



Notice of a public meeting of

Planning Committee B

- To:** Councillors Hollyer (Chair), Melly (Vice-Chair), Craghill, Crawshaw, Daubeney, Fisher, Galvin, Orrell and Perrett
- Date:** Thursday, 9 March 2023
- Time:** 4.30 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

1. Declarations of Interest

At this point in the meeting, Members are asked to declare any disclosable pecuniary interest or other registerable interest they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

2. Minutes

(Pages 1 - 8)

To approve and sign the minutes of the last Planning Committee B meeting held on 8 February 2023.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Tuesday, 7 March 2023.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Plans List

This item invites Members to determine the following planning applications:

**a) Morrell House, 388 Burton Stone Lane, York, (Pages 9 - 36)
YO30 6EZ [22/01504/FULM]**

This application seeks permission for conversion of the premises into 12 apartments (Use Class C3 and one five/six bed HMO (Use Class C4) for the Yor Space Housing Co -operative. [Clifton Ward]

**b) The Lord Nelson 9 Main Street Nether (Pages 37 - 66)
Poppleton York YO26 6HS [22/02243/FUL]**

This application seeks permission for one dwelling house. [Rural West York Ward]

5. Planning Appeal Performance and Decisions (Pages 67 - 84)

This report informs Members of planning appeal decisions determined by the Planning Inspectorate between 1 July and 30 September 2022.

6. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:
Jane Meller

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For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

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City of York Council

Committee Minutes

Meeting	Planning Committee B
Date	8 February 2023
Present	Councillors Hollyer (Chair), Melly (Vice-Chair), Crawshaw, Daubeney, Orrell and Perrett
Apologies	Councillors Craghill, Fisher and Galvin
In Attendance	Gareth Arnold, Development Manager Helene Vergereau, Principal Development Control Engineer Ruhina Choudhury, Senior Solicitor

59. Declarations of Interest (4:32 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

None were declared.

60. Minutes (4:32 pm)

Resolved: That the minutes of the last meeting held on 12 January 2023 were approved as a correct record.

61. Public Participation (4:33 pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

62. Plans List (4:33 pm)

Members considered a schedule of reports of the Development Manager, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

**63. 4 Government House Road, York, YO30 6LU [22/02198/FUL]
(4:33 pm)**

Members considered a full application for 4 Government House Road York YO30 6LU for the change of use of adopted highway to private driveway and erection of 2m high gates.

The Development Manager gave a presentation on the application, followed by an update to the Committee. He explained that an additional consultation response from Yorkshire Water had removed the objection relating to access and therefore officers had amended the recommended refusal reason to the following:

The change of use of the adopted highway to private drive and the erection of gates would prevent access from this part of the highway for no. 5 Government House Road. The road is considered to serve a highway purpose and the proposal would not provide for unrestricted access to this neighbouring property and would result in a loss of residential amenity. The proposal would not comply with paragraphs 110 (b) and 130 (f) of the National Planning Policy Framework (2021).

In response to questions from Members, officers clarified the location of the highway in relation to the garage for property no. 5 and the area of land within the public highway.

Public Speakers

Adam Kraemer-Dent, resident of 5, Government House Road, spoke in opposition to the application. He explained that he had lived at the property since 2010, that there were no issues with privacy as vehicles and pedestrians turned round before reaching the lane to his garage. He stated that the application would deny access to his garage.

In response to questions from Members, he explained that their property deeds provided for access to the garage and that the garage was only used for storage, not a car.

Rachel Gilbert-Cornish, the applicant, spoke in favour of the application. She stated that the plans were designed to make their drive private and noted that the objection from Yorkshire Water had been addressed and removed. She questioned the validity of the other objections which had been registered by neighbours and stated that the Department for Transport were the decision makers for Stopping Up Orders.

In response to questions from Members she confirmed that Yorkshire Water would be provided with manual and electronic access to the public sewerage system. When asked about access for their neighbour, the applicants referred to section 66 of the Highways Act and stated that they had not given vehicle rights over their land. They reported that an increase in car and pedestrian traffic had been observed since the removal of the private road signage.

Members asked the Highways Principal Development Control Engineer to clarify the status of the adopted highway. She reported that the road had been mapped as adopted in 1967 and been fully maintained by the council since then. In 2021, it was established that the adoption had not been legally undertaken due to an error in the handling of Ministry of Defence (MOD) land. The council had written to the residents and asked if they wanted to apply for the road to be adopted in accordance with section 228 of the Highways Act. All the residents, except the applicant, responded and applied for the road to be adopted. The criteria for adoption was complied with and the road was formally adopted in 2021. This had been subsequently challenged by the applicant through a Judicial Review and an appeal, both of which had been refused. She noted that section 228 did not allow for partial adoption of the road.

The council's Senior Solicitor stated that the whole of Government House Road had been lawfully adopted under section 228 in 2021. Section 66, referenced by the applicant, was not a relevant consideration.

The Development Manager confirmed, with reference to the neighbour's garage, that planning permission had not been applied for, however it was now considered lawful due to the passage of time. He further clarified that it would not be fair to assume that permission would not have been granted at the time, had an application been submitted.

Following debate, Cllr Orrell moved the amended officer recommendation to refuse the application. This was seconded by Cllr Melly.

Members voted unanimously in favour of the motion and it was:

Resolved: that the application be refused.

Reason: The change of use of the adopted highway to private drive and the erection of gates would prevent access from this part of the highway for no. 5 Government House Road. The road is considered to serve a highway purpose and the proposal would not provide for unrestricted access to this neighbouring property and would result in a loss of residential amenity. The proposal would not comply with paragraphs 110b) and 130f) of the National Planning Policy Framework (2021).

64. 71 Cromer Street, York, YO30 6DL [22/02451/FUL] (5:20 pm)

Members considered a full application at 71 Cromer Street, York, for the change of use from dwellinghouse (C3 use) to a 4-bedroom House in Multiple Occupation (HMO) (C4 use).

The Development Manager gave a presentation on the application and provided Members with an update to the recommended planning conditions with the following additional conditions:

Cycle Parking

The building shall not be occupied until the cycle parking areas have been provided within the site in accordance with the outbuilding plan submitted on 07.02.23, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

Refuse storage

All refuse and recycling storage shall be provided within the rear yard only and shall not be stored at the front of the property.

Reason: In order to protect the visual amenity of the street.

Following questions from Members regarding the plans, it was reported that the car parking guidance related to the 2005 unadopted plan and therefore carried little weight. Also, it was clarified that the reasons for refusing similar applications on the street related to the

thresholds in place for HMOs and highlighted that one of applications had been granted by the Planning Inspector on appeal.

It was confirmed that the HMO licence for this application had been obtained for 4 rooms with 5 occupants in total.

Public Speakers

Bridget Cunniff, a neighbour, spoke in opposition to the application and noted an increase in the number of HMOs on the street. She raised concerns regarding the loss of family homes and the safety of pedestrians in relation to parking. She highlighted the increase in noise levels due to the increased activity on the street.

In response to Member questions, she emphasised the difficulties in parking.

Marie Ponamarenko, a local resident, spoke in opposition to the application and shared her concerns regarding the level of HMOs on the street. She stated that there were several unregistered HMO properties that would take the street over the threshold. She highlighted instances of anti-social behaviour and the transient population which resulted in a loss of community.

Cllr Wells, Ward Councillor also spoke in opposition to the application. She noted that similar applications had been refused last year. She also noted that the threshold for the street would be passed should permission be granted. She spoke about the loss of community and increase in noise and disturbance to residents.

In response to questions from Members, it was reported that:

- With reference to the appeal case elsewhere Cromer Street, as outlined within the appeal update, the Inspector had determined that a minor breach of the threshold in the street alone was not sufficient reason to refuse planning permission.
- Should permission be granted, the street-level percentage of HMOs would be 10.5%.
- The Supplementary Planning Document and the draft Local Plan Policy H8 have similar wording. Policy H8 was not undergoing any significant modification as part of the Local and therefore carried some weight.
- It was difficult to attribute different levels of harm between C3 and C4 use types. The Committee needed to identify the type and level of harm to use this as a reason for refusal.

- It was possible to condition the number of bedrooms so that the HMO did not exceed the existing number of bedrooms.

After debate, Cllr Melly moved the officer recommendation to approve the application, subject to the amended conditions contained within the update and a further condition limiting the number of bedrooms to four. This was seconded by the Chair.

A vote was taken with 3 in favour and 3 against, the Chair's casting vote meant it was:

Resolved: that the application be approved subject to the amended conditions contained within the update and the additional condition, added by the Committee, of a maximum of four bedrooms.

Reason: The proposal complies with policy H8 of the 2018 draft Local Plan in terms of HMO thresholds at street and neighbourhood level and the change of use of this property would not have a significant negative impact on the balance of the local community. The property would provide a good standard of accommodation for 4 individuals and the use of the property as an HMO is not considered to cause significant harm to the amenity of neighbouring residents. As such the proposed change of use would comply with the National Planning Policy Framework, Publication draft Local Plan (2018) and the Supplementary Planning Document.

**65. Askham Bar, Tadcaster Road, Dringhouses, York
[22/02199/FULM] (6.10 pm)**

Members considered a major full application at Askham Bar, Tadcaster Road, York, for the retention of temporary buildings and erection of 2no. additional temporary buildings as a Primary Care Medical Centre (use class E(e)) with associated parking and access for a period of 18 months. The Development Manager gave a presentation on the application and provided an update which amended condition 1 so that the proposed use would operate for a temporary period until 31 August 2024 after which the site should be returned to its former condition with all buildings and structures

removed by 30 November 2024. An additional condition, that the development shall be operated in accordance with the submitted Travel Plan dated 18.10.2022, was also included.

In response to questions from Members, clarification was given regarding the cycle storage and pedestrian access. The temporary nature of the application and the decision to grant temporary planning permission should not prejudice future local authority decision making, whether or not the Local Plan had been adopted.

Following debate, Cllr Crawshaw moved the officer recommendation to approve the application. This was seconded by Cllr Daubeney.

Members voted unanimously in favour of the motion and it was therefore:

Resolved: that the application be approved as per the revised and additional conditions contained within the update.

Reason: The application relates to the former Askham Bar Park and Ride, a brownfield site allocated in the draft local plan 2018 as a proposed location for housing. The site has recently been in use as a Covid vaccination centre, established in 2020 through emergency permitted development rights. The continued temporary use of the site for health care purposes, retaining and expanding the existing modular buildings is considered acceptable in principle. The site is in a sustainable location and there would be no harm to visual or neighbour amenity. The application is in accordance with draft Local Plan policy HW5, T1, D1 and the provisions of the NPPF.

66. Planning Appeal Performance and Decisions (6:24 pm)

The Development Manager presented a report which provided information on the planning appeal decisions determined by the Planning Inspectorate between 1 April and 30 June 2022.

In response to questions from Members, the officer confirmed his intention to provide a further report at the next meeting.

Resolved: That the report be noted.

Reason: To keep Members informed of the current position of planning appeals against the Council's decisions as determined by the Planning Inspectorate.

Cllr A Hollyer, Chair

[The meeting started at 4.30 pm and finished at 6.25 pm].

COMMITTEE REPORT

Date: 9 March 2023 **Ward:** Clifton
Team: West Area **Parish:** Clifton Planning Panel

Reference: 22/01504/FULM
Application at: Morrell House 388 Burton Stone Lane York YO30 6EZ
For: Renovation and change of use of former care home (use class C2) to create 12no. Flats (use class C3) with shared amenities and one 5/6 Person HMO (use class C4)
By: Mr James Neward
Application Type: Major Full Application
Target Date: 11 February 2023
Recommendation: Approve subject to Section 106 Agreement

1.0 PROPOSAL

1.1 Morrell House, Burton Stone Lane comprises a former Local Authority Care Home which closed in 2018 and which lies in modest grounds at the north eastern edge of Clifton. Planning permission is sought for conversion of the premises into 12 apartments (Use Class C3 and one five/six bed HMO (Use Class C4) for the Yor Space Housing Co -operative. The HMO element of the proposal is fully integrated with the remainder of the development and would be subject to the same allocations policy and management arrangements as the apartments.

2.0 POLICY CONTEXT**2.1 Publication Draft City of York Local Plan (2018) Policies**

- H3 Balancing the Housing Market
- H4 Promoting Self Build and Custom House Building
- H8 Houses in Multiple Occupation
- H10 Affordable Housing
- HW3 Built Sports Facilities
- D1 Place Making
- ENV2 Managing Environmental Quality
- T1 Sustainable Access
- CC2 Sustainable Construction
- DM1 Infrastructure and Developer Contributions

2.2 York Development Control Local Plan (2005) Policies

- CYGP1 Design
- CYH2a) Affordable Housing
- CYH4a) Housing Windfalls
- CYH8 Conversions

- CYL1c) Provision of New Open Space in Development

3.0 CONSULTATIONS

INTERNAL

Public Protection

3.1 Raise no objection to the proposal subject to any permission containing informatives covering construction site management and electric vehicle charging and conditions covering the remediation of contaminated land.

Public Health (Sport and Active Leisure)

3.2 Raise no objection to the proposal subject to the payment of a commuted sum of £5325 for sports provision off site which is deficient in the wider area and can be secured by means of a Section 106 Agreement. A series of potential recipients are identified in the local area including the Crombie Road MUGA, the York Sports Club Clifton and the Clifton Bowls Club.

Open Space

3.3 A requirement also arises in respect of the provision of off-site open space of £3,775 for amenity open space and £6,312 for children's play space. The amenity open space contribution would be earmarked for Bootham allotments some 200 metres from the site and the children's play space contributions would be earmarked for the Ashton Avenue Play Area some 400 metres from the site.

Housing Services

3.4 Raise no objection to the proposal subject to the requirement for provision of affordable housing within Policy H10 to the Publication Draft Local Plan being delivered by means of the submitted allocations document which can be secured by means of a Section 106 Agreement.

Highway Network Management

3.5 Raise no objection in principle to the proposal subject to the detail of the revised access and parking arrangements being conditioned together with a requirement for a Sustainable Travel Plan as part of any permission.

EXTERNAL

Clifton Planning Panel

3.6 Raise no objection to the proposal

Yorkshire Water Services

3.7 Raise no objection to the proposal

North Yorkshire Police Force Designing Out Crime Officer

3.8 Raise no objection subject to the external layout being designed according to “designing out crime” principles and the cycle parking being designed to be secure.

4.0 REPRESENTATIONS

4.1 The proposal was publicised by Site Notice on 3 August 2022 and by Press Notice and Neighbour Notification at the same time. No representations have been received at the time of writing.

5.0 APPRAISAL

KEY CONSIDERATIONS

5.1 KEY CONSIDERATIONS INCLUDE

- Principle of the Development
- Impact upon the Visual Amenity of the Wider Street Scene
- Impact upon the Residential Amenity of Neighbouring Properties
- Impact upon the Safety and Convenience of Highway Users
- Sustainability of the Proposal
- Infrastructure and Developer Contributions.

NPPF

5.2 The revised National Planning Policy Framework was published on 21 July 2021 (NPPF) and its planning policies are material to the determination of planning applications. It is a material consideration on the determination of this planning application.

