
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	17 AUGUST 2006
PRESENT	COUNCILLORS BARTLETT (VICE-CHAIR), SUE GALLOWAY, HORTON, LIVESLEY (CHAIR), MACDONALD, REID AND B WATSON
APOLOGIES	COUNCILLORS SIMPSON-LAING AND SUNDERLAND

15. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Reason for Visit	Members Attended
Site to rear of 30 – 41 Millfield Gardens, Nether Poppleton	To familiarise Members with the site.	Cllrs Livesley, S Macdonald, B Galloway, Watson, Sunderland, Bartlett.
St Mary's C of E Primary School, School Lane, Askham Richard	To familiarise Members with the site.	Cllrs Livesley, S Macdonald, B Galloway, Watson, Horton, Sunderland, Bartlett.
27 Station Road, Copmanthorpe	To familiarise Members with the site.	Cllrs Livesley, S Macdonald, B Galloway, Watson, Horton, Sunderland, Bartlett.
Acomb Primary School, West Bank, York	To familiarise Members with the site.	Cllrs Livesley, S Macdonald, B Galloway, Watson, Horton, Sunderland, Bartlett.
83A Front Street, York	To familiarise Members with the site.	Cllrs Livesley, S Macdonald, B Galloway, Watson, Horton, Bartlett.
46 Kyme Street, York	To familiarise Members with the site and at the request of Cllr Fraser.	Cllrs Livesley, S Macdonald, B Galloway, Watson, Horton.

16. DECLARATIONS OF INTEREST

Cllr Horton declared a personal and prejudicial interest in Plans Item 4c – Site to the rear of 30-41 Millfield Gardens, Nether Poppleton, York (06/011552/FUL) as he knew the applicant.

It was noted in the interests of transparency that Plans Item 4j – 4 Littlefield Close, Nether Poppleton (06/01529/FUL) was made by the wife of an elected member although there were no interests to declare.

17. MINUTES

RESOLVED: That the minutes of the meeting of the West and City Area Planning Sub-Committee held on 20 July and 1 August be approved and signed as a correct record.

18. 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.

19. PLANS LIST

Members considered a schedule of reports of the Assistant Director (Planning & Sustainable Development), relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views and advice of the consultees and officers.

19a. 46 Kyme Street, York, YO1 6HG (06/01262/FUL)

Members considered a full application, submitted by Mr and Mrs I Nixon for a two storey pitched roof rear extension (Retrospective).

Mr Crompton, a neighbour to the application site, addressed the committee with concerns about the size and scale of the extension being out of character in the area and the risk of creating a precedent. He was also concerned that approval for the application was being sought retrospectively.

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

REASON: The proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GP1, H7, HE2 and HE10 of the City of York Local Plan Deposit Draft.

19b. Acomb Primary School, West Bank, York (06/01132/FUL)

Members considered an application for the erection of fencing and gates to the Nursery Drive and West Bank entrances and adjacent to garages on Carrick Gardens.

Officers updated the committee that a further letter in objection to the item had been received which raised concerns about traffic issues and gates opening.

Members discussed the need for an extra piece fencing to be added onto the plans to increase the security of the site and assurances were given to the committee that this was acceptable to the applicant.

RESOLVED: That the application be approved in line with the conditions and informatives in the report and that the extra return of fencing be added to Officers satisfaction.

REASON: The proposal complies with Policies GP1 and GP3 of the City of York Development Control Local Plan (1995).

19c. Site to rear of 30-41 Millfield Gardens, Nether Poppleton, York (06/01150/FUL)

Members considered a full application, submitted by Mr Tim Hanser for the Change of use of part of agricultural land to residential gardens for 30-41 Millfield Gardens and 35 and 37 Hillcrest Avenue.

Officers updated the committee that though it was not material to the application, in the interests of transparency, the land of the site of the application was owned by City of York Council and leased to the farmer.

Mr Roberts, a neighbour, addressed the committee and raised some concerns about the conflict between the application and the vision in the Poppleton Village Design Statement. He also raised specific issues about the protection of the hedgerow.

Mr Mortimer, another neighbour, spoke in support of the application and discussed the need for expansion of domestic gardens and raised the issue that the hedge is not protected but that it would be retained by the residents.

RESOLVED: That the application be refused in line with the report and that Officers should open an enforcement action.

REASON: The application fails to accord with Policy GB1 and the City of York Council Draft Deposit Local Plan and Planning Policy Guidance 2 and contrary to Policy NE1 of the City of York Draft Deposit Local Plan.

19d. 27 Station Road, Copmanthorpe, York, YO23 3SY (06/01210/FUL)

Members considered a full application, submitted by Mr Stericker for the erection of a conservatory to the side of the property.

Officers updated the committee that Copmanthorpe Parish Council had added 2 further objections in that the tabled application went against the intention of the original application and that the application site is lower than the neighbouring property so the level of overlooking was felt to be unacceptable.

Mr Longhorn, a neighbour, addressed the committee and raised the following objections, overlooking due to the site levels, opposition to the insertion of additional windows/openings that had been referenced in the decision in 2005, the application was further forward to the boundary and suggested that the conservatory would be more appropriately sited at the rear of the site rather than at the side.

Mr Steriker, the applicant addressed the committee to stress the merits of the application including that the conservatory would not impact any neighbour's line of sight and would not be intrusive but would facilitate their enjoyment of their own house and garden.

RESOLVED: That the application be refused.

REASON: On the grounds of proximity to the boundary wall, overlooking and harm to the amenity of the neighbours.

