

Meeting	Planning Committee B
Date	9 March 2023
Present	Councillors Hollyer (Chair), Melly (Vice-Chair), Crawshaw, D'Agorne (Substitute for Cllr Craghill) Daubeney, Fisher, Galvin, Orrell and Perrett
Apologies	Councillor Craghill
Officers Present	Becky Eades, Head of Planning and Development Erik Matthews, Development Officer Sandra Branigan, Senior Solicitor

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#### **67. Declarations of Interest (4.35 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.

In relation to item 4a (Morrell House, 388 Burton Stone Lane, YO32 6EZ), Cllr Melly declared a prejudicial interest, she therefore left the meeting prior to consideration of that item and took no part in the debate or decision thereon.

In relation to item 4a, Cllr Crawshaw noted, for transparency reasons, that whilst he had friends in common with the speaker on behalf of the applicant, he did not consider this to be prejudicial.

#### **68. Minutes (4.36 pm)**

Resolved: That the minutes of the last meeting held on 8 February 2023 be approved, and signed by the Chair as a correct record.

#### **69. Public Participation (4.36 pm)**

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

## **70. Plans List (4.36 pm)**

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

## **71. Morrell House, 388 Burton Stone Lane, York, YO30 6EZ [22/01504/FULM] (4.37 pm)**

[Cllr Melly left the meeting for the duration of item 4a. Cllr Crawshaw was nominated as Vice-Chair for the item.]

Members considered a major full application at Morrell House, 388 Burton Stone Lane, York, YO30 6EZ for the 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).

The Head of Planning and Development gave a presentation on the application and responded to Member questions concerning the plans.

### Public Speakers

James Neward and Rebecca Woolley spoke on behalf of the applicants and outlined the environmental and social benefits of the application. They went on to emphasise the sustainability of the plans and the desire for community resilience in York.

In response to questions from Members they clarified the mechanism for affordable housing and explained that Yorspace would work with the Housing Co-operative to double lock the check on rents. The plans, relating to the 2/3 bedroom apartments were also clarified.

Following debate, Cllr Crawshaw moved the officer recommendation to approve the application, subject to a S106 agreement. This was seconded by Cllr Perrett. Following a unanimous vote in favour of the motion, it was:

Resolved: that the application be approved, subject to a S106 agreement.

Reason: 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.

## **72. The Lord Nelson 9 Main Street Nether Poppleton York YO26 6HS [22/02243/FUL] (4.52 pm)**

[4.50 pm Cllr Melly re-joined the meeting.]

Members considered a full application at the Lord Nelson, 9 Main Street, Nether Poppleton, York ,YO26 6HS for the erection of 1no. dwelling.

The Head of Planning and Development gave a presentation on the application and responded to questions from Members on the plans. She confirmed that there would be two houses on the site, the plans for the first house remained unchanged.

### Public Speakers

Richard Harper spoke in objection to the application, he stated that the original objections, such as the height of the proposed development, remained the same, and that the additional housing would not assist the local economy. He also questioned the recent removal of trees and shrubs.

Paul Harper also spoke in objection to the application, he stated that the location was not a brownfield site and that the two storey development was unduly prominent that would impact on the heritage area. He considered that there had been breaches of the planning conditions.

In response to questions from Members he clarified his concerns regarding permitted development rights. Members noted that this had been covered in condition 14 of the report pack.

Cllr Hook spoke in objection to the application on behalf of residents as the ward councillor. She raised concerns regarding the loss of a community view and highlighted a lack of parking for the customers of the pub.

In response to questions from Members, Cllr Hook stated that the development would not specifically affect traffic. She also said that the second storey was in conflict with the Poppleton neighbourhood plan and the very high elevation would dominate the landscape. The nearby listed buildings were given as an example of the key features and characteristics of the conservation area.

Martin Walker, the applicant, spoke in support of the application. He explained that the footprint had been reduced and that the building would sit behind a two storey building that had already been approved. He also informed Members that no objections to the plans had been raised by Conservation Officers.

In response to questions from Members it was reported that:

- the trees in a conservation area were offered a level of protection which was covered by condition 11.
- When the planning balance had been considered, the level of harm was insufficient to recommend refusal.

Following debate, Cllr Galvin moved the officer recommendation to approve the application. This was seconded by Cllr D'Agorne. With seven votes in favour of the motion and two against, (Cllr Fisher requested that his vote against the motion was formally recorded) it was:

Resolved: That the application be approved.

Reason: 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 substantial 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.

### **73. Planning Appeal Performance and Decisions (5.35 pm)**

The Head of Planning and Development presented a report which provided information on the planning appeal decision determined by the Planning Inspectorate between 1 July and 30 September 2022.

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 4.33 pm and finished at 5.35 pm].

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