a, GP4a and L1a of the Development Control Local Plan and

Central Government advice contained in PPG13 (Transport) and PPS6 (Planning for Town Centres).

24i. Car park adjacent to The Dutch House, Ogleforth, York, YO1 7JG (06/01366/FUL)

Members considered a full application, submitted by Lawton, Lawton and Pickard for the erection of 2 no. dwellings.

Mr Midgely addressed the committee on behalf of the applicant and outlined the features of the scheme. In addition he accepted Members request for an electric gate and dropped kerb entrance.

RESOLVED: That the application be approved in line with the informatives and conditions outlined in the report.

REASON: The proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies H4, GP1, HE2, HE4, HE10 and T16 of the City of York Local Plan Deposit Draft.

24j. Arclight Project, Bullnose Building, Leeman Road (06/01705/FUL)

Members considered a full application, submitted by York Arc-Light Project, for the renewal of planning permission 04/02787/FUL for change of use of building to overnight accommodation, offices and support facilities until 17 April 2008.

RESOLVED: That the application be approved in line with the conditions and informatives in the report.

REASON: The proposal complies with policies CYC1 and CYGP23 of the City of York Draft Development Control Plan, incorporating the 4th set of changes (April 2005).

COUNCILLOR D LIVESLEY

Chair

The meeting started at 3.00 pm and finished at 5.55 pm.