LOCAL PLAN

5.3 The Publication Draft City of York Local Plan 2018 (‘2018 Draft Plan’) was submitted for examination on 25 May 2018. Phase 1 of the hearings in to the Local Plan was held in December 2019, phase 2 was held in May 2022, phase 3 was held in July 2022 and phase 4 was held in September 2022. In accordance with paragraph 48 of the NPPF as revised in July 2018, the relevant 2018 Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

5.4 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF as revised in July 2018, although the weight that can be afforded to them is very limited.

PRINCIPLE OF THE DEVELOPMENT

5.5 There is a strong imperative in favour of housing delivery in the NPPF. It states that a Council must always be able to demonstrate a five-year supply of housing land. It provides that where a five-year housing land supply is absent then relevant policies for the supply of housing should not be considered up-to-date and the determining authority should therefore make decisions in accordance with paragraph 11 of the NPPF. Paragraph 11 requires that authorities should grant permission for development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole, or where specific policies in the Framework indicate development should be restricted.

5.6 The development falls within the definition of “custom building” within the terms of the 2015 Self Build and Custom House Building Act and the definition contained in the glossary to the 2021 NPPF. It is a development by an individual or group of individuals for occupation by them as their primary place of residence. The developer is a Housing Co Op based in the locality with the prospective resident members of the Co Op undertaking the design and development work themselves as their principal place of residence. As a custom development it is providing a non-standard form of housing delivery which falls within the definition of being “affordable”. Its retention as “custom built” housing after implementation may be secured for an appropriate period by a condition appended to any planning permission. Policy H4 of the Publication Draft Local Plan indicates that proposals for self-build and custom housing will be supported where the development is individually designed employing innovative approaches which cater for lifetime needs.

5.7 Morrell House comprises a former Elderly Person's Home which ceased to operate in 2018. The proposal which is brought forward by local Housing Co Op Yor Space which seeks permission to convert the existing premises into a mix of 1, 2 and 3 bedroom flats together with a larger flat forming a 6 bed HMO all under the overall management responsibility of the Co Op. The proposal involves the provision of accommodation for members of the Co Op on a social, intermediate or affordable rent basis which allows them to be treated as affordable units for planning purposes and which addresses the needs of a segment of the housing market which are not currently readily met in other developments within the City. The allocations policy submitted with the proposal identifies that the development would initially be 100% affordable within the established criteria. 2 flats have been identified as being earmarked to remain affordable in perpetuity to comply with the requirements of Policy H10 secured by means of a Section 106 Agreement. The HMO element of the proposal would be fully integrated into the wider operation of the scheme and subject to common management and allocation arrangements.

5.8 The development would function as an overall self-contained community centred around a "common house" or community meeting place with an additional communal garden building to the rear. The community is designed to be sustainable with solar pvs to be fitted to the rear roof slopes to maximise the level of energy generated by sustainable means. The replacement of existing plastic windows with sustainably sourced double glazed timber and the treatment of the exterior of the building with a lime render will take place as an integral part of the development process to ensure that the development is more sustainable in terms of its maintenance and energy usage. At the same time an existing building with its associated embodied energy would also be reused rather than undertaking completely new construction.

5.9 It is considered that the proposal would comply with the requirements of Policy H4 of the Publication Draft Local Plan. The proposal would make a contribution of 13 units towards the requirement of the Authority to provide an NPPF compliant five-year housing land supply which presently sits at 3.4 years.

IMPACT UPON THE VISUAL AMENITY OF THE WIDER STREET SCENE

5.10 Central Government Planning Policy as outlined in paragraph 130a) of the NPPF indicates that planning decisions should create developments which function well and add to the overall quality of the area. At the same time Policy D1 of the Publication Draft Local Plan indicates that development proposals will be supported where they improve poor existing urban and natural environments and enhance York's special qualities.

5.11 The application site comprises a former Elderly Person's Home situated within a high-density development of local authority housing with two medium rise blocks of flats in the immediate vicinity. The development does not involve the construction

of additional floor space but would be confined to conversion of the existing structures of the former EPH with the conversion of the external spaces into gardens and external growing areas with the removal of existing hard landscaping and provision of community recycling hubs. The proposed external alterations involving the replacement of the existing upvc windows with timber double glazed units and the treatment of the exterior with a lime render would enhance the visual amenity of the wider street scene and secure compliance with paragraph 130a) of the NPPF and policy D1 of the Publication Draft Local Plan.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES

5.12 Central Government Planning Policy as outlined in paragraph 130f) of the NPPF indicates that planning decisions should ensure that developments create places with a high standard of amenity for all existing and future residents. At the same time Policy ENV2 of the Publication Draft Local Plan indicates that development proposals which would have an environmental impact upon the amenity of the surrounding area including residential amenity must be accompanied by evidence that the impacts have been evaluated and that there would be no loss of character or amenity.

5.13 The proposal involves the conversion of a former EPH into 12 apartments together with a 6 bed HMO. The surrounding area comprises a mix of densely developed Local Authority housing together with two medium rise flat blocks. The proposed external works would not materially harm the residential amenity of neighbouring properties. At the same time the external spaces within the site would be converted into a landscaped area for recreation and for horticulture by residents of the development. This would also of itself not harm the residential amenity of neighbouring properties.

IMPACT UPON THE SAFETY AND CONVENIENCE OF HIGHWAY USERS

5.14 Central Government Planning Policy as outlined in paragraph 111 of the NPPF indicates that development should only be prevented or refused on highway grounds if there would be an unacceptable impact upon highway safety or the residual cumulative impacts upon the highway network would be severe. At the same time Policy T1 of the Publication Draft City of York Local Plan also indicates that development that development will be supported where it minimises the need to travel and provides safe, suitable and attractive access for all.

5.15 The proposed development involves the conversion of a former EPH by a Housing Co Op organised on sustainable principles as outlined in the submitted Design Statement. 8 vehicle parking spaces would be provided in total to serve the development with 2 Electric vehicle charge points. One covered and secure cycle parking space would be provided per bedroom in line with current Government guidance with cycle parking for visitors adjacent to the main site entrance. Vehicle

parking would at the same time be carefully and strictly managed with individual parking spaces only available to those Co Op members who can demonstrate a clear need for one with the provision of a carpool for other vehicular needs. These measures could be secured by means of a Sustainable Travel Plan secured by condition on any planning permission.

5.16 Service and delivery vehicles would access the site in like manner to the previous arrangement with the EPH. In terms of bin storage mixed waste and recycling stores would be provided at the site access points enabling waste and recycling bins to be easily presented at the site access on collection day. The provision is made in accordance with Waste Services guidance.

SUSTAINABILITY OF THE PROPOSAL

5.17 Policy CC2 of the Publication Draft City of York Local Plan (2018) sets out a firm policy presumption which exhibit high standards of sustainable design and construction. It is proposed to construct the complex with sustainably sourced materials with the use of timber windows and structural cladding. It is proposed to use grey water recycling to provide water for the gardens and landscape areas. It is furthermore proposed to make use of a biomass heating system together with air source heat pumps and solar panels in order to minimise use of grid based electricity. The development has at the same time been designed to have good connectivity with the surrounding area for pedestrians and cyclists. The grounds of the former EPH would also be re-designed to facilitate horticulture as well as recreation for inhabitants within a secure area to the rear of the site, set aside for the maximum level of food and green waste recycling.

INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS

5.18 The proposed development envisages the provision of 13 units of accommodation which causes the requirements of Policy H10 of the Publication Draft Local Plan to apply in terms of the provision of affordable housing. Within the submitted Allocations Policy and subsequent discussions with Housing Services the applicant has identified their business model as providing accommodation for a form of affordable rent that would fall within the definition in the NPPF of affordable housing that would cover all the accommodation initially. 2 of the flats have specifically earmarked to comply with the requirements of Policy H10 in terms of affordability with the support of Housing Services. This may be secured for the lifetime of the development as part of a Section 106 Agreement.

5.19 At the same time a deficit has been identified in terms of the level of all types of open space provision in the immediate locality. This may also be addressed in terms of commuted sum payments of £3775 to cover amenity open space, £6312 to cover play space and £5325 to cover sports provision. The monies to cover sports provision would earmarked to be used in projects in the local area including the

Crombie Road MUGA and opening up the adjacent school field, the York Sports Club Clifton Park and the Clarence Gardens Bowls Club. The monies for open space have been earmarked for the Bootham allotments close by the site and for children's play for the Ashton Avenue Children's play area again close to the site. This is in line with the requirements of Policy HW3 of the Publication Draft Local Plan and may be secured by means of a Section 106 Agreement.

5.20 These proposed planning obligations to be secured by means of a Section 106 Agreement would meet the statutory tests set out in Regulation 122 of The Community Infrastructure Levy Regulations 2010 (as amended).

6.0 CONCLUSION

6.1 The proposal involves the conversion of the former Morrell House EPH into a mix of 12 apartments together with a 6 bed HMO. External works are confined to rendering the existing building, replacing the existing fenestration in timber, provision of solar pvs at roof level and reorganisation of external areas to provide amenity and horticultural space for those residents on the site. The scheme is felt to be acceptable in terms of its impact upon the visual amenity of the wider street scene and the residential amenity of neighbouring properties. It would provide a total of 13 affordable units which will contribute towards the requirement of the Authority to provide an NPPF compliant five year housing land supply. Subject to the submission and prior approval of a sustainable travel plan the proposal is felt to be acceptable in highway terms and approval is recommended subject to conclusion of a Section 106 Agreement securing affordable housing and the allocation of accommodation in the development and £15,412 in commuted sum payments covering off site open space and recreation and leisure provision in the locality.

7.0 RECOMMENDATION: Approve subject to Section 106 Agreement

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Refs:21_02-301 ; 21_02-302 ; 21_02-305 ; 21_02-306 ; P22-00156-MET-EXT-UMS-M2-GU-001-01 ; P22-00156-MET-EXT-XX-TOP-M2-G-001-01 ; 21_02303A ; 21_02304A ; 21_02-100A

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the construction of

the development commences beyond site clearance and shall be provided in accordance with the approved details before the development is occupied.

Reason: In the interests of the visual amenities of the area and the amenities of neighbouring properties.

4 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external render including colour and the window units to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the development beyond site clearance works. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices sample materials should be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

5 LAND1 IN New Landscape details

6 Prior to the development coming into use, all areas used by vehicles shall be surfaced clearly marked , sealed and positively drained within the site, in accordance with the approved plans.

Reason: To prevent the egress of water and loose material onto the public highway.

7 Prior to the development coming into use the sight lines shown on the approved plans shall be provided free of all obstructions which exceed the height of the adjacent carriageway by more than 1.0m and shall thereafter be so maintained.

Reason: In the interests of road safety.

8 Prior to the development commencing beyond site clearance works details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

9 The development shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles and cycles, have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

10 LC4 Land contamination - unexpected contam

11 The development hereby approved shall not be occupied until a Full Travel Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan should be developed and implemented in line with Local and National guidelines. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of said Travel Plan as approved.

Within 12 months of first occupation of the development approved a first year travel survey shall have been submitted to and approved in writing by the LPA. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To ensure the development complies with local and national transportation and planning policies to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site, together with parking on site for these users.

12 The development of 13 Community Build units hereby authorised shall not be carried out unless as "self build and custom build development as defined in the glossary in Annex 2 of the National Planning Policy Framework 2021 or any subsequent replacement document and by:

- a) an individual
- b) associations of individuals or
- c) persons working with or for individuals

in the apartments to be occupied by those individuals and thereafter the development shall not be first occupied by anyone else other than by those same individuals as a principal residence for a continuous period of not less than three years starting from the date of occupation.

Reason: To ensure that the development is carried out and occupied as a "self build and custom build" development for which permission was granted.

8.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Sought clarification in terms of the management of vehicle and cycle parking

2. HMO LICENCING

From the 1st October 2018 any house in multiple occupation which has 5 or more tenants who make up more than one household, regardless of the number of storeys it has, must be licensed with the local authority.

In addition the Government has introduced mandatory conditions in licences to regulate the size and use of rooms as sleeping accommodation in licensed HMOs as well as requiring the licence holder to comply with the local authority scheme for providing facilities for the disposal and storage of domestic refuse.

It is an offence not to licence a house in multiple occupation which should be licensed. Landlords face prosecution or a Civil Penalty Notice of up to £30,000.

Visit the Council's webpage for more details of these conditions. You can also register your details to be kept updated.

<https://www.york.gov.uk/HMOLicensingChanges>

3. ELECTRIC VEHICLE CHARGING:

In line with paragraph 112 of the National Planning Policy Framework, developments should be designed to 'enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations'.

In line with Building Regulations, Electric Vehicle (EV) charge point provision ('active provision') is required for all residential developments in York, unless the development has no parking. To prepare for increased demand for charging points in future years, appropriate cable routes ('passive provision') should also be included in the scheme design and development.

Approved Document S: infrastructure for charging electric vehicles outlines the required standards and provides technical guidance regarding the provision of EV charge points and cable routes.

From 15th June 2022, Approved Document S applies to new residential and non-residential buildings; buildings undergoing a material change of use to dwellings;

residential and non-residential buildings undergoing major renovation; and mixed-use buildings that are either new or undergoing major renovation.

CYC Building Control should be consulted on all proposals for EV charge point provision (active and passive) to ensure compliance with current Building Regulations.

4. CONSTRUCTION MANAGEMENT

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

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

2. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228-1:2009 + A1:2014 and BS 5228-2:2009 + A1:2014, a code of practice for "Noise and Vibration Control on Construction and Open Sites".

3. Best practicable means shall be employed at all times in order to minimise noise, vibration, dust, odour and light emissions. Some basic information on control noise from construction site can be found using the following link.

https://www.york.gov.uk/downloads/download/304/developers_guide_for_controlling_pollution_and_noise_from_construction_sites

4. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

5. There shall be no bonfires on the site.

5. WORKS IN THE HIGHWAY:

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 streetworks@york.gov.uk

6. CONTACT UTILITIES

You are advised that this proposal may have an effect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the

equipment and any requirements they might have prior to works commencing.

7. AVOIDING DAMAGE TO THE HIGHWAY GRASS VERGE

Applicants/Developers are reminded that great care should be taken to ensure that no damage to the surface or structure of the public highway is caused, by activities relating directly to the approved development (e.g. delivery of building materials via HGV's). The Council is particularly concerned at the increasing impacts and damage occurring to grass verges. This is detrimental to residential amenity, can present safety issues and places an unreasonable financial burden on the Council, if repairs are subsequently deemed necessary. Therefore, applicants/developers are strongly advised to work proactively with their appointed contractors and delivery companies to ensure that their vehicles avoid both parking and manoeuvring on areas of the public highway (grass verges) which are susceptible to damage. The council wishes to remind applicants that legislation (Highways Act 1980) is available to the authority to recover any costs (incurred in making good damage) from persons who can be shown to have damaged the highway, including verges. If the development is likely to require the temporary storage of building materials on the highway, then it is necessary to apply for a licence to do so. In the first instance please email highway.regulation@york.gov.uk, with details of the site location, planning application reference, anticipated materials, timelines and volume. Please refer to the Council website for further details, associated fees and the application form.

