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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	7 MARCH 2013
PRESENT	COUNCILLORS DOUGLAS (VICE-CHAIR), FITZPATRICK, FUNNELL, KING, MCILVEEN, CUTHBERTSON, WARTERS, BOYCE (SUBSTITUTE FOR COUNCILLOR WATSON), ORRELL (SUBSTITUTE FOR COUNCILLOR FIRTH) AND BARTON (SUBSTITUTE FOR COUNCILLOR GALVIN)
APOLOGIES	COUNCILLORS FIRTH, GALVIN AND WATSON

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<b>Site Visited</b>	<b>Attended by</b>	<b>Reason for Visit</b>
305 Hull Road, Osbaldwick.	Councillors Barton, Boyce, Cuthbertson, Douglas, Fitzpatrick, McIlveen and Warters.	For Members to understand the objections received in the context of the site.
10 Wensleydale Drive, Osbaldwick.	Councillors Barton, Boyce, Cuthbertson, Douglas, Fitzpatrick, McIlveen and Warters.	For Members to understand the objections received in the context of the site.

## 52. DECLARATIONS OF INTEREST

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

Councillor McIlveen declared a personal interest in Agenda Item 4c) (10 Wensleydale Drive, Osbaldwick, York. YO10 3PH) as a member of York Residential Landlords Association.

No other interests were declared.

**53. MINUTES**

RESOLVED: That the minutes of the East Area Planning Sub-Committee held on 7 February 2013 be approved and signed by the Chair as a correct record.

**54. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Committee.

**55. PLANS LIST**

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

**55a 305 Hull Road, Osbaldwick, York. YO10 3LU (12/03560/FUL)**

Members considered a full application by Mr and Mrs Robin Dawson for the erection of a triple garage with storage space above (resubmission).

Some Members asked for clarification concerning the access to the garage as they felt that this was not made clear on the submitted plans. They added that they felt that there did not appear to be space for vehicles to turnout and reverse back on to the highway. Other Members felt this would not be problematic as one of the garages could be driven through from the front and from the back.

Members expressed concerns that the garage could be used as separate living accommodation and asked whether a condition could be added if the application was approved.

Officers confirmed that it would be unlawful for the garage to be used as separate living accommodation without first seeking planning permission to change the use from a garage to a dwelling.

Other Members felt that the size and height of the proposed garage was only appropriate due to the large existing house rather than the smaller bungalows in the vicinity. Others felt that if the doors in two of the garages were to be covered with frosted glass, this would be a disincentive for habitation.

Councillor Warters requested that his vote against approval be recorded in the minutes.

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

8. The proposed building shall at no time shall be used as an independent unit of living accommodation.

Reason: For the avoidance of doubt.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the Officer's report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to the effect on residential amenity, car parking and the impact on the streetscene. As such the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

**55b 96 Dodsworth Avenue, York. YO31 8UD (13/00001/FUL)**

Members considered a full application from Mr Tom Shepherd for the installation of an air source heat pump. It was suggested that the application be deferred as the applicant wished to obtain more information from the Council's Environmental Protection Unit (EPU) in relation to noise levels from the air source heat pump.

RESOLVED: That the application be deferred.

REASON: In order to receive more information in regards to noise levels from the air source heat pump.

**55c 10 Wensleydale Drive, Osbaldwick, York. YO10 3PH  
(13/00171/FUL)**

Members considered a full application by Mrs Heather Richardson for a change of use from a dwelling house (Use Class C3) to a House in Multiple Occupation (Use Class C4).

In their update to Members, Officers reported that more objections to the application had been received since the agenda for the meeting had been published. One Member raised concerns about public objections not being viewable on the Council's website.

In response Officers stated that all objections both online and offline were received by the Case Officer. On receipt, as well as being sent to the Case Officer for taking into account, objections are initially logged as "sensitive" so they can be checked before being publicly displayed. The Support Team would then process the comments and change the status to public as appropriate. Officers stated that given the volume of comments received on a daily basis this often could take a little time. All objections and comments were taken into consideration by Officers when writing their reports, and any received after publication were reported to the Committee and considered.

Some Members were concerned about the access for vehicles to the property and suggested that an informative be added on to planning permission for the kerb outside the property to be lowered.

Representations in objection were received from a local resident Julie Darlow. She raised concerns about viewing objection letters on the Council's website, parking problems that could be caused by an increase in vehicles in the small cul de sac where the property was located and the percentages of Houses in Multiple Occupation (HMOs) in the area.

Representations in support were received from the applicant's agent, Mark Newby.

He stated that the proposed layout could accommodate six people and that it would be refurbished to reflect this. He also informed Members that as a HMO the dwelling could be occupied by six related people without planning permission. In response to a question from a Member about the possibility of adding further toilet facilities into the building, it was confirmed that this could be done.

During discussion some Members felt that the application should not be judged on the possible residents who might inhabit the building. They did add however, that it was unfortunate that the property under consideration was adjacent to an existing HMO.

One Member felt that policies, such as the Council's Draft Supplementary Planning Document (SPD) which set out percentages for HMOs in an area should be applied in a more flexible manner, to take into consideration special circumstances. They referred to a previous appeal decision to the Planning Inspectorate on an application for another HMO in York. This appeal had been granted even though the percentage of HMOs in the area was higher than those set down in the Council's Draft Supplementary Planning Document (SPD). The Member felt therefore that even though the application under consideration was in an area where the number of HMOs was below the percentage thresholds laid down in the Draft SPD, that Members could argue that it should be refused, because the aforementioned appeal decision called for a pragmatic approach.

They felt that the property's location in a quiet cul de sac, in which two other HMOs were currently located, would be detrimental to residential amenity. They also felt that if the property was inhabited by students this might lead to an increase in vehicles using the property and therefore the existing parking provision would not be sufficient.

A motion to follow the Officer's recommendation was moved. Another motion to refuse the application was also moved. Following a tied vote, the Chair used her casting vote for approval.

Councillor Warters requested that his vote against approval be recorded.

RESOLVED: That the application be approved.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the Officer's report, would not cause undue harm to interests of acknowledged importance, with particular reference to residential amenity and the impact on the character and appearance of the area. As such the proposal complies with Policy H8 of the City of York Development Control Local Plan, and the Council's Supplementary Planning Document: 'Controlling the concentration of Houses in Multiple Occupancy'

**55d 26 Granville Terrace, York. YO10 3DY (13/00233/FUL)**

Members considered a full application by Mr Spratt for the installation of thermal insulation cladding to external walls.

Members suggested that further applications similar to this might be submitted for consideration at future meetings, and suggested that a workshop on the Government's "Green Deal" energy saving initiatives be organised.

Officers suggested to Members that if they were minded to approve the application that a condition restricting the colour of the cladding to an off-white tone be added to planning permission.

RESOLVED: That the application be approved.

REASON: In the opinion of the Local Planning Authority, the proposal subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the effect on residential amenity and the impact on the streetscene. As such the proposal complies with Policy GP1 (Design) and Government advice in relation to climate change contained within the National Planning Policy Framework.

**56. OTHER REMARKS**

The Chair welcomed Jonathan Carr, the Head of Development Management, back to the Committee after a period of illness. She asked that this be recorded in the minutes, as the Committee had missed his presence and welcomed his advice.

Councillor H Douglas, Vice Chair in the Chair  
[The meeting started at 2.00 pm and finished at 3.00 pm].