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| MEETING | EAST AREA PLANNING SUB-COMMITTEE |
| DATE | 14 SEPTEMBER 2006 |
| PRESENT | COUNCILLORS MOORE (CHAIR), HYMAN (VICE-CHAIR), CUTHBERTSON (SUB FOR CLLR HALL), D'AGORNE, GREENWOOD, KING, SMALLWOOD, VASSIE AND I WAUDBY (SUB FOR CLLR M WAUDBY) |
| APOLOGIES | COUNCILLORS HALL AND M WAUDBY |

18. INSPECTION OF SITES

The following sites were inspected before the meeting:

| Site | Attended by | Reason for Visit |
|--------------------------------------|--|---------------------------------------|
| 212 Shipton Road, Rawcliffe, York | Cllrs Moore, Hyman, B Watson and Vassie. | To familiarise Members with the site. |
| 12 Grange Close, Skelton, York | Cllrs Moore, Hyman, B Watson and Vassie. | To familiarise Members with the site. |
| 17 Worcester Drive, Osbaldwick, York | Cllrs Moore, Hyman, B Watson and Vassie. | To familiarise Members with the site. |

19. DECLARATIONS OF INTEREST

The Chair invited Members to declare any personal or prejudicial interests which they had in any of the business on the agenda.

Cllr I Waudby declared a personal prejudicial interest in Plans item 4f) (212 Shipton Road, Rawcliffe) as her son worked in the shop adjacent to the site and she left the room and took no part in the discussion or voting thereon.

Cllr Moore declared a personal non-prejudicial interest in Plans item 4f) (212 Shipton Road, Rawcliffe) as a member of Rawcliffe Parish Council but confirmed that he had had no involvement at Parish Council level with this application.

Cllr Hyman declared a personal non-prejudicial interest in Plans item 4g) (17 Worcester Drive, Osbaldwick) as his father in law lived in Meadlands at the rear of the site.

Cllr D'Agorne declared a personal non-prejudicial interest in Plans item 4e) (Garage Yard, Escrick Street, York) as a Local Education Authority governor at Fishergate School opposite the site.

Cllr Vassie declared a personal non-prejudicial interest in Plans item 4j) (Wheldrake C of E Primary School, North Lane, Wheldrake) as he was a governor and his child attended the primary school.

Cllr King declared a personal non-prejudicial interest in Plans item 4i) (Swallow Hall, Crockey Hill Road, Wheldrake) as he played golf at the course.

20. MINUTES

RESOLVED: That the minutes of the last meeting of the Sub-Committee held on 10 August 2006 be approved and signed by the Chair as a correct record subject to the following amendment

In Minute 17a. Northfield, 15 North Lane, Wheldrake, York (06/01438/FUL) the deletion of the sixth paragraph and its replacement with the following:

“Certain Members raised concerns regarding the implications of a letter received from the applicants agent to Sub-Committee members relating to the proposed appeal lodged against the Committee’s previous decision and requested legal advice on its contents”.

21. PUBLIC PARTICIPATION

Under the Council’s public participation scheme Matthew Laverack spoke on a matter within the remit of the Sub-Committee.

He confirmed that the matter had largely been dealt with by the amendment to the minutes of the Sub-Committees meeting on 10 August 2006. He stated that the minutes of the last meeting were inaccurate and incomplete insofar as they related to the planning application at Northfield, 15 North Lane, Wheldrake (06/01438/FUL). He referred to Members references to him behaving improperly, in relation to information he had sent to Members prior to the meeting, which had shown to be incorrect. He also stated that the emailed information referred to in para. 6 of the minute had in fact been posted to Members.

22. 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.

22a. 23 Hospital Fields Road, Fulford (06/1458/FULM)

Members considered a Major Full Application, submitted by Shepherd Developments for the erection of a two storey office development with associated car and cycle parking at 23 Hospital Fields Road, York.

