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| MEETING | EAST AREA PLANNING SUB-COMMITTEE |
| DATE | 10 NOVEMBER 2011 |
| PRESENT | COUNCILLORS DOUGLAS (VICE-CHAIR), WISEMAN (CHAIR), FIRTH, MCILVEEN, WARTERS, WATSON, BOYCE (SUBSTITUTE FOR COUNCILLOR FUNNELL) (EXCEPT MINUTE ITEMS 26-29), BURTON (SUBSTITUTE FOR COUNCILLOR KING) AND WILLIAMS (SUBSTITUTE FOR COUNCILLOR FITZPATRICK) |
| APOLOGIES | COUNCILLORS FITZPATRICK, FUNNELL, HYMAN AND KING |

| Site Visited | Attended by | Reason for Visit |
|---|--|---|
| 1 Meam Close, Osbaldwick, York YO10 3JH | Councillors Firth, Hyman, McIlveen, Warters, Watson and Wiseman. | To familiarise Members with the site as it had been called in by the Ward Member. |
| 45 Swarthdale, Haxby, York. YO32 3NZ | Councillors Firth, Hyman, McIlveen, Warters, Watson and Wiseman. | To familiarise Members with the site as it had been called in by the Ward Member. |

26. DECLARATIONS OF INTEREST

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

Councillor Warters declared a personal non prejudicial interest in Agenda Item 4a (1 Meam Close, Osbaldwick) as a member of Osbaldwick Parish Council.

No other interests were declared.

27. MINUTES

RESOLVED: That the minutes of the East Area Planning Sub-Committees held on 8 September 2011 and 13 October be approved and signed by the Chair as a correct record subject to the following amendments;

8 September 2011:

- (i) That the reason for the site visit to 111 Newland Park Drive be changed from "*This site was not visited as the application was withdrawn before the meeting*" to "**To familiarise Members with the site as the application had been called in by a Ward Member**"
- (ii) That Councillor Hyman's reason for a personal non prejudicial interest be changed from "*he had spoken to one of the registered speakers in objection, but had not expressed an interest*" to "**one of the applicants had been in touch with him regarding the previous application, and he had entered into correspondence but had not expressed an opinion.**"
- (iii) That the second paragraph under Minute Item 18c) (168 New Lane, Huntington) "*Some Members suggested that if approved, a condition should be added to planning permission to not allow for the extension to be over 2.5 metres over the neighbouring property's boundary.*" be deleted.
- (iv) That Councillor Watson was not present at the site visit for Kent Street Coach Park, Kent Street, York (Minute Item 18m)

13 October 2011:

That Councillor Warters did not attend the site visit at Stray Garth Community Home (Minute Item 24c)

28. 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.

29. 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.

29a 1 Meam Close Osbaldwick York YO10 3JH (11/02371/FUL)

Members considered a full application by Mr and Mrs Luke-Wakes for a first floor side extension.

Members asked Officers questions which related to a loss of parking at the property and if an assessment had been carried out by Council Highways Officers at the property.

In response, Officers stated that it was felt that the proposal complied with the maximum provision for car parking and that as a parking assessment had been carried out by Highways Officers on neighbouring properties, it was not felt necessary to inspect 1 Meam Close.

Representations in objection to the application were received from a local resident. He highlighted concerns about parking such as; that the use of the property by students increased the number of vehicles, which often parked on both sides of the road. He also told Members that the grassed area opposite the property was currently used as a play area, which he felt would be used as additional parking space if the extension was built.

Further representations in objection were received from the next door neighbour. His concerns related to a loss of his personal privacy, in that the use of the property for student housing he felt had added to additional noise. He added that there would be a loss of light on to his property if the extension was built.

Representations in support were received from the applicant's architect. In response to concerns about the use of the property as a student residence, he felt that Members should not consider the future use of the house, when making their decision. He added that the property did have space for an additional car parking space.

Questions from Members to Officers included the following;

- If a loss of privacy to the neighbouring property could be addressed.
- The distance of the shed (to be used for cycle storage), from the wall of the neighbouring property
- How storage at the back of the house would be accessed

In response, Officers stated that the application was not considered to increase the amount of overlooking and that the ground floor window could be installed under permitted development rights. In relation to the shed, Officers added that a condition could be added for further information to be provided.

Some Members felt that the location of the shed and parking concerns were not relevant to the consideration of the application, but that a terracing effect would be visible if the extension was approved. They also added that the window in the rear elevation of the extension would overlook the neighbouring property significantly.

RESOLVED: That the application be refused.

REASON: (i) It is considered that the first floor extension would create an incongruous feature by occupying part of the gap above the adjoining garages to Nos. 1 and 3 Meam Close, which acts as visual transition between the 3 and 2 storey dwellings along the row, and which have different roof designs. The gap provides an important break along the row, and its erosion would be detrimental to the design of the dwellings and the street scene. The development would, therefore, conflict with national planning advice in relation to design contained within paragraphs 33 and 34 of Planning Policy Statement 1 ("Delivering Sustainable Development"), Policies GP1 (a

and b) and H7 (a, b and e) of the City of York Draft Local Plan (April 2005), and with the Councils Supplementary Planning Guidance "A Guide to Extensions and Alterations to Private Dwelling Houses" (March 2001).

- (ii) The height and location of the proposed rear window of the extension, close to the shared boundary with No 3 Meam Close, would be likely to lead to an unacceptable degree of overlooking and loss of privacy from the private rear garden of the that dwelling. This would be to the detriment of the standard of amenity that the occupiers of that property could reasonably expect to enjoy. The proposal would, therefore, conflict with national planning advice in relation to design contained within Planning Policy Statement 1 ("Delivering Sustainable Development"), Policies GP1 (a, b and c) and H7 (a, b and e) of the City of York Draft Local Plan, and with the Council's Supplementary Planning Guidance "A Guide to Extensions and Alterations to Private Dwelling Houses" March 2001.

29b 45 Swarthdale Haxby York YO32 3NZ (11/02447/FUL)

Members considered a retrospective full application by Mrs Anne Kempster for a timber summer house to the rear of the property at 45 Swarthdale.

Officers informed the Committee that the application had been called in by Councillor Richardson over neighbours' concerns regarding the impact that the summer house would have on 3 Keldale. It was also reported that the applicant did not realise that planning permission was needed in order to construct the summer house, and that it was brought to the Committee due to height of the building being over 2.5 metres.

RESOLVED: That the application be approved

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, does not cause undue harm to interests of acknowledged importance, with particular reference to the effect on the amenity and living conditions of the nearby neighbours and the impact on the street scene. As such the proposal complies with Policies GP1 “Design” and H7 “Residential Extensions” of the City of York Local Plan Deposit Draft and the ‘Guide to extensions and alterations to private dwelling houses’ Supplementary Planning Guidance.

Councillor S Wiseman, Chair

[The meeting started at 2.00 pm and finished at 2.40 pm].