Contact details:

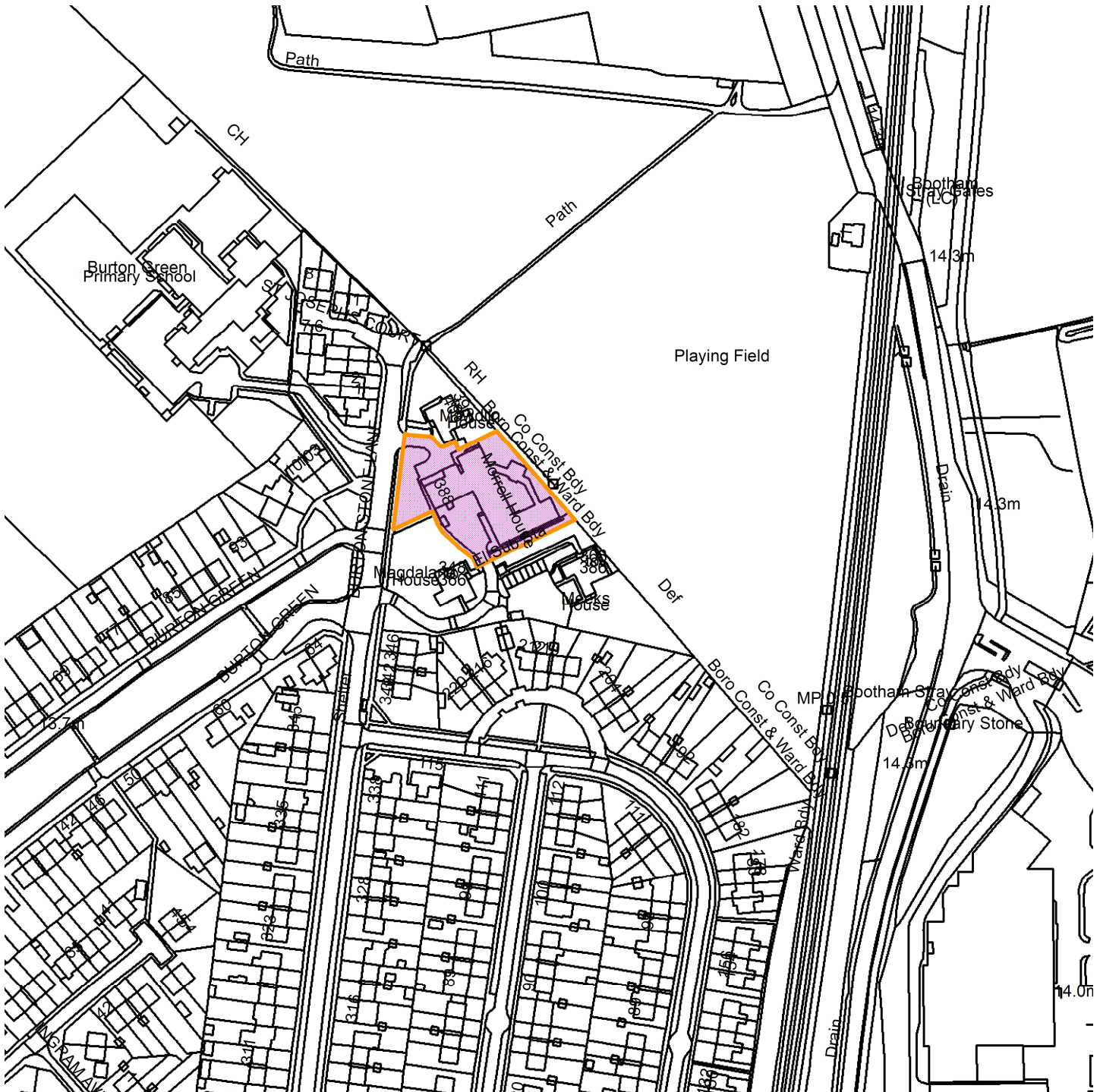
Case Officer: Erik Matthews

Tel No: 01904 551416

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22/01504/FULM

Morrell House, 388 Burton Stone Lane, YO30 6EZ



Scale : 1:2341

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	28 February 2023
SLA Number	Not Set

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Planning Committee B

To be held on 9th March 2023

22/01504/FULM – Morrell House, 388 Burton Stone Lane, York

Renovation and change of use of former care home (use class C2) to
create 12no. Flats (use class C3) with shared amenities and one 5/6
Person HMO (use class C4)

Morrell House from
North West



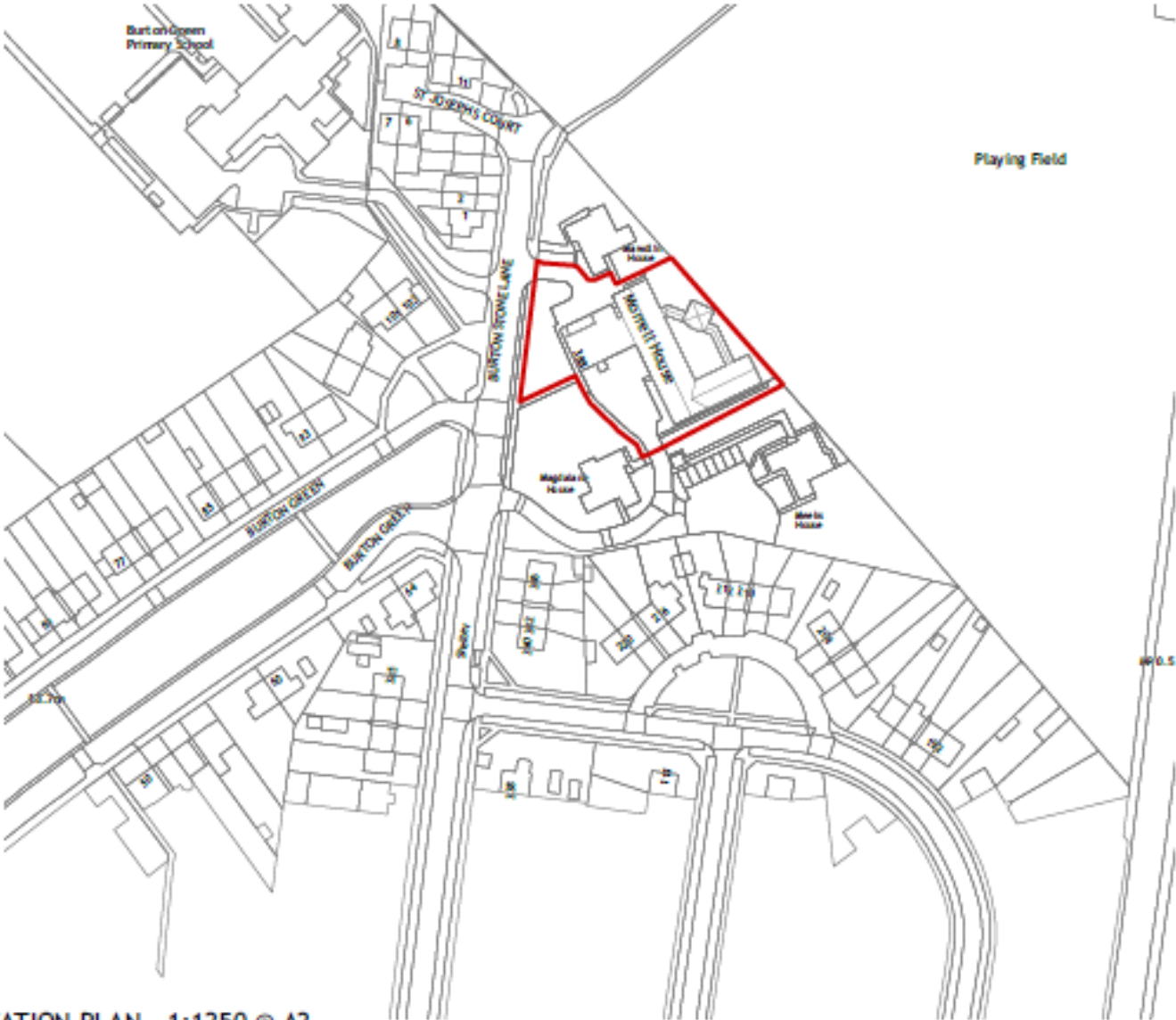
Morrell House
from South West




Morrell House Site
Access



Site Location Plan



 SITE LOCATION PLAN - 1:1250 @ A2

Site Layout Plan



REVISION HISTORY		
REV	DESCRIPTION	DATE
A	Road names added to Site Location plan	06/07/22


designdwell
 14 Cloudfly Road, York YO30 4PL
 T: 01904 334374
 C: james@designdwell.co.uk www.designdwell.co.uk

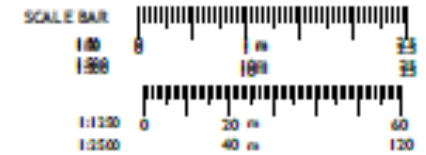
CLIENT OptHouse

PROJECT Morrell House

JOB NO. 21/02

DRAWING Site Location Plan + Block plan

DRG NO. 100A SCALE 1:1250 + 1:500 @ A2



All dimensions must be checked on site. All are unless otherwise stated. From 1000 drawing

DRAWN	APPROVED	DATE
JN	JN	24/01/22

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Page 31



BLOCK PLAN - 1:500 @ A2

Proposed Elevations



draft for planning



CLIENT	OpHouse
PROJECT	Marrell House
JOB NO.	21.002
DRAWING	Proposed - Elevations
DWG NO.	306
SCALE	1:500 @ A1
SCALE BAR	1:500
1:500	0 5m 5
All dimensions must be checked on site and not be scaled from this drawing	
DRAWN	JN
APPROVED	JN
DATE	11/07/22

Proposed Ground Floor Plan



City of York Council Planning Committee Meeting - 9th March 2023

REV	DESCRIPTION	DATE
A	Scale altered to 1:100 & page size increased to A1	23/07/2022

Please note that site layout shown is existing - see LAND Design drawings for proposed landscaping scheme

draft for planning



CLIENT: Oghouse

PROJECT: Morell House

JOB NO.: 21/02

DRAWING: Proposed - Ground floor plan

DRG NO.: 305A SCALE: 1:100 @ A1



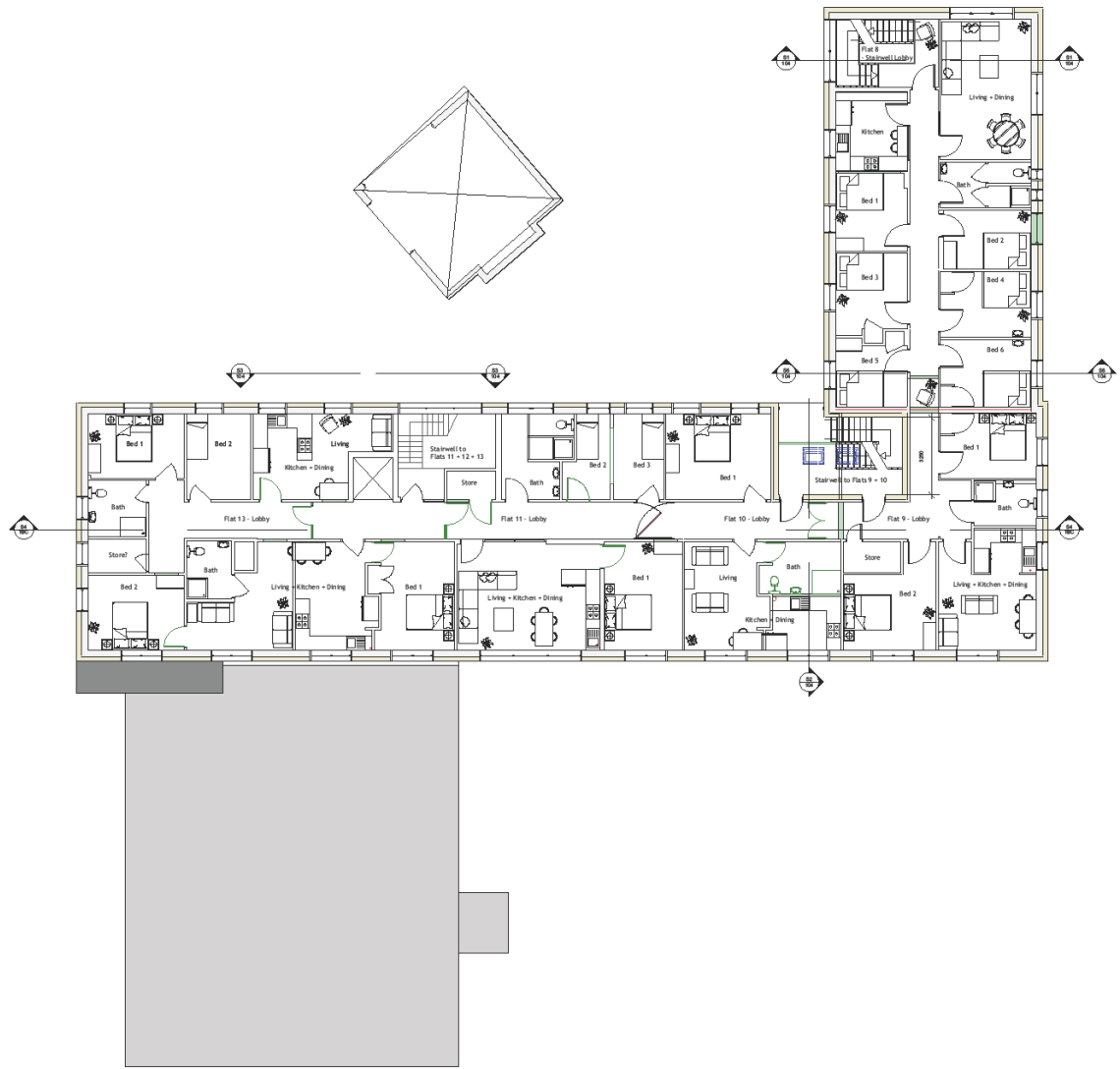
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DRAWN: JN/PO APPROVED: JN DATE: 11/07/22

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REVISION HISTORY		
REV	DESCRIPTION	DATE
A	Scale altered to 1:100 & page size increased to A1	25/07/2022