Officers circulated an updated report which detailed that revised plans had now been received which showed a revised elevational design which attempted to break up the previously blank façade. It stated that Highways had no objections subject to conditions and that the Flood Risk Assessment had been submitted which concluded that there would be a 0.1% risk of flooding existing sewers. The applicant had also confirmed that the building was intended to meet, if not exceed, Part L of the current Building Regulations and achieve a Bream Rating of Excellent. Officers also confirmed that the cycle parking had now been moved to the front entrance.

Members welcomed the sustainability statement included with the application which they felt engaged with the Councils policies with regard to sustainable developments. In the light of the statement it was suggested that an informative be added requesting the applicant to consider real time monitoring of their energy use and the performance of the building and making this information available to promote best practice across the city.

RESOLVED: That the application be approved subject to the conditions listed in the report and subject to the following additional conditions and informatives:

1 The development hereby approved shall not be occupied until the areas for vehicle parking have been constructed and laid out in accordance with the approved plans (or such details that are subsequently submitted to and approved in writing by the Local Planning Authority). Such areas shall thereafter be retained for the purposes of parking vehicles.

Reason;

To ensure that adequate provision for parking of vehicles, in accordance with the councils maximum parking standards and advice contained in PPG 13(Transport) is provided within the site curtilage to avoid the displacement of uncontrolled parking on the adjacent public highway, to the detriment of free flow of traffic, safety of highway users and amenity of local residents.

2 The development hereby approved shall not be occupied until covered and secure cycle parking facilities, for 25 cycles, have been provided in accordance with detailed drawings, which are to be submitted to and approved in writing by the Local Planning Authority. Such drawings are to show the position, design, materials and finishes thereof. Such facilities shall thereafter be retained for the purposes of parking cycles.

Reason;

To ensure that adequate provision for the parking of cycles, in accordance with the council's minimum cycle parking standards.

3 Pedestrian visibility splays of 2m x 2m shall be provided either side of the vehicular access and shall be retained thereafter, free of all obstructions over 600mm in height above the level of the adjacent footway.

Reason;

To ensure an adequate level of visibility to and from the vehicular access is provided in accordance with the relevant guidelines so that the use of said access does not prejudice the safety of pedestrians in the vicinity of the access.

4 No part of the development hereby permitted shall be occupied until the following highway works -

"the provision of real time bus information display to the inbound bus stop in the vicinity of no. 204 Fulford Road" have been carried out in accordance with a specification to be agreed in writing with the Local Planning Authority, or alternative arrangements have been made to ensure the same.

Reason: In order to encourage employees to travel to the site by public transport in accordance with advice contained in Planning Policy Guidance Note 13(Transport), and with Policy T20 of the City of York Draft Local Plan.

5 The site shall hereafter be occupied in accordance with the aims, measures and outcomes of a Travel Plan that has been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development complies with advice contained in PPG 13-Transport, and in Policy T20 of the City of York deposit Draft Local Plan, and to ensure that adequate provision is made for the movement of vehicles, pedestrians, cycles and other modes of transport to and from the site, together with provision of parking on site for these users.

1.INFORMATIVES

The applicant should provide real time monitoring of the energy performance of the building and make this information publicly available in order to contribute up to date information on sustainable methods of construction and to promote best practice across the city.

2. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact upon the streetscene and locality and its impact upon employment allocation within the city. As such the proposal complies with Policies GP1, GP4a, E4 and SP7 of the City of York Deposit Draft Local Plan, as well as Regional Spatial Strategy Policy YH8 and PPS6 Planning for Town Centres (2005).

22b. 122 Strensall Road, Huntington (06/01020/FUL)

Members considered a Full Application, submitted by Hogg Builders (York) Ltd for the erection of 6 dwellings.

