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| MEETING   | EAST AREA PLANNING SUB-COMMITTEE  |
| DATE      | 2 MAY 2013  |
| PRESENT   | COUNCILLORS GALVIN (CHAIR),<br>DOUGLAS (VICE-CHAIR), FITZPATRICK,<br>KING, MCILVEEN, CUTHBERTSON,<br>WATSON, FIRTH, WARTERS AND BOYCE<br>(SUBSTITUTE FOR COUNCILLOR<br>FUNNELL) |
| APOLOGIES | COUNCILLOR FUNNELL  |

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| Site Visited  | Attended by  | Reason for Visit   |
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| Harlestone, 14 York Road, Strensall                   | Councillors<br>Cuthbertson,<br>Douglas,<br>Fitzpatrick, Galvin,<br>McIlveen, Watson<br>and Warters | To inspect the site given that it had been called in by the Ward Members on the grounds of overdevelopment in the Conservation Area. |
| Archbishop Holgate's School, Hull Road                | Councillors<br>Cuthbertson,<br>Douglas,<br>Fitzpatrick, Galvin,<br>McIlveen, Watson<br>and Warters | To inspect the site.   |
| Biology Department, Wentworth Way, University of York | Councillors<br>Cuthbertson,<br>Douglas,<br>Fitzpatrick, Galvin,<br>McIlveen, Watson<br>and Warters | To inspect the site.   |

## 65. DECLARATIONS OF INTEREST

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests not included on the Register of Interests that they might have had in business on the agenda.

Councillor Cuthbertson declared a personal interest in Agenda Item 4d (Biology Department, Wentworth Way, Heslington, York. YO10 5DD) as a current student at the University of York. He clarified that he did not study Biology.

No other interests were declared.

**66. MINUTES**

RESOLVED: That the minutes of the East Area Planning Sub-Committee held on 11 April 2013 be approved and signed by the Chair as a correct record.

**67. 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.

**68. PLANS LIST**

Members considered a schedule of reports of the Assistant Director (City Development and Sustainability) relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and Officers.

**68a 96 Dodsworth Avenue, York. YO31 8UD (13/00001/FUL)**

Members considered a full application by Mr Tom Shepherd for the installation of a air source heat pump.

Officers provided an update that some additional information regarding noise was still required to satisfy Environmental Protection colleagues but in the interests of expediency asked that Members delegate authority to Officers to determine the application if the information proved to be satisfactory. If it did not, the application would be brought back to Committee.

Some Members expressed concerns about the lack of information regarding the level of noise that would be emitted by the heat pump and the potential impact on adjoining residents.

They requested that the application be considered by the Committee at a later date, following the receipt of the further information about the level of noise.

**RESOLVED:** That the application be deferred and brought back to Committee once the additional noise levels had been received.

**REASON:** So Members can assess the revised noise conditions to ensure that the proposals will not impact unacceptably on neighbours living conditions.

**68b Archbishop Holgate's School, Hull Road, York, YO10 5ZA (13/00293/FULM)**

Members considered a full major application by Archbishop Holgate's School for a two storey classroom block, relocation of cycle stores and a replacement car park.

In their update to Members, Officers reported that a response had been received from Highways Network Management.

They commented that large areas of the site had been used for car parking and that there was a large under utilised cycle shelter. In their opinion the reasons for the low take up of cycling in the 11-16 year age group was due to; insufficient perceived security, inefficient access (having to dismount at the gate), lack of promotion and having no set targets in the their existing travel plan. In addition the uncovered cycle spaces at the front of the school were heavily used as they were overlooked and because Sixth Formers were able to cycle through the school grounds to this parking area.

Officers informed Members that a number of revisions had been made to the application to improve the number and position of cycle spaces relocated by the new school building such as;

- The position of the cycle shelter would be moved to be alongside the new building, to provide a better relationship to the new building and natural surveillance.
- CCTV would be provided to cover the shelter, and a new section of path would connect to the existing access path
- The access gate to this part of the site would be locked at the end of school hours to provide better security.
- Permission would be granted for cyclists to use the path from the gate without having to dismount.
- There would be an additional 208 cycle spaces in addition to the existing 96 cycle spaces.
- The School Travel Plan would state that further spaces be made available in the future should there be a demand.
- That the proposed marked out car parking spaces satisfy CYC's Annex E Parking Standards.

It was reported that Highways Network Management would have no objections to an amended scheme subject to conditions ensuring the implementation of the cycle and car parking proposals and submission of a travel plan.