Proposed First Floor Plan



Please note that site layout shown is existing - see LAND Design drawings for proposed landscaping scheme

draft for planning



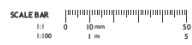
CLIENT: OptHouse

PROJECT: Marrell House

JOB NO.: 21/02

DRAWING: Proposed - First floor plan

DRG NO.: 304A SCALE: 1:100 @ A1

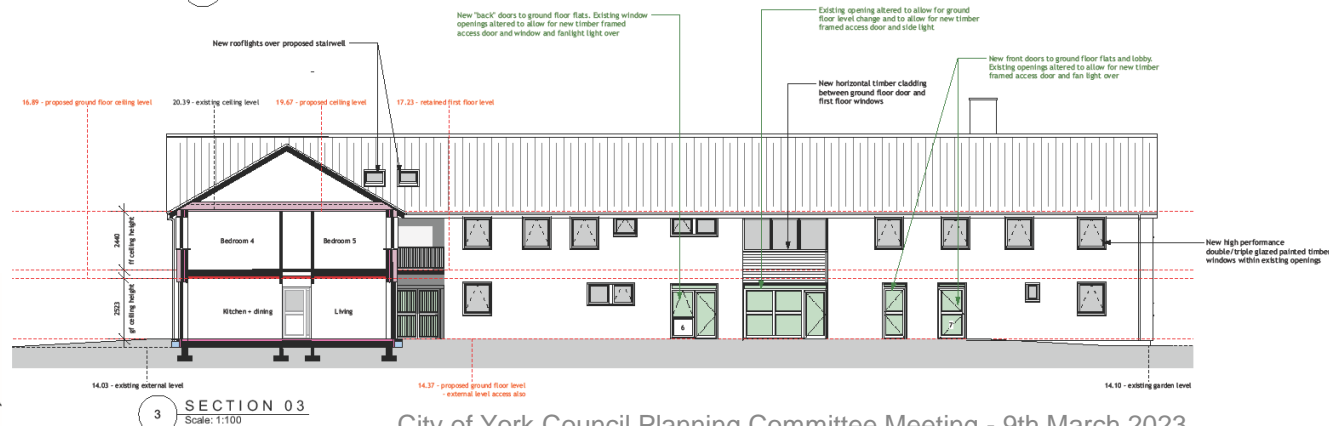
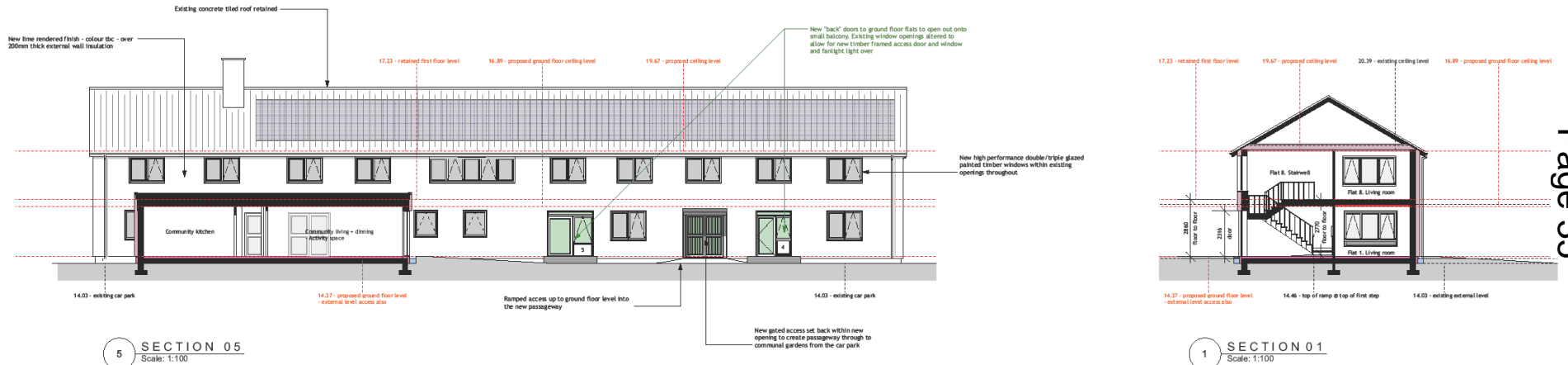
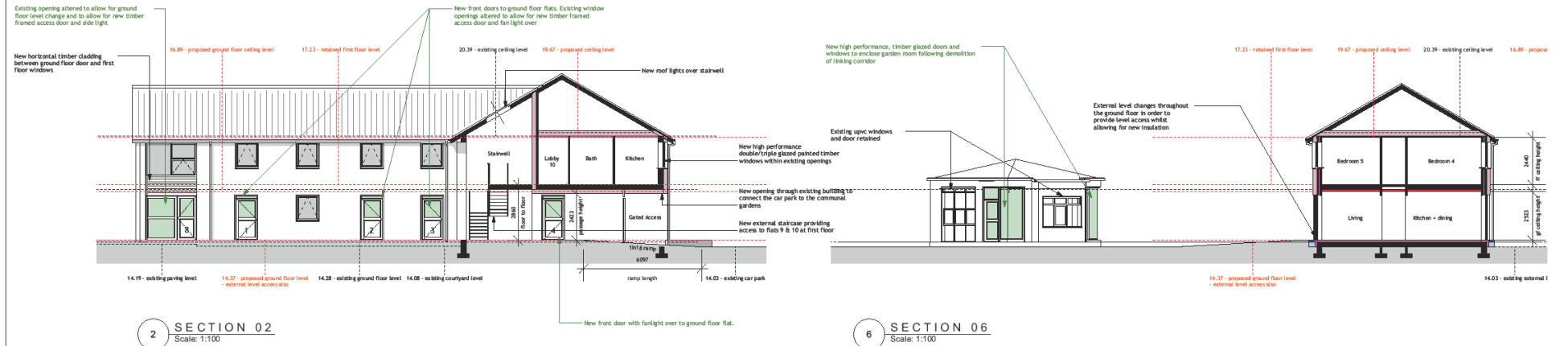


10 DRAWN: JN/PO APPROVED: JN DATE: 11/07/22

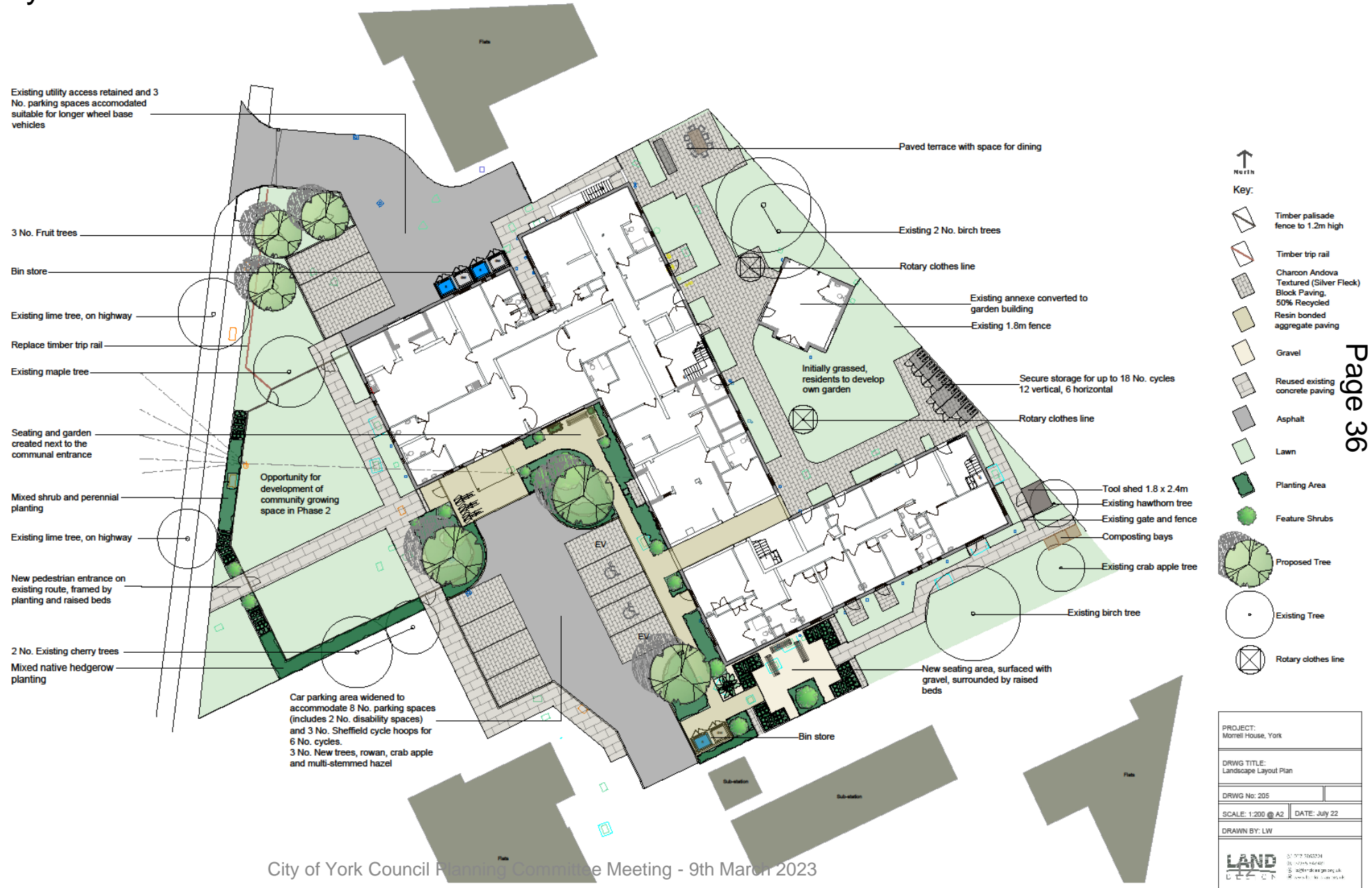


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Proposed Cross Sections



Proposed Landscape Layout Plan



Planning History

1.4 The following planning applications have been submitted for residential development on this site:

- 18/02692/FUL - Erection of two houses. This application was refused by sub-committee in September 2020 due to impact on the conservation area and the setting of Poppleton House.
- 20/02513/FUL – Erection of two houses. This application was refused by sub-committee in January 2022 due the impact on the conservation area and the setting of Poppleton House. However this decision was overturned at appeal APP/C2741/W/22/3298538 as the inspector deemed the harm to the heritage assets to be less than substantial and that this harm was outweighed by the public benefit of providing additional housing in the area.

2.0 POLICY CONTEXT

Upper Poppleton and Nether Poppleton Neighbourhood Plan

2.1 Relevant policies are:

PNP3 Development within Conservation Areas
PNP4 Village Design Statement

Draft Development Control Local Plan 2005

2.2 Relevant policies are:

GP1 Design
GP4a Sustainability
HE2 Development in Historic Locations
HE3 Conservation Areas
GP15A Development and Flood Risk
H4A Housing Windfalls

Publication Draft Local Plan 2018

2.3 Relevant policies are:

DP3 Sustainable communities
D1 Placemaking
D2 Landscape and setting
D4 Conservation areas
D5 Listed Buildings
ENV2 Managing Environmental Quality

ENV4	Flood Risk
ENV5	Sustainable Drainage
CC1	Renewable and Low Carbon Energy
CC2	Sustainable Design and Construction of New Development
T1	Sustainable Access

3.3 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development (Conservation)

3.1 Informal verbal comments given. Officers to determine if the revised scheme constitutes any further harm to the conservation area or the setting of the adjacent listed building. The previous appeal decision is a material consideration in the determination of this application and if there is deemed to be no further harm than the existing approved scheme, DCSD officers do not wish to object.

Public Protection

3.2 The proposed dwellings would be close to a commercial use, a public house. The public house can generate noise from plant/machinery located to the rear, noise from the use of the car park and noise from the customers using the premises. These existing noise sources could cause disturbance to the future occupants of these new dwellings. Conditions requiring noise insulation measures and electric vehicle recharging sockets have been recommended.

Highway Network Management

3.3 No comments provided.

Flood Risk Management

3.4 No comments provided.

Ainsty Internal Drainage Board

3.5 No objections. A condition regarding drainage detailed is recommended.

EXTERNAL

Yorkshire Water

3.6 No objections. A condition regarding no piped discharge of surface water is proposed.

Nether Poppleton Parish Council

3.7 Objects on the following grounds:

- The proposals significantly change the scale, height and design of the dwelling that was approved at appeal.
- The elevation of the site is a key issue, two storey development is not appropriate for plot 2 and two storey development has previously been refused by committee
- Impact on the conservation area
- One house will not significantly add to the housing stock
- Proposals are in conflict with national and local policies including Policy PNP3 of the Upper and Nether Poppleton Neighbourhood Plan

4.0 REPRESENTATIONS

4.1 Neighbours and Publicity – 10 objections:

- Impact on the conservation area
- Contemporary design out of keeping with the area
- The land is a Burgage strip and should not be developed
- The proposals are not consistent with the NPPF, local plan and neighbourhood plan
- Loss of pub parking has caused parking issues, especially now that the pub is thriving under new management
- Loss of green space, wildlife and habitats
- Breach of conditions re. clearance of the site
- The application has no benefits for the community
- All previous conditions should be added to the current scheme if approved
- A single dwelling will not add significantly to the housing stock
- Unduly dominant/prominent form of development
- Two storey has consistently been refused on this plot
- No changes should be made to the approved scheme
- Result in overshadowing and overlooking to houses on Hallgarth Close, level difference between the site

5.0 APPRAISAL

5.1 MAIN ISSUES

- Principle of development for housing
- Design and impact on heritage assets
- Flood risk and drainage
- Access, parking and highway safety
- Neighbour amenity
- Asset of community value
- Climate change

UPPER POPPLETON AND NETHER POPPLETON NEIGHBOURHOOD PLAN 2017

5.2 The Upper Poppleton and Nether Poppleton Neighbourhood Plan is the statutory Development Plan for the application site by virtue of Section 38(3) of the Planning and Compulsory Purchase Act 2004 which requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 30 of the NPPF states that policies in a made neighbourhood plan take precedence over existing non-strategic policies covering the neighbourhood area where they are in conflict. Policy PNP4 (Village Design Statement) states that all new developments within the settlement limits of the village should respect the design guidelines in the Village Design Statement.

5.3 Poppleton Village Design Statement, adopted in 2003, includes design guidelines and advises that to conserve the special character of the traditional communities, the size, scale and massing of new buildings and extensions should harmonise with neighbouring properties and spaces; space should be maintained around dwellings. The use of local characteristic details and materials is to be encouraged.

PUBLICATION DRAFT YORK LOCAL PLAN (2018)

5.4 The Publication Draft Local Plan 2018 (the 'emerging plan') was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. Phases 2 – 4 took place between May and September 2022. In accordance with paragraph 48 of the NPPF the emerging policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012.

Relevant policies are set out in section 2 above. Given the advanced stage of the emerging plan's preparation, the lack of significant objection to the emerging policies relevant to this proposal and the consistency with the NPPF, the policy requirements of emerging plan policies can be applied with limited weight.

DEVELOPMENT CONTROL LOCAL PLAN (2005)

5.5 The Development Control Local Plan Incorporating the Fourth Set of Changes (DCLP) was approved for development management purposes in April 2005. Whilst the DCLP does not form part of the statutory development plan its policies are considered to be capable of being material considerations in the determination of planning applications. Where policies relevant to the application are consistent with those in the NPPF (as revised in February 2021), the weight that can be afforded to them is very limited.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.6 The revised National Planning Policy Framework was published 2021 and its planning policies are a material consideration in the determination of planning applications. The presumption in favour of sustainable development set out at paragraph 11 of the NPPF does not apply where the application of policies relating to impacts on the heritage assets indicate that permission should be refused.