Officers updated that the application site was in Earswick and not Huntington as stated in the report and that the public open space contribution would, subject to Parish Council consultation, go towards the North zone of the Sport and Action Leisure Strategy . Officers confirmed that although the policy relating to affordable housing provision had changed significantly since the previous approval for six dwellings on the site that, on balance, the recommendation was for approval as the improved mix of house types would be lost if the earlier permission was implemented.

Members confirmed that the proposed scheme gave a wider mix of housing on the site with the introduction of two smaller units but requested the imposition of conditions to protect the roots of the walnut tree.

RESOLVED: That approval be granted subject to the conditions outlined in the report, a Section 106 Agreement and the following informative;

INFORMATIVE:

The applicant is encouraged to examine whether all or a significant part of the materials on site can be recycled as part of the development, for sustainability purposes.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to density, housing mix, affordable housing, character and form, residential amenity, trees, highways, land contamination, archaeology, drainage, education facilities and public open space. As such the proposal complies with guidance in PPS1 and PPG3 and Policies H2a, H3c, H4a, H5a, GP1, GP4a, GP6, GP10, HE10, NE1 and T4 of the City of York Draft Local Plan incorporating 4th set of changes.

22c. 12 Grange Close, Skelton (06/01398/FUL)

Members considered a Full Application, submitted by Mr Hutchinson, for a two storey pitched roof side extension and single storey rear extension.

Officers updated that the adjacent resident at 14 Grange Close had reiterated their objections and had appointed a Chartered Surveyor to survey the impact of the proposed development on their bungalow. He was of the opinion that the proposal would constitute over development and would dominate and overshadow their dwelling.

Representations were received in support from the applicant who confirmed that following refusal of the previous application he had amended the design of the extensions to reduce their affect on the amenity of the neighbouring occupiers.

RESOLVED: That the application be approved subject to the conditions outlined in the report.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to impact on the street scene and amenity of neighbours. As such the proposal complies with policies GP1 and H7 of the City of York Local Plan Deposit Draft.

22d. St Peters School (06/01428/FUL)

Members considered a Full Application submitted by St Peters School for the erection of a fencing enclosure at each end of the former public footpath (retrospective).

Officers confirmed that the proposed gates would be of simple style and design and be in keeping with the black steel fencing in the area.

Representations were received from the Footpath Secretary of the Ramblers Association who indicated that the application was for fencing enclosures and not gates and they felt that an application for gates would require the submission of a new application. He asked Members to either refuse or defer the application to enable further consultation with the school in relation to public access to the path during school holidays and during flooding of the area.

Representations were also received from a representative of Clifton Path Action Group who stated that the school had erected steel fencing across each end of the path and not gates as stated in the report. He raised objections that no enforcement action had been taken against the applicants and requested that the application was deferred pending a compromise solution.

Officers stated that who used the gates was not a planning matter and that the planning application was simply concerned with the visual impact of the gates.

Members questioned clarification as to whether the advertisement of fencing enclosures was misleading and suggested deferment of the application to allow readvertisement of the application to state erection of gates.

RESOLVED: That consideration of the application be deferred to allow readvertisement to state erection of gates and that the applicant be advised of the Committees concerns that no discussion had taken place regarding the publics limited use of the path during school holidays and during flooding.

22e. Garage Yard, Escrick Street, Fulford (06/01568/FUL)

Members considered a Full Application, submitted by J T M Developments Ltd, for the erection of a three storey block of 4 apartments (Resubmission 05/02076/FUL).

Officers updated that this application was the resubmission of an earlier application the only change being that this application had been accompanied by a supporting statement. It was reported that the statement raised no new issues and did not overcome objections to the previous application. Members were informed that a possible redesign of the development was in the early stages of discussion and that this may result in a resubmission of the application.

Representations were received in objection to the application from a neighbour who confirmed that local residents were disappointed to see that the present application had not been amended to overcome previous objections. He asked Members to refuse the application as this would be a 3 storey development adjacent to the existing 2 storey properties with an overbearing brick wall. The residents felt that their peace and privacy would be lost with additional traffic congestion adjacent to the already busy school.