Members were informed that an objection to the application had been received from Sport England (SE) which remained concerned about the loss of grassed areas. SE suggested that the school's tennis courts could be used for overflow car parking. Members were also informed that if they were minded to approve the application as a result of SE's objection the application would have to be referred to the Government Office to decide whether the application would be called in to be determined by the Secretary of State.

In questions to Officers, some Members asked whether the proposals constituted an overprovision of cycle spaces. In response, Officers stated that the level of provision would be appropriate since the enlarged school would be expected to actively promote cycling to school and a significant uptake could be anticipated.

Representations were received from John Stone, the School Project Manager. He reported that the area which Sport England were objecting to the use of as a car park, was currently used as high jump and long jump pitch. He added that the school were happy to resite the cycle racks, and explained that there were not as many students using bikes to come to school as many parents viewed Hull Road as dangerous.

Members were informed that attenuation tanks had been introduced at the site as part of development in 2009 to reduce surface water run off, and that car parking spaces for staff had been minimised.

In response to questions from Members, the School's Project Manager reported that there was a small car usage amongst students and that there was a subsidised bus service to transport the students.

During discussion some Members felt that although there had been significant problems with flooding in the local area last year, that they felt that the school's flood management plan was sufficient to deal future situations.

**RESOLVED:** That the application be approved subject to referral to Government Office.

**REASON:** 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 :-

Policy background/ development principle, Design and landscape considerations, Traffic, highways and access issues, Playing field provision, Drainage, Sustainability, Impact on Residential amenity, Crime Prevention. As such the proposal complies with Policies ED1, GP1, GP4a of the City of York Development Control Local Plan and advice in the National Planning Policy Framework.

**68c Harlestone, 14 York Road, Strensall, York YO32 5UN  
(13/00474/FUL)**

Members considered a full application by Mr M Blacklee for the erection of a dormer bungalow to rear (resubmission).

In their update to Members, Officers reported the following;

- An error in their report regarding to an objection being made from 14 York Road, this was from **18 York Road**.

- An additional letter had been received from the occupants of 5 St Mary's Close who objected on the grounds of the impact on the conservation area, loss of light, outlook and privacy from neighbouring houses.
- The applicants had now offered to obscure glaze the only first storey window on the south elevation of the proposed house, to reduce overlooking of neighbouring houses. However, occupants of the bedroom would retain an outlook from the west. Members could add a condition for an obscured glazed window, if they were minded to approve the application.
- Objections from the Council's Flood Risk Engineer had been removed as suitable new drainage details had been provided. A new drainage condition could be added if Members were minded to approve the application to ensure that drainage details are approved and implemented.

Questions from Members to Officers related to the density of the building and surface water flooding, in particular whether the new drainage details would solve flooding in the vicinity.

Officers reported that the size and scale of the properties in the area were varied. They confirmed that the newly submitted drainage details from the applicant would not solve the problem for adjacent sites, but that it would release surface water run off at a slower rate than existing and should potentially be an improvement.

Representations in objection were received from the following people;

Jonathan Dyson, a local resident, expressed concerns regarding the overdevelopment of the site, the high density of properties in the Conservation Area and neighbouring properties suffering from surface water drainage problems.

Tracey Lyon, a local resident, stated that the application would have a detrimental on light and views from neighbouring properties, particularly on the summerhouse for 16 York Road. She reported that the summerhouse would be very close to the property's proposed garage.

Representations in support of the application were received from Mark Newby, the agent for the applicant.

He felt that the application satisfied Planning policy, was not harmful to the appearance of the Conservation Area, that there had been no objections on Highways grounds and that the drainage details were deemed to be suitable by Officers.

John Chapman from Strensall Parish Council felt that some of the gardens in the vicinity of the proposed building had eroded the character of the area, and had reduced the openness between dwellings.

Councillor Doughty, the Ward Member, also felt that the property would detract from openness and would lead to a feeling of cramming properties into a small area. He added that the National Planning Policy Framework excluded gardens as previously developed land. He felt that the access to the property was dangerous due to blind corners. He added that if Members approved the application that conditions relating to flood management be added to permission.

Discussion took place in which some Members felt that the development would impose and dominate neighbouring buildings, and felt that it should be refused. Others felt that the development was not overdevelopment and that traffic issues should not be considered. They added that they did not understand why residents' amenity would be detrimentally affected when the current residents had not previously used the space, but that the size of building was too large.