PRINCIPLE OF DEVELOPMENT FOR HOUSING

5.7 The NPPF supports the Government's objective of significantly boosting the supply of homes, with homes provided in rural areas where it will enhance or maintain the vitality of rural communities. Permission has previously been approved for two houses on the site, with this current application seeking permission to revise the design, scale, height and appearance of the dwelling on plot 2. Paragraph 69 of the NPPF advises that small sites can make an important contribution to meeting the housing requirements of an area and supports the development of windfall sites within existing settlements for homes. The site is in a sustainable location with easy access to a wide range of services. The proposed use for housing is therefore deemed acceptable.

DESIGN AND IMPACT ON HERITAGE ASSETS

5.8 Permission has previously been given for the erection of two detached houses with attached garages. The house at plot 1 would be located towards the front of the site, immediately to the rear of The Lord Nelson's garden and car park. The dwelling would run along the north-western boundary of the site and be constructed of brick and slate. It would have a largely traditional appearance with two storeys, four bedrooms and a pitched roof. The house at plot 2 would be located towards

the rear of the site, close to the north-western boundary. The approved dwelling was contemporary in design, single storey with four bedrooms. It would have comprised a flat sedum-covered roof and the main materials were proposed to be brickwork with aluminium for the doors and windows. This application now seeks to amend the design of this second dwelling, proposing a one and two storey 3 bedroomed dwelling. It would comprise a central two storey 'barn style' building clad in stained oak vertical cladding with clay roof tiles. Single storey elements would wrap around the front and side of the dwelling and would be finished in red brick, grey standing seem roofing with pale grey windows throughout. The previous appeal decision is a material consideration that carries significant weight in the determination of this application.

5.9 The application site is within the Nether Poppleton Conservation Area. The neighbouring Poppleton House is grade II listed. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the same Act requires that in determining planning applications for development which would affect a listed building or its setting the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.10 Case law has made clear that when deciding whether harm to a conservation area, a listed building or its setting is outweighed by the advantages of a proposed development, the decision-maker must give particular weight to the desirability of avoiding such harm to give effect to its statutory duties under sections 66 and 72 of the 1990 Act.

5.11 Paragraph 130 of the NPPF requires that developments, inter alia, function well and add to the overall quality of the area, be visually attractive and be sympathetic to local character and history. It states in paragraph 134 that development that is not well deigned should be refused. These aims are reflected in policies D1, D2, D4 and D5 of the emerging plan.

5.12 Policy PNP3 of the Neighbourhood Plan states that all proposals for development in the conservation area should preserve or enhance its special character or appearance and protect the open character and heritage assets of the village. Section 16 of the NPPF defines listed buildings and conservation areas as designated heritage assets. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.13 The application site is comprised of a long narrow plot on rising land behind a historic public house within the historic village of Nether Poppleton. The historic core is a designated conservation area. The character of the area derives from the semi-rural character around St Everilda's Church and Manor Farm and their associations with the origins of the current settlement, which gives way to 18th and 19th century development of along Church Lane and Main Street. The long narrow plot to the rear of the Lord Nelson public house is characteristic of historic development in the village, either as a remnant of earlier burgage plots or 18th century development. The spacious character of the plot contributes to the village character and the plot form is a tangible link to its historic development. The development site thus makes a positive contribution to the character and appearance of the conservation area. The adjacent Poppleton House, a grade II listed building is a large, three storey detached house set within its own grounds. It makes a significant positive contribution to the surrounding historic appearance of this part of the village. Mature trees and vegetation as well as a high boundary wall separate the listed building and the application site. The application site makes a moderate contribution towards the spacious setting of Poppleton House.

5.14 The inspector's appeal decision stated that the plot 2 dwelling by virtue of its contemporary design would not reflect the existing surrounding development, however its single storey nature and glazed design would result in a light weight form of development that would appear subservient within its surroundings and that it would not appear conspicuous due to mature tree and hedge planting as well as its set back from the highway and from plot 1. As such, it was concluded that the plot 2 dwelling would not cause harm to the character and appearance of the conservation area, or to the significance of Poppleton House due to the separation distance, mature trees and the height of the proposed dwelling

5.15 The revised design of the plot 2 dwelling moves away from a contemporary flat roof single storey, largely glazed building in favour of a one and two storey pitched roof 'barn style' building with single storey projections to the front and side. It incorporates large window openings to the ground floor with a full height central glazed window to the two storey part of the dwelling with smaller openings to the first floor. The design still incorporates some contemporary design and materials, but seeks a smaller footprint than the approved dwelling, as well as a more traditional/agricultural appearance that is considered more in keeping with its rural setting.

5.16 Objections have been raised by both residents and councillors in terms of the increased height of the dwelling and the resulting impact on the conservation area and its visibility from outside of the site. The inspector noted in his appeal decision that the scale of plot 1 would significantly increase the amount of built development within the site and that in particular he assessed the two storey height in conjunction with the rising land levels. It was considered that there would only be

glimpsed views of the scheme and that these limited views would be seen in the context of the surrounding built development. The inspector acknowledged that the dwelling would change the character and appearance of this part of the conservation area but that it would not be unduly prominent, largely due to the height and scale of existing development, mature vegetation and trees as well as the distance from the highway.

5.17 Plot 2 lies on a similar land level to plot 1, and proposals to site a part two storey dwelling in this location are considered to have a similar impact to the conservation area as that at plot 1, although importantly plot 2 would be sited further away from the highway and behind the approved two storey building at plot 1. The proposed dwelling would be of similar height to the immediate neighbouring buildings on Hallgarth Close, having a height of approximately 7m compared to 7.15m of no. 2 Hallgarth Close. Given the distance of plot 2 from the highway it is considered that the Plot 2 dwelling would at best be seen in glimpsed views, with Plot 1 being the most visually prominent within the site given its proximity to the public house.

5.18 In considering the acceptability of the revised design and height of Plot 2 it is acknowledged that the proposal still respects the traditional form of linear plot development in the conservation area and that there would be no further harm to the conservation area or the significance of the neighbouring listed building Poppleton House than the previous scheme, which was deemed to result in less than substantial harm to the designated heritage assets in terms of loss of the site's openness. The level of harm was considered to be at the lower end of the spectrum of less than substantial harm. This harm is still outweighed by the public benefits of the scheme, i.e. the provision of an additional house in a sustainable location.

FLOOD RISK AND DRAINAGE

5.19 Paragraph 159 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided, with development directed away from areas at highest risk. It goes on to say at paragraph 166 that local planning authorities should ensure that flood risk is not increased elsewhere when determining planning applications. Policies ENV4 and ENV5 of the emerging plan support this approach to flood risk and drainage.

5.20 The site lies within Flood Zone 1 and should not suffer from flooding. Limited details have been submitted in connection with the drainage of the site. The application states that surface water will drain to SuDs. Soakaway testing was undertaken at the site during February 2019 and witnessed by the council's flood risk engineer. The tests were considered to be acceptable and no objections are raised in connection with the drainage of the site, subject to standard planning conditions.

ACCESS, PARKING AND HIGHWAY SAFETY

5.21 Paragraph 111 of the NPPF states that development should only be prevented on highway grounds where there is an unacceptable impact on highway safety or the cumulative impacts on the road network would be severe. It seeks to encourage sustainable travel and the location of development in sustainable and accessible locations.

5.22 Access to the site would be via the existing driveway which would be shared with the public house. A 3.8m-wide drive would lead up to the proposed dwellings along the north eastern boundary. A gate would be set back, past the entrance to the public house car park. Adequate parking and turning is proposed within the site for the occupiers and for visitors and delivery vehicles. A refuse store is proposed close to the highway to negate the need for refuse vehicles accessing the site.

5.23 The previous decision did not include any highway reasons for refusal and the proposed parking and access for Plot 2 remains unchanged from the approved scheme. All highway conditions added to the previous decision are considered appropriate for this revised scheme.

NEIGHBOUR AMENITY

5.24 Paragraph 130(f) of the NPPF advises that decisions should ensure that developments provide a high standard of amenity for existing and future users. Policy D1 of the emerging plan states that design should consider residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing.

5.25 Objections have been raised by 2 Hallgarth Close that the increase in the height of the dwelling would cause overlooking and overshadowing, especially given the level difference between the site and Hallgarth Road.

5.26 The proposed dwelling would side onto 2 Hallgarth Close and would be separated by approximately 3.8m. The proposed dwelling would project slightly beyond the front and rear elevations of No. 2, however the location of windows central to the front elevation (of No. 2) would mean there would be little loss of light or over-dominance arising. Similarly the limited rear projection would not result in significant overshadowing, especially during the afternoon/evening when the sun moves to the south/west. First floor windows to the west elevation would be small scale and obscurely glazed in order to ensure that there would be little loss of privacy. The proposed dwelling would be visible from the rear garden of No.2 and from the upper floor but the visual impact would not be unduly harmful. It is also noted that the built footprint of the dwelling has been reduced along the shared boundary with No. 2, compared to the approved scheme. During a recent site visit,

it was also noted that the boundary hedge between the application site and No. 2 has been cleared and that land levels between the two properties appeared to be relatively even.

5.27 The south-western end of the site abuts the modest-sized rear gardens of nos 20 and 22 Littlefield Close. Although the proposed dwelling now includes a two storey element, the overall footprint has been moved away from the shared boundary with these neighbouring properties and any impact on the occupiers of these dwellings is likely to be minor due to the increased separation distance between the new dwelling and boundary.

5.28 The development is unlikely to have any material impact on the amenity of the occupiers of Poppleton Hall.

CLIMATE CHANGE

5.29 Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future and, among other things, support renewable and low carbon energy.

5.30 Policy CC1 of the emerging plan states that new buildings must achieve a reasonable reduction in carbon emissions of at least 28% unless it can be demonstrated that this is not viable. This should be achieved through the provision of renewable and low carbon technologies in the locality of the development or through energy efficiency measures. Policy CC2 of the emerging plan states that all new residential dwellings should achieve at least a 19% reduction in dwelling emission rate (calculated as per Part L1A of the Building Regulations 2013); and a water consumption rate of 110 litres per person per day (calculated as per part G of the Building Regulations). Policy CC1 (Renewable and Low Carbon Energy) of the emerging plan requires new buildings to achieve a reasonable reduction in carbon emissions of at least 28% unless it can be demonstrated that it is not viable. Policy CC2 (Sustainable Design and Construction) states that development proposals will be required to demonstrate energy and carbon dioxide savings in accordance with water efficiency and the energy hierarchy. These requirements should be made a condition of approval.

5.31 Provision of recharging facilities for one electric vehicle should be made a condition of approval.

6.0 CONCLUSION

6.1 The proposal would result in less than substantial harm to designated heritage assets in terms of loss of the site's openness. The level of harm would be at the lower end of the spectrum of less than substastional harm. In accordance with the

statutory duties, considerable importance and weight is attached to this harm. Applying the balancing exercise set out in the NPPF, this harm is outweighed by the public benefit of providing additional housing in a sustainable location. The recent appeal decision to approve residential development on this site is a material consideration that carries significant weight when determining this application. On this basis, and given the extant permission for existing two storey development towards the front of the site, the proposals are considered acceptable in relation to the character and appearance of the conservation area, the setting of the listed building, Poppleton House, residential amenity and climate change. They comply with the NPPF, the Upper Poppleton and Nether Poppleton Neighbourhood Plan, Policy D1 (Placemaking), D2 (Landscape and Setting), D4 (Conservation Areas), D5 (Listed Buildings), CC1 (Renewable and Low Carbon Energy) and CC2 (Sustainable Design and Construction) of the Publication Draft City of York Local Plan 2018.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

885_P15 A - PROPOSED SITE PLAN
885_P31 A - PROPOSED PLANS
885_P30 A - PROPOSED ELEVATIONS

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the local planning authority.

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the house above foundation level. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for

inspection and where they are located.

Reason: In the interests of the setting of the listed building at Poppleton House and the character and appearance of the conservation area.

4 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

5 No development shall take place until details of the proposed means of foul and surface water drainage, including details of any balancing works and off site works, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper and sustainable drainage of the site

6 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: So that the Local Planning Authority may be satisfied that no foul and surface water discharges take place until proper provision has been made for their disposal.

7 Prior to construction of any above ground works details of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the refuse and recycling facilities have been provided within the site in accordance with such approved details.

Reason: In the interests of sustainability and the character and appearance of the conservation area.

8 Prior to construction of any above ground works details of the access, internal drive and turning areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Thereafter the internal drive and turning areas shall be retained free of all obstructions and used solely for the intended purpose.

Reason: In the interest of the free and safe passage of highway users.

9 Prior to the residential development coming into use details of the cycle parking areas, including means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

10 The dwellings shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

11 Before the commencement of development, a complete and detailed Arboricultural Method Statement and scheme of arboricultural supervision regarding protection measures for existing trees adjacent to the application site shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing, ground protection, a schedule of tree works if applicable, site rules and prohibitions, phasing of protection measures, site access during demolition/construction, types of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles, locations for stored materials, and means of moving materials around the site, locations and means of installing utilities, location of site compound. The document shall also include methodology and construction details where specialist construction techniques are required for a change in surface material within the potential root protection area of existing trees. A copy of the document as approved will be available for reference and inspection on site at all times.

The development shall be carried out in accordance with the approved Arboricultural Method Statement.

Reason: To protect existing trees which are covered by a Tree Preservation Order and/or are considered to make a significant contribution to the amenity of this area and/or development.

12 The development shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. This scheme as approved shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously

damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are first agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site in the interests of the character and appearance of the area.

13 A programme of post-determination archaeological evaluation specifically trenching on the footprint of the proposed dwellings shall be carried out for the site. It shall comprise 3-5 stages of work. Each stage shall be completed and approved by the Local Planning Authority (LPA) before it can be approved/discharged.

A) No trenching or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. The WSI should conform to standards set by the Chartered Institute for Archaeologists.

B) The site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C) A copy of a report on the evaluation and an assessment of the impact of the proposed development on any of the archaeological remains identified during trenching shall be deposited with City of York Historic Environment Record to allow public dissemination of results within 6 weeks of completion or such other period as may be agreed in writing with the Local Planning Authority.

D) Where archaeological features and deposits are identified proposals for the preservation in-situ, or for the investigation, recording and recovery of archaeological remains and the publishing of findings shall be submitted as an amendment to the original WSI. It should be understood that there shall be presumption in favour of preservation in-situ wherever feasible.

E) No development shall take place until:

- details in D have been approved and implemented on site

- provision has been made for analysis, dissemination of results and archive deposition has been secured

- a copy of a report on the archaeological works detailed in Part D should be

deposited with City of York Historic Environment Record within 6 months of completion or such other period as may be agreed in writing with the Local Planning Authority.

Reason: The site lies within an area of archaeological interest. An investigation is required to identify the presence and significance of archaeological features and deposits and ensure that archaeological features and deposits are either recorded or, if of national importance, preserved in situ.

14 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), development of the type described in Classes A to E of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of rests of the setting of the listed building at Poppleton House, the character and appearance of the conservation area and the amenities of the adjoining residents the local planning authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2015.