RESOLVED: That the application be refused.

REASON: The proposed development, by virtue of the proximity, height and size of the gable end elevation of the building facing neighbouring properties on Escrick Terrace, would result in an overbearing and domineering form of development, causing unacceptable harm to the amenities of those properties contrary to paragraph 29 of the 'Planning System: General Principles', published alongside PPS1: Delivering Sustainable Development and policy GP1 of the City of York Draft Local Plan.

22f. 212 Shipton Road (06/01061/FUL)

Members considered a Full Application, submitted by Miss L Wallis, for the replacement of a shop with 3 no. residential units above following the demolition of the old shop at 212 –214 Shipton Road.

Officers updated that Highways had requested the inclusion of additional conditions relating to construction and the preparation of a dilapidation survey of the highway prior to the commencement of works. Members were also requested to change the final sentence in para.1.3 to read “Buildings stand on one side of the road facing a verge between the residential distributor and the main Shipton Road”. In answer to questions Officers gave details of the Flood Risk Analysis for the area.

Members questioned if there were any proposed traffic restrictions planned for the area. It was confirmed that consideration would be given to these in the next Annual Review of Traffic Regulation Orders.

Representations were received in objection to the proposal from a neighbour who jointly owned a convenience store adjacent to the site and who confirmed that the parking situation had worsened following developments in the area. She felt that this proposal would aggravate an existing problem and suggested parking vehicles at the rear of the properties.

Representations were also received from the Clerk to Rawcliffe Parish Council who confirmed that they were opposed to the application which they felt would have a significant affect on the street scene and would exacerbate parking problems in the area. The Parish Council requested that the application should be deferred pending the resolution of the parking issues.

Some Members expressed concerns regarding the traffic issues, including problems which could arise with reversing vehicles from the forecourt and the pedestrian/vehicle conflict. Members questioned the possibility of pursuing the applicant for the cost of implementing a Traffic Regulation Order but Officers confirmed that they did not consider that this would be practical due to the detrimental impact waiting restrictions could have on local residents and shops.

Officers also confirmed that they could not substantiate reasons for refusal on parking grounds and confirmed that the open space at the rear of the property would be insufficient to provide parking for the development.

RESOLVED: That the application be approved subject to the conditions listed in the report and subject to the following additional conditions

1 Prior to the development commencing details of the measures to be employed to prevent the egress of mud, water and other detritus onto the public highway, and details of the measures to be employed to remove any such substance from the public highway shall be submitted to and approved in writing by the Local Planning Authority. Such measures as

shall have been approved shall be employed and adhered to at all times during construction works.

Reason: To prevent the egress of water and loose material creating a hazard on the public highway.

2 Prior to works starting on site a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which shall be agreed in writing with the LPA.

Reason: In the interests of the safety and good management of the public highway.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the living conditions enjoyed by occupiers of adjoining dwellings, the character and appearance of the area or highway safety. As such the proposal complies with Policies GP1, H4, SP8, and S10 of the City of York Local Plan Deposit Draft and the aims of PPS1, PPG3, PPG4 and PPG13.

22g. 17 Worcester Drive, Osbaldwick (06/01198/FUL)

Members considered a Full Application, submitted by Mr P Hodgson, for a pitched roof extension to side and rear including a detached garage after the demolition of an existing.

Officers updated that, during the site visit the previous day, Members and Officers had noted a variation between the site boundary of the garden which appeared smaller than that shown on the planning application. Officers also requested the alteration of the Planning Officers report, page 50 in the first line relating to overlooking the deletion of the word "omitted" and its replacement with "resolved".

Representations in objection were received from a neighbour, on behalf of local residents, who stated that the proposed large extension would have a detrimental impact on neighbours with a loss of light and they felt the design and scale were inappropriate for the area. She stated that there were a number of elderly neighbours who had found the whole process very stressful.