**RESOLVED:** That the application be refused.

**REASON:** (i) It is considered that the proposed development, by virtue of its siting, design, size and massing would harm the character and appearance of Strensall Conservation Area. The site is underdeveloped and provides an open character and sense of space around the existing dwellings which is considered the key characteristic of this part of Strensall Conservation Area. The proposed dwelling would erode this sense of space, particularly from views along West End, to the detriment of the character and appearance of the Conservation Area. Therefore, the application is considered to be contrary to Chapters 7 and 12 of the National Planning Policy Framework

and Development Control Local Plan Policies GP1 'Design' parts a), b) and c), GP10 'Subdivision of Gardens and Infill Development', H4a 'Housing Windfalls' part c) and HE2 'Development in Historic Locations'.

- (ii) It is considered that the proposed development, by virtue of its siting, design, size and massing would harm the amenity of occupants of the adjacent residential dwellings. The size of the proposed dwelling and its close relationship with neighbouring dwellings would result in a development which appears dominant and overbearing when viewed from neighbouring houses and gardens and would result in a loss of outlook to the detriment of the amenity of local residents. Therefore, the application is considered to be contrary to the Core Principles (bullet point 4 of paragraph 17) of the National Planning Policy Framework, and Development Control Local Plan Policy GP1 'Design' part i)

RESOLVED: That the application be refused.

**68d Biology Department, Wentworth Way, Heslington, York.  
YO10 5DD (13/00571/FULM)**

Members considered a full major application by University of York for the erection of a three storey Biomedical and Natural Sciences building.

In their update to Members, Officers reported that both Heslington Parish Council and the Foss (2008) Internal Drainage Board had no objections to the application. They suggested that if Members were minded to approve the application that an additional condition could be added in relation to the screening of the western boundary of the site with Walmgate Stray. In response to a question from a Member, Officers confirmed that the screening could include evergreen species.

The Council's Environmental Protection Unit (EPU) requested that if the application was approved that several conditions and a informative be added.

Representations in support were received from applicant's agent, Philip Holmes. He confirmed that;

- The building would house up to 420 students, but only a proportion of this number would use the facilities at a time.
- The University would be satisfied with an additional landscaping condition for boundary screening.
- No extra car parking spaces were proposed.
- 56 cycle spaces were proposed.
- There would be sufficient secure car parking for staff during Phase 1 of the development.

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

1. All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site, shall be confined to the following hours:-

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| Monday to Friday | 08:00-18:00 |
| Saturday         | 09:00-13:00 |

Not at all on Sundays and Bank Holidays

Reason: To safeguard the residential amenity of nearby properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

2. Details of all machinery, plant and equipment to be installed or located on the use hereby permitted, which is audible outside of the site boundary when in use, shall be submitted to the Local Planning Authority for approval. These details shall include maximum sound levels (LA<sub>max</sub>(f)) and average sound measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the Local Planning Authority. The machinery, plant or equipment and approved noise mitigation measures shall be fully implemented and

operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason: To safeguard the residential amenity of nearby properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

3. Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration, dust and lighting during the demolition, site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the residential amenity of nearby properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

4. In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the Council may consider taking action under Part 2A of the Environmental Protection Act 1990.

Reason: To secure the residential amenity of Neighbouring properties and to prevent land contamination.

5. Prior to the commencement of the development hereby authorised, details, including types and species, and a programme of planting and maintenance, of additional

landscape planting, along the western boundary of the site with Walmgate Stray shall be submitted to and approved in writing by the Local Planning Authority.

Any tree or shrub which dies or becomes diseased within a period of five years from the date of this permission shall be replaced with a specimen of similar size and species to the satisfaction of the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason: To safeguard the setting of Walmgate Stray to secure compliance with Policy NE8 of the York Development Control Local Plan.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the Officer's report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the visual amenity of the wider street scene, impact upon the setting of Walmgate Stray and the Economic Benefits of the City of York Development Control Local Plan.

**68e 18 Alma Grove, York YO10 4DH (13/00657/FUL)**

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

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 the impact on the residential amenity of neighbours or the impact upon the Conservation Area. As such the proposal complies with Policies H7, HE3 and GP1 of the City of York Development Control Local Plan; Paras 132 and 134 of the National Planning Policy Framework and City of York

Supplementary Planning Guidance to  
Householders (Approved March 2001).

Councillor J Galvin, Chair  
[The meeting started at 3.30 pm and finished at 4.35 pm].