19e. 2 Millers Yard, Gillygate, York, YO31 7EB (06/01226/FUL)

Members considered a full application, submitted by Mr D Glasper for the change of use from offices (B1 Use) to clinic/consulting rooms (D1 Use) at No 2 Millers Yard and non-residential educational/ training use (D1) at No 4 Millers Yard.

Officers updated the committee that there had been a further letter of objection received.

Mr Glasper, the applicant addressed the committee and emphasised the merits of the scheme.

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

That, condition 4 in the report be replaced with the general hours condition and that condition 5 be deleted and that the permission be granted only to the applicant and not any subsequent user.

REASON: The proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No. 3 Adopted 1995) and policies HE3, T4 and E3 of the City of York Draft Local Plan; Planning Policy

19f. Warehouse 83A Front Street, York, Y024 3BR (06/01261/FULM)

Members considered a full application, submitted by Corner Developments (Faxton) Ltd for the conversion of chapel to 10 no. residential apartments, external alterations including new front canopy, new and replacement windows, bin and cycle stores (resubmission).

Officers updated the committee and emphasised that though the building is not listed it did have an important contribution to make to the character of the conservation area and also informed Members that there were some amendments to the conditions as detailed below:

That "and material be added to the end of 3ii/ and that the following be added at "3v. Bin and Cycle Store".

That condition 4 of the report be replaced with the following:

4. Details of all means of enclosure to the site boundaries and the internal walls/fences to the proposed patio areas, shall be submitted to and approved in writing by the LPA before the development commences and provided before the development is occupied. Thereafter the agreed walling shall not be lowered or breached without prior written consent from PLA.

That condition (of the report be amended to ARCH2.

That condition 13 of the report be replaced with the following:

13. Notwithstanding the information submitted with the application, before the installation of any window in the development, agreement shall be reached in writing with the Local Planning Authority to identify whose windows and rooflights where obscured glazing is required, and the extent and detailed design of the obscured glazing and the means of opening for the respective windows to be provided. The approved scheme shall then be retained in place at all times.

Reason: To protect the privacy and amenities of adjoining residents.

And that the following conditions be added:

18. Notwithstanding the information submitted with the application, the height of the wall, to be retained in relation to finished levels in the patio area, following the partial demolition of the building at the rear of the site, shall be agreed in writing with the LPA before the commencement of works upon the site.

Reason: To ensure adequate privacy for the residents of Chapel Terrace.

19. HWAY 29 (no outward opening gate)

20. Notwithstanding the information submitted with the application, prior to the commencement of works upon the site, a revised plan shall be submitted to and agreed in writing with the LPA for the layout of cycle parking/bin stores on the western boundary of the application site.

Reason: To achieve a layout that is convenient to use for residents and to achieve a satisfactory appearance.

Mrs Kadis, a neighbour, addressed the committee and raised concerns about the window scheme that would overlook her property and general concerns about parking pressures.

RESOLVED: That, the application be approved in line with the conditions and informatives in the report and the replacement conditions and amendments listed above.

REASON: That the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GP1, GP4A, GP13, HE2, HE3, HE4A, HE5A, L1C, ED4 and S9 of the City of York Development Control Local Plan.

19g. St Mary's C of E Primary School, School Lane, Askham Richard, York, YO23 3PD (06/01406/GRG3)

Members were advised that this application had been withdrawn prior to the meeting and as such was not part of the Plans List for determination.

19h. Ali G Pizza, 11 Tower Street, York, YO1 9SA (06/01471/FUL)

Members considered a full application, submitted by Ali Gurgar for the Variation of condition 2 of planning permission 7/05/737/ARI/TP to extend opening hours to 16.00 hours - 1.00 hours Monday-Thursday 16.00 hours - 02.00 hours Friday and Saturday and 16.00 - 1200 hours Sunday.

Officers updated the committee about the receipt of a further letter of objection identifying noise, litter and vandalism as concerns in relation to the application. Officer advised Members of the need to revisit the wording of condition 2 regarding litter collection.

Mr McLoughlin, solicitor for the applicant, addressed the committee about the merits of the scheme and supporting a family run business.

RESOLVED: That the application be approved in line with the conditions and informatives in the report with the exception of condition 2 which Officer must seek satisfactory rewording of.

REASON: The proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies HE3, S6 and S7 of the City of York Local Plan Deposit Draft.

19i. Council Depot, Hazel Court, York, YO10 3DS (06/01484/GRG3)

Members considered a full application, submitted by City of York Council for the Erection of a 15 metre high wind turbine (re-submission).

Officers updated the committee with a report that Cllr M Hill had written to express his support for the wind turbine.

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

REASON: The proposal complies with Policies GP4, GP5 and GP1 of the City of York Local Plan Deposit Draft; national planning guidance contained in Planning Policy statement Notes 1 “delivering Sustainable Development” and No.22 “Renewable Energy”.

19j. 4 Littlefield Close, Nether Poppleton, York, YO26 6HX (06/01529/FUL)

Members considered an application submitted by Alison Jayne Bradley for the Erection of 2 x 1.8m high double wooden gates.

Officers updated the Committee to report that the response from Nether Poppleton Parish Council had been received and there were no objections.

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

REASON: The proposal complies with Policy GP1 of the City of York Development Control Local Plan (2005).

19k. Lendal Hill House, Museum Street, York, YO1 7DT (06/01323/LBC)

Members considered a full application, submitted by Lendal Tower Venture for the Erection of boundary railings and alterations to outbuilding to form storage area.

Officers updated the committee that a plan had now been received showing the boundary markings for 3 garden areas.

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

REASON: That the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies HE4 and HE9 of the City of York Local Plan Deposit Draft.

COUNCILLOR D LIVESLEY

Chair

The meeting started at 3.00 pm and finished at 6.00 pm.