Representations in support were received from the applicant who stated that with a large family including 6 children he required additional accommodation. He confirmed that his proposals had been amended to try and minimise the impact on neighbours. This included removing rear overlooking windows, inserting obscure glass in the bathroom, laying land drainage and retaining trees on the boundary.

Councillor Morley, as Local Member, confirmed that he appreciated Officers work in their attempts to balance the concerns of adjacent

residents whilst providing accommodation for the applicants needs. He did however feel that the scale of the scheme was not appropriate for the site and would have an adverse affect on the neighbour's amenities.

Members questioned details of surface water drainage and expressed concern at the accuracy of the site plan in relation to the size of the application site and stated that this conflict may have some bearing on the development.

RESOLVED: That consideration of the application be deferred to the next meeting pending a site visit and for Officers to request the provision of an accurate site plan to include the siting of neighbouring properties.

REASON: To provide accurate site plans for the avoidance of doubt when considering the application.

22h. Gateway York Hotel, Kexby (06/01437/FULM)

Members considered a Major Full Application, submitted by Colin and Sharon Marsh, for the erection of 6 no. single storey, detached, timber lodge guest bedroom units and connecting path around an existing pond at the rear of The Gateway to York Hotel, Hull Road, Kexby.

Officers circulated a brochure which showed the design of the single storey log cabins proposed for use as accommodation for hotel guests. They confirmed that no ecological assessment information or of any drainage/sewage details had been provided with the application to enable Officers to access the impact of the proposal.

RESOLVED: That the application be refused.

REASON: 1 The proposed development conflicts with national and local green belt planning policy which states that there is a presumption against inappropriate development unless there are very special, defined, circumstances. The local planning authority does not consider that there are substantial or compelling reasons to justify setting aside green belt policy in this case. The proposals therefore conflict with PPG2 and policies GB1 and GB11 of the City of York Local Plan Deposit Draft.

2 Insufficient information has been provided by the developer to determine the potential impact the proposals may have on the natural environment in the vicinity of the site contrary to policies GP1, NE2, NE3, NE4a, and NE7 of the City of York Local Plan Deposit Draft.

3 Insufficient information has been provided by the developer to determine the potential impact the proposals may have on the existing drainage systems

contrary to policies GP1 and GP15A of the City of York Local Plan Deposit Draft.

22i. Swallow Hall Golf Course, Wheldrake (06/00438/FULM)

Members considered a Major Full Application, submitted by John Scutt, for the change of use and alterations to agricultural land to extend an existing golf course at Swallow Hall, Crockey Hill Road, Wheldrake.

Officers circulated additional site plans which showed the site in relation to Elvington and Wheldrake. Officers confirmed that access to the site was via the existing entrance and that no additional buildings or car parking were proposed.

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 in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the Green Belt, visual amenity of the area, and the highway network. As such the proposal complies with Policies GB1, GB13 and L3 of the City of York Draft Local Plan.

22j. Wheldrake Primary School (06/01553/FUL)

Members considered a Full Application, submitted by the York Diocesan Board of Education, for one and two storey pitched roof side and rear extensions at Wheldrake C of E Primary School.

Officers updated that the application involved the removal of existing portable classrooms from the site and their replacement with permanent extensions to improve teaching facilities at the school. It had been hoped to have further information relating to additional sustainable elements within the scheme for the meeting, as the applicants were aware of the Sustainability Officers views in respect of the scheme.

Members questioned the possible inclusion in the sustainability statement of details relating to solar panels, exterior lighting and rainwater recycling.

RESOLVED: That consideration of this application be deferred for one month to allow a site visit and for the applicants to provide a sustainability statement to include details of external lighting and solar heating.

REASON: To enable the applicant to submit a full sustainability statement to support the Councils promotion of sustainable developments and in order to hold a site meeting prior to consideration of the application by Members.

CLLR R MOORE, Chair

The meeting started at 2.00 pm and finished at 5.45 pm.