15 Notwithstanding the information contained within the approved plans details of all means of enclosure shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the details as so agreed

Reason: In order to achieve an acceptable form of development

16 The development shall incorporate sufficient capacity within the electricity distribution board of each dwelling for one dedicated radial AC single phase connection to allow the future addition of an Electric Vehicle Recharge Point (minimum 32A) within the garage space (or parking area) if desired. The applicant shall identify the proposed location for a future Electric Vehicle Recharge Point within the development curtilage and ensure that any necessary trunking/ducting is in place to enable cables to be run to the specified location.

Reason: To ensure future electric vehicle charge points can be easily added to the property in line with the NPPF and CYC's Low Emission Strategy.

17 The dwelling hereby approved shall achieve the following measures:

- At least a 19% reduction in Dwelling Emission Rate compared to the target fabric energy efficiency rates as required under Part L1A of the Building Regulations 2013).
- A water consumption rate of 110 litres per person per day (calculated as per Part

G of the Building Regulations).

- A reduction in carbon emissions of at least 28% compared to the target emission rate as required under Part L of the Building Regulations.

Prior to first occupation of the dwelling details of the measures undertaken to secure compliance with this condition shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied except in accordance with the approved details.

Reason: In the interests of sustainable design and in accordance with policies CC1 and CC2 of the Publication Draft Local Plan 2018.

18 No development shall take place until a detailed scheme of noise insulation measures for protecting the approved residential property from externally generated noise has been submitted to and approved in writing by the Local Planning Authority. Upon completion of the insulation scheme works, no part of the development shall be occupied until a noise report demonstrating compliance with the approved noise insulation scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of people living in the new property from externally generated noise and in accordance with the National Planning Policy Framework.

19 The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

Reason: To protect the amenities of adjacent residents.

8.0 INFORMATIVES:

Contact details:

Case Officer: Elizabeth Potter

Tel No: 01904 551477

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22/02243/FUL

The Lord Nelson, 9 Main Street, Nether Poppleton YO26 6HS



Scale : 1:2341

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Organisation	City of York Council
Department	Directorate of Place
Comments	Site Location Plan
Date	28 February 2023
SLA Number	Not Set

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Planning Committee B

To be held on 9th March 2023

22/02243/FUL – The Lord Nelson, 9 Main Street, Nether Poppleton, York

Erection of 1.no dwelling

Rear of Site



Location of Plot 2



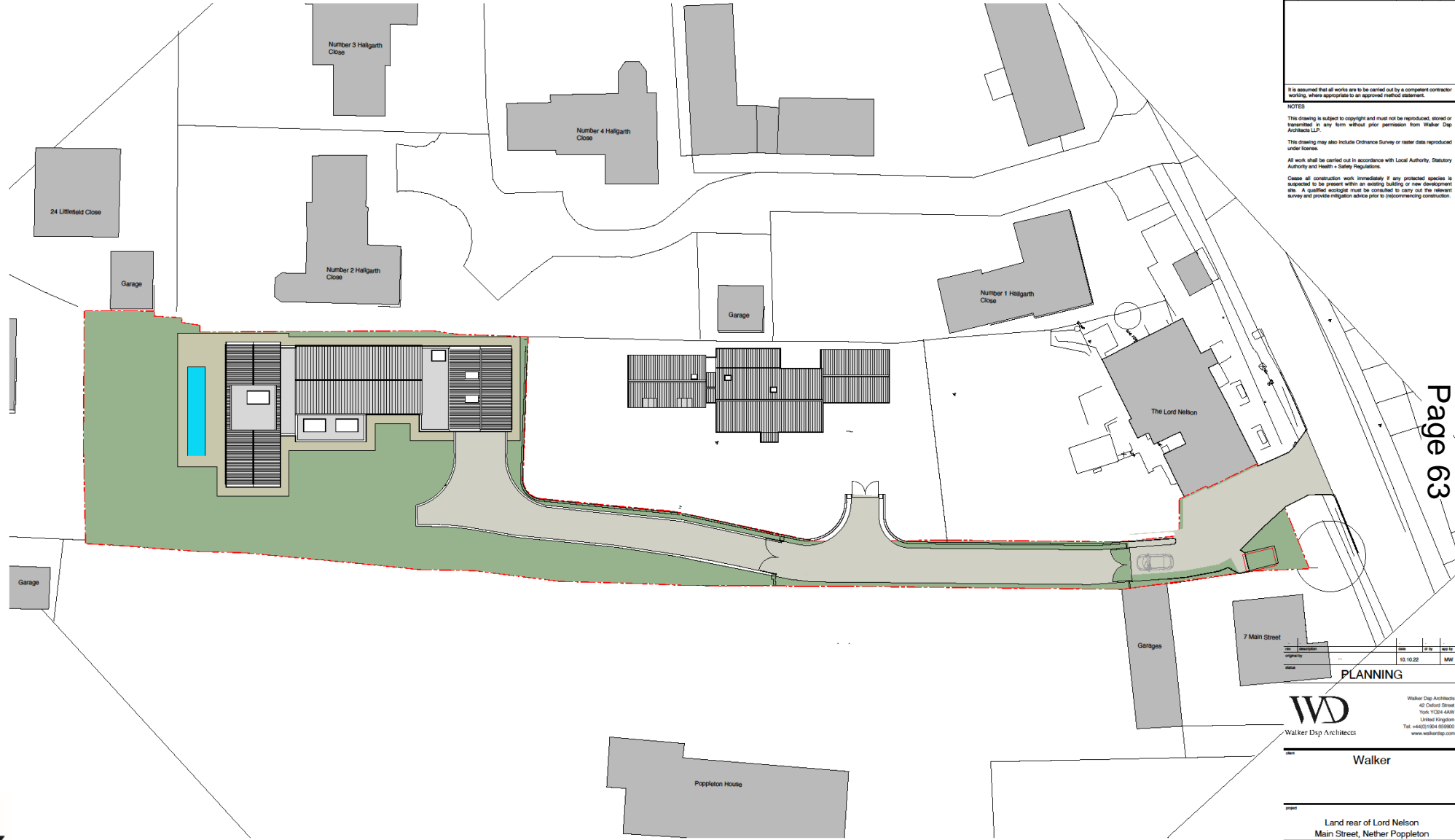
View towards 2
Hallgarth Close



View towards Poppleton House



Proposed Site Plan



CDM REGULATIONS
Safety, Health + Environmental Information

In addition to the hazards / risks typically associated with the types of work detailed on this drawing, please NOTE the following advisory information. Hazards may relate to CONSTRUCTION, MAINTENANCE + CLEANING, and / or DEMOLITION, however the list is not exhaustive.

No.	Description	Date	By	App. No.

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Page 63

10:10:22 MW
PLANNING

WDA
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Walker

Project
Land rear of Lord Nelson
Main Street, Nether Poppleton

Drawing title
Site plan
As proposed

Scale of A1: 1:200
Project No: 885
Drawing No: P15
Rev: A

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Site Plan (As previously consented, for reference)

CDM REGULATIONS Safety, Health + Environmental Information			
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Page 64

ref	description	date	by

10.10.22 MW

PLANNING

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Mr & Mrs Walker

PROJECT
New dwelling
Land rear of Lord Nelson
Main Street, Nether Poppleton

DRAWING TITLE
Site plan
As consented

scale	project no	drawing no	date
1:200	085	P11	-

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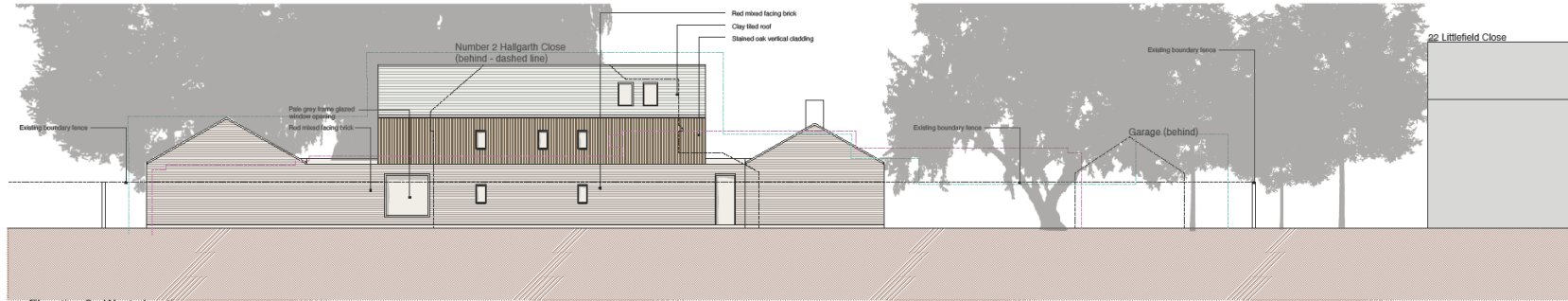
Proposed Elevations



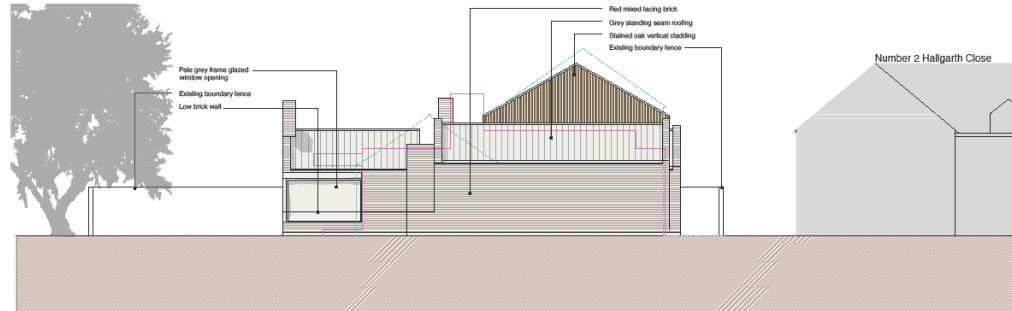
Elevation 1 - East elevation



Elevation 2 - South elevation



Elevation 3 - West elevation



Elevation 4 - North elevation



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No.	Description	Date	By	App'd

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No.	Description	Date	By	App'd
1		10.10.22		MW

PLANNING



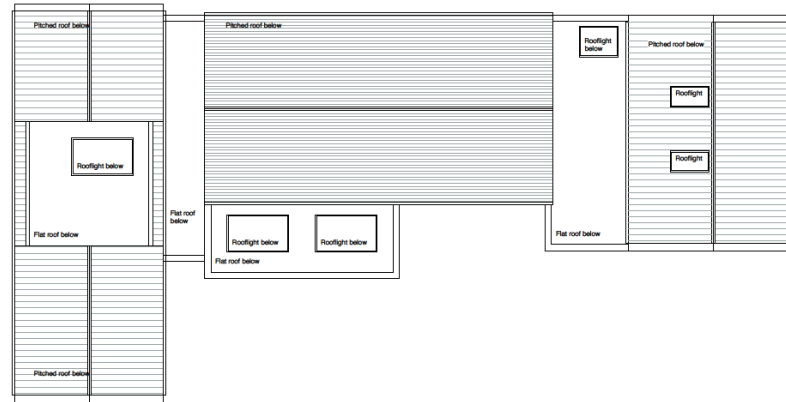
Walker

project
Land rear of Lord Nelson
Main Street, Nether Poppleton
drawing title
Proposed elevations

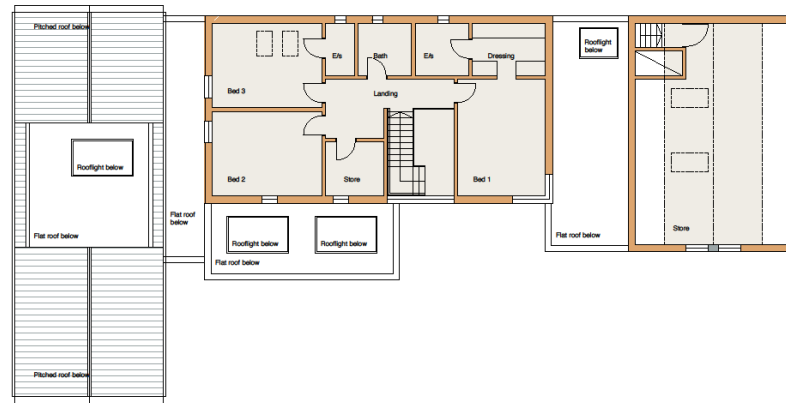
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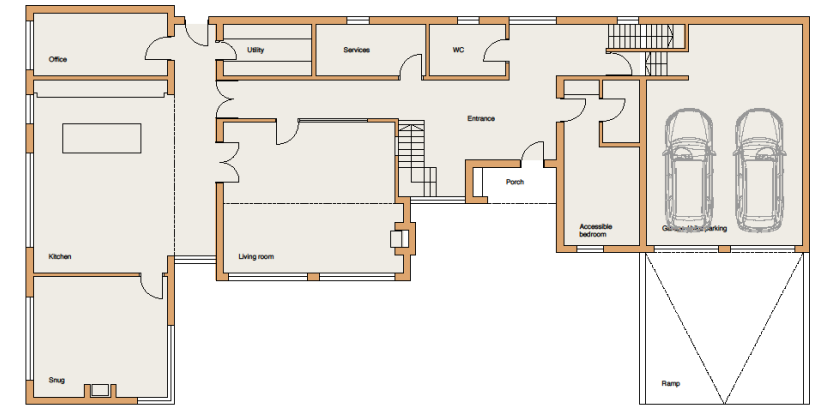
Proposed Plans



Roof plan



First floor plan



Ground floor plan

Safety, Health + Environmental Information

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No	Description	Date	By	App'd by
1	Issue	16.10.22	MW	

PLANNING

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Walker

Project
Land rear of Lord Nelson
Main Street, Nether Poppleton
Drawing No
Proposed floor plans

Scale of A1	Project No	Drawing No	Rev
1:100	885	P31	A

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Planning Committee A

22 March 2023

Planning Committee B

09 March 2023

Planning Appeal Performance and Decisions

- 1 This report informs Members of planning appeal decisions determined by the Planning Inspectorate between 1 July and 30 September 2022. Appendix A is a list of the appeals decided, a summary of each decision is provided in appendix B and a list of outstanding planning appeals in appendix C.
- 2 Appeal statistics are collated by the Planning Inspectorate on a quarterly and annual basis. The Government use the statistical returns as one of a number of measures to assess the performance of local planning authorities. To assess the quality of decisions, this is based on the total number of decisions made by the Local Planning Authorities that are subsequently overturned at appeal. The threshold whereby a Local Planning Authority is eligible for designation as under-performing is 10% of the Authority's total number of decisions on major, non-major and "county-matter" (generally minerals and waste proposals) applications made during the assessment period being overturned at appeal.
- 3 Table 1 shows results of planning appeals decided by the Planning Inspectorate for the quarter 1 July to 30 September 2022 for all types of planning appeals such as those against the refusal of planning permission, against conditions of approval, listed building applications and lawful development certificates. In the corresponding quarter the Planning Inspectorate allowed 29% of appeals determined in England.

Table 1: CYC Planning Appeals Last Quarter Performance

	01/07/22 to 30/09/22
Allowed	3
Split decision	0
Dismissed	10
Total Decided	13
% Allowed	23%

- 4 There was one appeal decision received during the quarter relating to the refusal of an application for a "major" development.

Table 2: Major Development Planning Appeals

Address	Development	Decision
1 Cherry Lane York	Erection of 60no. retirement apartments following demolition of existing 3no. bungalows.	Appeal dismissed

- 5 For the 12 months period 1 July 2022 to 30 September 2022, 31% of CYC appeals decided were allowed. In England 29% of appeals were allowed over the same period.

Table 3: CYC Planning Appeals 12 month Performance

	01/10/21 to 30/09/22	01/10/2020 to 30/09/21
Allowed	13	7
Split decision	1	1
Dismissed	28	32
Total Decided	42	40
% Allowed	31%	18%

- 6 The latest available figures from the Department of Levelling Up Housing and Communities (the assessment criteria set out in paragraph 2 above) show that over the 2-year rolling assessment period that 0.5% of the total CYC decisions made in respect of non-major applications and 0% of total decisions made in respect of major applications were overturned at appeal. The comparison figures for England are 1% and 0.9% respectively. There were no appeals in respect of “county-matter” applications during the period.
- 7 A list of the planning appeals determined between 1 July and 30 September 2022 are included in Appendix A. Summaries of the decisions are included in Appendix B.
- 8 Three appeals were determined following a decision to refuse permission made by the sub-committee/committee.

Table 4: Appeals Decided 01/07/2022 to 30/09/2022 following Refusal by Committee / Sub-Committee

Appn Ref No	Site	Proposal	Appeal Outcome
20/00507/ FULM	1 Cherry Lane	Erection of 60no. retirement apartments following demolition of existing 3no. bungalows.	Dismissed

20/01958/ FUL	Cedar House 29 Station Road Haxby	Conversion of existing house into two dwellings with single storey rear extension, side and rear dormers, rear extension, demolition of garage and erection of new dwelling to rear	Dismissed
20/02010/ FUL	62 Heworth Road	Erection of 1no. dwelling to rear and conversion of outbuilding to dwelling with single storey extension following demolition of detached garage	Dismissed

- 9 The list of current appeals is attached at Appendix C. There are 26 appeals of all types awaiting determination.

Consultation

- 10 This is an information report for Members and therefore no consultation has taken place regarding its content.

Council Plan

- 11 The report is relevant to the “Well-paid jobs and an inclusive economy,” “Creating homes and World-class Infrastructure,” “A Greener and cleaner city,” “Getting around sustainably” and “Good Health and Wellbeing” city outcomes of the Council Plan.

Implications

- 12 Financial – There are no financial implications directly arising from the report.
- 13 Human Resources – There are no Human Resources implications directly involved within this report and the recommendations within it other than the need to allocate officer time towards the provision of the information.
- 14 Legal – There are no known legal implications associated with this report or the recommendations within it.
- 15 There are no known Equalities, Property, Crime & Disorder or other implications associated with the recommendations within this report.

Risk Management

- 16 In compliance with the Council’s risk management strategy, there are no known risks associated with the recommendations of this report.

Recommendation

17 That Members note the content of this report.

Reason

18 To inform Members of the current position in relation to planning appeals against the Council’s decisions as determined by the Planning Inspectorate.

Contact Details

Author:

Gareth Arnold
Development Manager,
Development Management
gareth.arnold@york.gov.uk

Chief Officer Responsible for the report:

Becky Eades
Head of Planning and Development
Services

**Report
Approved**



Date 27.02.2023

Specialist Implications Officer(s) None

Wards Affected:

All Y

For further information please contact the author of the report.

Appendices

- Appendix A Planning Appeals decided between 1 July and 30 September 2022
- Appendix B Summaries of Planning Appeals decided between 1 July and 30 September 2022
- Appendix C Outstanding Planning Appeals as at 27 February 2023

Appeals decided between 01/07/22 and 30/09/22

Ward	Application number	Proposal	Address	Officer Committee Rec	Decision	DEL/COMM
Copmanthorpe	21/01650/FUL	Conversion of 2no. buildings to form holiday letting accommodation with alterations to existing vehicular access (resubmission, revised scheme)	125 Temple Lane Copmanthorpe York YO23 3TE		Appeal Dismissed	DEL
Dringhouses And Woodthorpe	20/00507/FULM	Erection of 60no. retirement apartments with care, communal facilities, parking, landscaping and associated amenity space following demolition of existing 3no. bungalows.	1 Cherry Lane York YO24 1QH	Refuse	Appeal Dismissed	COMM
	21/01966/FUL	Single storey side extension	3 The Grove York YO24 1XD		Appeal Dismissed	DEL
Guildhall	21/02502/FUL	Rebuilding of roof with dormer to rear, 3no. rooflights to front and 1 lantern light to ridge	8 Portland Street York YO31 7EH		Appeal Allowed	DEL
Haxby And Wigginton	20/01958/FUL	Conversion of existing house into two dwellings with single storey rear extension, side and rear dormers, rear extension, demolition of garage and erection of new dwelling to rear	Cedar House 29 Station Road Haxby York YO32 3LU	Approve	Appeal Dismissed	SUB- COMM
Heworth	20/02010/FUL	Erection of 1no. dwelling to rear of No.62 Heworth Road and conversion of outbuilding to dwelling with single storey extension following demolition of detached garage (resubmission)	62 Heworth Road York YO31 0AD	Approve	Appeal Dismissed	SUB- COMM
	21/01822/FUL	Change of use from dwelling house (use class C3) to House in Multiple Occupation (use class C4)	28 Heworth York YO31 1AF		Appeal Dismissed	DEL

Hull Road	21/02625/FUL	Single storey side extension in association with existing use of property as a house in multiple occupation (use class C4) (retrospective)	29 Deramore Drive York YO10 5HL		Appeal Dismissed	DEL
Huntington/New Earswick	21/00927/FUL	Erection of 8no. dwellings with associated works following demolition of existing buildings	The Wilberforce Trust Wilberforce House 49 North Moor Road Huntington York YO32 9QN		Appeal Dismissed	
Micklegate	20/02501/FUL	Installation of louvres, 2no. doors and external Amazon lockers, provision of plant and machinery and changes to previously approved store opening and delivery hours.	David Wilson Homes Limited Marketing Suite Hallmark House Joseph Terry Grove York YO23 1PX		Appeal Allowed	DEL
	22/00151/FUL	single storey side and rear extension	1 Lorne Street York YO23 1HE		Appeal Withdrawn	DEL
Osballdwick And Derwent	21/00396/FUL	Change of use of public house to 1no. apartment at ground floor level	Murton Arms Moor Lane Murton York YO19 5UQ		Appeal Dismissed	
	21/02019/FUL	Change of use of land to form 25 pitch touring caravan and motorhome site with associated works including site office and facilities building.	OS Field 0131 Holtby Lane Holtby York		Appeal Dismissed	DEL
Rawcliffe And Clifton Without	21/02747/FUL	First floor balcony to front elevation (resubmission)	29 Fylingdale Avenue York YO30 5FP		Appeal Allowed	DEL

Summaries of Planning Appeals decided between 1 July and 30 September 2022

Case number	Appeal by	Description	Address	Outcome
21/00052/NON	Ms Ruth Yeadon	Change of use of public house to 1no. apartment at ground floor level	Murton Arms Moor Lane Murton York YO19 5UQ	Appeal Dismissed

Notes

The appeal against non-determination of the application related to the change of use of a vacant Public House to two flats. The property is located in a conservation area and has a beer garden to the front with car parking and additional grass land to the rear. The LPA contested the appeal because it was considered that marketing had not shown that the property was unviable and its loss would therefore be unacceptable due to the negative impact on the community's ability to meet its day to day needs and also because of harm that would be caused to the character and appearance of the conservation area. The appeal was dealt with by an Informal Hearing. The Inspector dismissed the appeal making reference to the lack of clear information to show what interest had been expressed in purchasing the property. He also stated that the most recent accounts for the Pub use lacked clarity and the period in which it had been operated by the appellant (6 to 9 months) was insufficient to assess viability. He did not consider that the Derwent Arms located around 1 mile away was in the context of the linkages an alternative facility that would meet the day to day needs of the villagers.

Case number	Appeal by	Description	Address	Outcome
22/00018/REF	Mr and Mrs Leung	Single storey side extension	3 The Grove York YO24 1XD	Appeal Dismissed

Notes

This appeal was against the refusal of planning permission for a single storey side extension at this detached house. The reason for refusal was the impact on adjacent TPO protected trees of important landscape value brought about by the close proximity of the extension and the subsequent damage/ harm the extension may cause. The TPO trees in question are of significant height, making them a notable feature in views in the area, positively contributing to the leafy and pleasant nature of the area, and also helping to obscure views of the large college building next door. The Inspector noted that the house was already built quite close to the trees and there were no plans showing a root protection area (RPA) or canopy spread of the trees, and no tree survey or arboricultural assessment provided with the application. The inspector noted that the applicant had suggested a number of design and construction solutions, but these were also lacking in detail and nothing in them to suggest that there would be no harm to the protected trees. The inspector concluded this was 'fundamental to the acceptability of the scheme' and imposing conditions would not comply with the decision makers legal duty under Section 197 of the TCPA 1990 regarding the protection of trees. They concluded that 'given the close proximity of the proposal to the TPO trees and the glazed nature of its design, it is reasonable to anticipate that this would increase pressure to alter or remove the trees, particularly if the property were to change ownership within the natural lifespan of the trees'. The proposal therefore failed to 'adequately protect the TPO trees, resulting in a potential adverse impact on the character and appearance of the area'.

Case number	Appeal by	Description	Address	Outcome
22/00019/REF	Mr I Furby	Single storey side extension in association with existing use of property as a house in multiple occupation (use class C4) (retrospective)	29 Deramore Drive York YO10 5HL	Appeal Dismissed

Notes

The application was refused on the grounds that it expanded HMO use at the property without properly addressing car and cycle parking and bin storage. It failed to provide the number of car parking spaces required and the tandem arrangement would likely to lead to parking on the street. The size of the car parking spaces was also below standard meaning there would be insufficient maintenance area for vehicles further increasing on street parking. No cycle or bin storage was provided and there was inadequate width at the sides of the property to access the rear. In addition the tandem parking would make it virtually impossible for the movement of bicycles and bins to occur. It was considered it would result in bins and bicycles being stored at the front creating an unsightly appearance in the street and problems for cars accessing parking spaces exacerbating on street parking. The Inspector considered the car parking spaces provided little to no circulation space to allow for ease of access unloading maintenance etc. Furthermore they would not allow for a vehicle in the space closest to the dwelling to be moved independently of another in the space to the front inconveniencing residents of the HMO. In addition a vehicle parked in the gap between the appeal property and the neighbour would block access for those on foot and access with wheeled bins or bicycles would be extremely difficult if not impossible. The inadequate parking provision and further parking pressures arising from the increase in HMO occupants was likely to lead to on street parking in an area where parking pressure is high. He noted that a residents parking zone operated between 0800 and 1700 Monday to Friday but because parking demand was likely to be highest in the evening and weekends it felt it would do little to mitigate the additional parking generated. He also noted that HMO residents were not eligible for parking permits serving to further demonstrate the need for adequate parking provision.

Case number	Appeal by	Description	Address	Outcome
22/00010/REF	Gladman Retirement Living	Erection of 60no. retirement apartments with care, communal facilities, parking, landscaping and associated amenity space following demolition of existing 3no. bungalows.	1 Cherry Lane York YO24 1QH	Appeal Dismissed

Notes

The application site comprises an elongated plot at the junction of Cherry Lane and Tadcaster Road directly adjacent to the Dringhouses Conservation Area and directly opposite the former Dringhouses School and associated cottages, each Grade II Listed Buildings. The site is presently occupied by a grouping of chalet bungalows dating to the 1960s with a low pattern of density. The proposal envisaged the construction of a single block of 60 extra care apartments in a three storey building virtually filling the site. Significant concerns were expressed in terms of the impact of the proposed development upon the setting of the Conservation Area, the setting of the nearby Listed Buildings and also the impact of the proposed form of development on the form and character of the wider street scene. The application was considered by Committee and refused on the grounds of harm to the setting of neighbouring heritage assets. A further reason for refusal was added in respect of impact upon the operations of the adjacent racecourse stable. The Inspector indicated that he did not feel there was sufficient harm to refuse permission on the grounds of impact to the stables, however he concluded that the scale and bulk of the proposal was both harmful to the setting of the neighbouring Listed Buildings and the form and character of the street scene more generally. That harm was not outweighed by the public benefits of the proposal and the appeal was dismissed.

Case number	Appeal by	Description	Address	Outcome
22/00011/REF	Mr and Mrs J and K Johnson	Conversion of 2no. buildings to form holiday letting accommodation with alterations to existing vehicular access (resubmission, revised scheme)	125 Temple Lane Copmanthorpe York YO23 3TE	Appeal Dismissed

Notes

The site comprises a semi-detached bungalow dating from the 1930s set within a long narrow plot within a detached part of Copmanthorpe to the south east of the main village. The site lies within the general extent of the York Green Belt as well as Flood Zone 3. The proposal was refused planning permission as being inappropriate development in the Green Belt and also on flood risk grounds. The Inspector concluded that whilst the buildings could be capable of conversion the proposed access track and associated curtilage which would be created for the properties would give rise to harm to the openness of the Green Belt and the development was therefore inappropriate development in the Green Belt. At the same time he felt that it had not been demonstrated that the site was not at risk of flooding particularly highlighting the lack of a clear warning system for flood events or a safe means of evacuation. Taking that into account and also policies for encouraging the development of tourist accommodation he felt that the requirements of paragraph 148 of the NPPF in demonstrating "very special circumstances" had not been demonstrated and that the appeal should be dismissed.

Case number	Appeal by	Description	Address	Outcome
22/00012/REF	Mr Paul Lee	Conversion of existing house into two dwellings with single storey rear extension, side and rear dormers, rear extension, demolition of garage and erection of new dwelling to rear	Cedar House 29 Station Road Haxby York YO32 3LU	Appeal Dismissed

Notes

Planning permission was refused for the creation of 2no. houses at this site, one by sub-dividing the main house to create a 2nd house, and also the erection of a new, single storey, contemporary detached house in the garden area to the rear. The application was recommended for approval, but was refused by the sub-committee due to the impact of the new house on the character and form of the application site, and its near surroundings, and it being an over-development of the site. The Inspector considered its single storey, contemporary appearance would result in a somewhat squat, cramped appearance which would be an uncharacteristic form and appearance in the area, not sufficiently reflecting the 'scale and identity of neighbouring properties'. The footprint of the property, together with the car parking area, would have resulted in a significantly smaller garden than is typical of the area. They further concluded that 'The constrained nature of the site is therefore such that the proposed detached dwelling would appear as a contrived, conspicuous, and cramped form of development', this discordant impact being clearly visible from neighbouring properties. They concluded that the development, overall, constituted poor design which would be 'wide ranging and long lasting' and in the planning balance this was not outweighed by other matters. Local objectors concerns over impact on neighbour amenity and the additional utilisation of a shared access drive were not put forward as reasons for refusal by the Council and the Inspector agreed with the Council on these matters.

Case number	Appeal by	Description	Address	Outcome
22/00020/REF	York Holiday & Cycle Stop	Change of use of land to form 25 pitch touring caravan and motorhome site with associated works including site office and facilities building.	Os Field 0131 Holtby Lane Holtby York	Appeal Dismissed

Notes

The appeal related to the proposal for a 25 pitch caravan site with associated internal road and hard standings on a large paddock on the edge of Holtby. It was refused planning permission because it was inappropriate development within the Green Belt and no very special circumstances had been identified that clearly outweighed the harm that would be caused to openness. The Inspector dismissed the appeal. He stated that the proposed development would lead to a significant reduction of openness compared to the existing situation and would conflict with the fundamental aim of keeping land permanently open. He did not consider that the moderate economic and employment benefits that would result from the scheme would outweigh this harm.

Case number	Appeal by	Description	Address	Outcome
22/00003/REF	Transcore Ltd	Erection of 1no. dwelling to rear of No.62 Heworth Road and conversion of outbuilding to dwelling with single storey extension following demolition of detached garage (resubmission)	62 Heworth Road York YO31 0AD	Appeal Dismissed

Notes

The application was recommended for approval by officers. However in refusing the scheme sub-committee considered that the proposal would result in an over-development which would be out of keeping with the character of the locality and would result in significant harm being caused to its character and appearance. They also considered that insufficient information had been provided on the impact on trees and biodiversity. The appeal was dismissed. The Inspector found that the new dwelling would be sizeable with a small front and rear garden area. He noted that the urban grain is dense in nature with the appeal site allowing a little respite from development and concluded that additional dwellings would not be a positive feature with regard to the character and appearance of the area, they would fail to harmonise with the established surrounding pattern of housing and that the design of the new dwelling would look incongruous in this area. The Inspector considered that planning conditions could be used to protect the tree during development.

Case number	Appeal by	Description	Address	Outcome
22/00024/REF	Mr Anthony Bell	First floor balcony to front elevation (resubmission)	29 Fylingdale Avenue York YO30 5FP	Appeal Allowed

Notes

The appeal related to the refusal of application 21/02747/FUL for a first floor balcony to front elevation. The host property is located within the Clifton area and is a detached two storey dwellinghouse situated in a suburban residential setting in a group of detached houses looking out over a wooded landscape to the south. The application site is also located within the Green Belt. The reasons for refusal related to the design and means of enclosure of the proposed first floor front balcony and also its impact on the amenity of neighbouring residents at 27 Fylingdale Avenue. The inspector allowed the appeal, stating the structure would be relatively small scale, projecting no further than the existing front of the dwelling. The contemporary design of the balcony and associated alterations would be in keeping with the existing dwelling and would not dominate it nor detract from it. Given the position of the property on a private drive, set back from both of its immediate neighbours, the impact on the street scene and the character of the wider area would be negligible. With regards to the neighbouring harm the Inspector agreed the proposal would impact the bathroom. However, the bathroom is a non-habitable room and such an effect on this room would not justify rejection. With regards to the neighbour's kitchen window at ground floor it was felt it was already enclosed by the existing side wall of the appeal property and as this side window is not the only window serving the room, such effects would also not result in significant harm to living conditions. The proposed side wall to the balcony was deemed a sufficient height to preserve the privacy of the neighbouring occupants at No. 27. The Inspector concluded that there was no persuasive evidence to indicate that disturbance from a balcony would be any worse than use of existing gardens in the summer

Case number	Appeal by	Description	Address	Outcome
22/00017/REF	Prof Michelle Peckham	Rebuilding of roof with dormer to rear, 3no. rooflights to front and 1 lantern light to ridge	8 Portland Street York YO31 7EH	Appeal Allowed

Notes

This application for a rear dormer was refused on the grounds that Portland Street, which is comprised of late 18th and mid to late 19th century terraced housing of high aesthetic value, makes a positive contribution to the character and appearance of the Central Historic Core conservation area. Although, as with many traditional areas, it has experienced some modern additions, such as dormers, that have had a detrimental impact on the historic roofscape, the northern part of the terrace, within which the application property is located, has experienced much less intrusion in its roofscape with only one small dormer and some rooflights in situ. As a result, a much greater sense and appreciation of the historic roof form is possible with large expanses of roof slate in evidence. For these reasons the LPA wished to resist further interventions into the roofscape of the terrace. It was also considered that the proposed dormer, with its contemporary design, would be alien to the historic context and would appear as a dominant and discordant feature with the use of zinc and cedar for external cladding and the window shape and dormer proportions being out of character. The Inspector considered that the proposed use of large glazing panels, modern materials and a flat roof deviate from the traditional architecture of No 8. However, the vertical emphasis of the rear glazing is sympathetic to that of the main elevation windows and, given the scale of the host dwelling, the proportions appear commensurate, do not result in a top-heavy appearance, and will allow original roof features to still be appreciated.

Case number	Appeal by	Description	Address	Outcome
22/00015/NON	Mr Craig Smith	Erection of 8no. dwellings with associated works following demolition of existing buildings	The Wilberforce Trust Wilberforce House 49 North Moor Road Huntington York YO32 9QN	Appeal Dismissed

Notes

In dismissing the appeal the Inspector did not take issue with the external appearance of the dwellings and agreed that they would respect the building line of North Moor Road. However they considered the site would be cramped with little visual relief in terms of open or green spaces, stating that open spaces would be occupied by parking spaces. The prominence of cars, lack of turning space and need for a central bin collection and lack of landscaping all emphasise that the site is overdeveloped. The Inspector also concluded that the refuse bin collection area would be in a prominent location and an unacceptable distance from some of the dwellings, and that there was not sufficient space for a refuse vehicle to stop and load safely without impeding traffic and pedestrians. The Inspector considered that the development was contrary to paragraph 112(d) of the Framework, because the site layout did not demonstrate that larger and emergency vehicles could move within the site safely and efficiently. The Inspector was concerned that no noise report had been submitted in relation to the car repair garage to the west, and considered that it was likely that the business would generate large amounts of noise and the proposal would not ensure suitable living conditions in this regard for potential future occupiers of the dwellings proposed. The Inspector agreed that the development would result in a loss of a site capable of employment functions in the future. The scheme did not demonstrate that it would not have an impact of protected species nor that it would provide for bio-diversity net gain. The construction of new dwellings was given moderate weight but did not outweigh the identified harm.

Case number	Appeal by	Description	Address	Outcome
22/00006/CON	Co-op Estates	Installation of louvres, 2no. doors and external Amazon lockers, provision of plant and machinery and changes to previously approved store opening and delivery hours.	David Wilson Homes Limited Marketing Suite Hallmark House Joseph Terry Grove York YO23 1PX	Appeal Allowed

Notes

The application site comprises the ground floor of Hallmark House one of the blocks of apartments erected as part of the wider Terry's Chocolate Works re-development. It had previously been used by David Wilson Homes as their marketing suite and planning permission was applied for by Co-Op Stores for fitting out works and also to establish the intended opening hours for the store. Opening hours of 07:00 to 23:00 were applied for and accompanied by a noise management plan. However a closing time of 22:00 was applied by condition because of the amenity characteristics of the wider area. The appellant appealed the condition and in the absence of any further justification for the condition that outweighed the conclusions of the noise report the appeal was allowed.

Case number	Appeal by	Description	Address	Outcome
22/00004/NON	Dr Graham Dykes	Change of use from dwelling house (use class C3) to House in Multiple Occupation (use class C4)	28 Heworth York YO31 1AF	Appeal Dismissed

Notes

The proposal was to convert a semi-detached bungalow within Use Class C3 to a 6 no. bedroom HMO within Use Class C4. The property was within HMO thresholds set out in the SPD and Local Plan policy. The Inspector noted that the LPA's main concern was the level of parking provision and referred to Appendix E of the Development Control Local Plan (2005). This required 3.no off-road spaces. He also noted that this document stated that the spaces should all be independent of each other. The Inspector noted that it was apparent from his site visit that due to single yellow lines parking nearby was extremely limited. He therefore considered that 3.no spaces were necessary in this case. He additionally noted that the off-road parking provision as proposed would restrict cycle access to the store at the rear of the property. He concluded that the proposal therefore conflicted with the Local Plan and dismissed the appeal.

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Outstanding Appeals

Date report run: 27-Feb-2023

Ward	CYC Appeal Case number	PINs Appeal number	Proposal	Address	Date appeal lodged	Officer name
Bishopthorpe	23/00001/REF	APP/C2741/D/23/3314086	Rear dormer type extension within existing valley roof	Cherry Garth 50 Main Street Bishopthorpe York YO23 2RB	04/01/23	Ed Bainbridge
Clifton	22/00058/REF	APP/C2741/W/22/3312383	Conversion of garage to dwelling including extensions and raising of ridge height, 2no. dormers, installation of 4no. rooflights and 2 no. ground floor window openings.	6 Clifton York YO30 6AE	02/12/22	Sandra Duffill
Dringhouses And Woodthorpe						
	22/00056/CON	APP/C2741/W/22/3312254	Single storey rear extension, hip to gable roof extension with 3no. roof lights to front and dormer to rear	13 Middlethorpe Grove York YO24 1JW	30/11/22	Ed Bainbridge
Fulford And Heslington	22/00052/REF	APP/C2741/D/22/3311762	Alteration of attached garage to habitable room including addition of mono-pitched roof.	23 Fordlands Road York YO19 4QG	02/12/22	Paul Edwards
	22/00057/REF	APP/C2741/W/22/3309624	Erection of 1no. dwelling following demolition of outbuilding to rear (resubmission)	34 Main Street Fulford York YO10 4PX	24/10/22	Neil Massey
Guildhall	22/00040/REF	APP/C2741/W/22/3304727	Third floor roof extension to form 1no. apartment with balcony and dormers to front and rear, alterations to first and second floors in association with change of use from office (use class B1) to residential (use class C3) to form 2no. apartments	Barry Crux 20 Castlegate York YO1 9RP	08/08/22	David Johnson
	22/00041/REF	APP/C2741/Y/22/3304726	Internal and external alterations including third floor extension to roof to form 1 no. apartment with balcony and dormers to front and rear, alterations to first and second floors in association with change of use from office to residential to form 2 no. apartments	Barry Crux 20 Castlegate York YO1 9RP	08/08/22	David Johnson
Haxby And Wigginton	22/00044/REF	APP/C2741/X/22/3311380	Certificate of lawfulness for proposed use of land as car park to serve allotments	Part Os Field 1882 Usher Lane Haxby York	17/11/22	Matthew Parkinson

	22/00053/REF	APP/C2741/W/22/3311678	Use of land for a self-storage use with the siting of containers in connection with this use (retrospective)	Site Lying To The North Of Clifton Gate Business Park Wigginton Road Wigginton York	22/11/22	Erik Matthews
	22/00059/REF	APP/C2741/W/22/3313450	Variation of condition 4 of permitted application 19/00110/FUL for use of annexe as holiday accommodation	10 Usher Lane Haxby York YO32 3JZ	19/12/22	David Johnson
	23/00003/NON	APP/C2741/W/23/3314331	Erection of three storey building comprising 45 retirement living apartments with associated access, car parking and landscaping following demolition of existing buildings	11 The Village Wigginton York YO32 2PL	09/01/23	Erik Matthews
	23/00004/REF	APP/C2741/W/22/3303588	Outline planning permission for the construction of an equestrian workers dwelling following demolition of existing stable and full planning permission for side extension to existing stable block	Welton Stables Plainville Lane Wigginton York YO32 2RG	21/07/23	Matthew Parkinson
Heworth	22/00029/REF	APP/C2741/X/22/3303954	Certificate of lawfulness for use of building as a dwelling within Use Class C3	20B Asquith Avenue York YO31 0PZ	26/07/22	Neil Massey
Huntington/New Earswick	21/00032/NON	APP/C2741/W/21/3282598	Outline planning permission with all matters reserved except access, for circa 300 residential dwellings, associated landscaping, public open space, and the formation of two new vehicle accesses from New Lane	Huntington South Moor New Lane Huntington York	09/09/21	Jonathan Keny
Osbalwick And Derwent	22/00050/REF	APP/C2741/W/22/3305435	Erection of 8no. dwellings with associated parking and landscaping following demolition of buildings	The Magnet 57 Osbalwick Lane York YO10 3AY	18/08/22	Sophie Prendergast
	22/00054/REF	APP/C2741/D/22/3310551	Raising of roof with hip to gable roof extensions to sides, front and rear; single storey front and rear extensions, 3no. rooflights to front and 2no. rooflights to rear	Laurentide Common Lane Dunnington York YO19 5LS	06/11/22	Sharon Jackson
Rawcliffe And Clifton Without	22/00005/REF	APP/C2741/D/22/3293412	Two storey extension to side and rear with canopy porch to front (revised scheme, resubmission)	9 Holyrood Drive York YO30 5WB	21/02/22	Sam Baker
	22/00049/REF	APP/C2741/D/22/3308603	Excavation and repurposing of existing basement to create habitable area	25 Shipton Road Clifton York YO30 5RE	10/10/22	Ed Bainbridge
Rural West York	22/00014/REFCPD	APP/C2741/X/22/3297054	Certificate of lawfulness of proposed development comprising: removal of existing railway carriage; erection of workshop/wood store, potting shed and boundary fencing; and construction of swimming pool	Cherry Tree Cottage Millfield Lane Nether Poppleton York YO26 6NX	14/04/22	Matthew Parkinson

Rural West York	22/00030/REF	APP/C2741/X/22/3304438	Erection of a detached pool house and gym with associated plant room	Village Farm Bungalow Main Street Askham Richard York YO23 3NY	15/02/22	Louise Milnes
	22/00055/REF	APP/C2741/Y/22/3311295	Install through floor lift	St Peters Farmhouse Main Street Knapton York YO26 6QG	16/11/22	Sandra Duffill
Strensall	22/00045/REF	APP/C2741/W/22/3307755	Removal of condition 4 of permitted application 18/01979/FUL to allow use of caravans by persons not engaged in equestrian based holidays	Hall Farm Strensall Road York YO32 9SW	27/09/22	Jonathan Kenyon
	22/00046/REF	APP/C2741/W/22/3308426	Change of use from public house to cafe with drive-thru coffee shop and first floor offices (Use Classes A3/B1) and change of use of detached garage to retail (A1)	Four Alls Inn Malton Road Stockton On The Forest York YO32 9TW	06/10/22	Victoria Bell
	23/00002/COND	APP/C2741/W/22/3312899	Erection of single storey summer house/office to rear of garden and erection of storage shed to front garden (part retrospective)	37 York Road Strensall York YO32 5UB	10/12/23	Sam Baker
Westfield	22/00048/REF	APP/C2741/D/22/3312014	Single storey rear extension and hip to gable with dormer to rear	45 Queenswood Grove York YO24 4PW	27/11/22	Sandra Duffill
	22/00051/REF	APP/C2741/D/22/3307230	Single storey extension to side of existing detached garage	38 Tennent Road York YO24 3HF	19/09/22	Joseph Bourke

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