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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	9 FEBRUARY 2012
PRESENT	COUNCILLORS WATSON (CHAIR), GILLIES (VICE-CHAIR), CRISP, GALVIN, GUNNELL, JEFFRIES, ORRELL, REID AND SEMLYEN

#### 43. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
1 Station Road, Upper Poppleton	Councillors Galvin, Gillies, Gunnell, Jeffries, Reid, Semlyen and Watson.	As objections had been received and the officer recommendation was to approve.
20 Shambles, York	Councillors Galvin, Gillies, Gunnell, Jeffries, Reid, Semlyen and Watson.	As objections had been received and the officer recommendation was to approve.

#### 44. DECLARATIONS OF INTEREST

At this point in the meeting, members were invited to declare any personal or prejudicial interests they might have in the business on the agenda.

Councillor Gillies declared a personal non prejudicial interest in plans items 4d and e (1 Station Road, Upper Poppleton) as he had known the applicant when he had been a resident in his ward.

#### 45. MINUTES

RESOLVED: That the minutes of the last meeting of the West and City Centre Area Planning Sub Committee held on 12 January 2012 be

approved and signed by the chair as a correct record.

**46. 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 Sub-Committee.

**47. PLANS LIST**

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

**47a Land Adjacent To Northminster Business Park, Wykeham Road, Upper Poppleton, York (12/00024/REMM)**

Members considered a major reserved matters application (13 weeks) from Mr George Burgess for details of landscaping and external appearance of a proposed two storey building for business use granted under outline permission.

Officers advised that landscape officers had raised no objections to the application and noted that the proposed planting was in keeping with the landscape character of the area, and generally a good mix of native species. They recommended additional conditions to secure the planting and to avoid contamination and compaction of the soil during construction which would ensure the soil conditions remain good for the planting.

RESOLVED: That delegated authority be given to officers to approve the application after expiry of the public consultation period, subject to the conditions listed in the report and the additional conditions below.

Additional Condition

The landscape scheme as detailed on drawing 2175/4 shall be implemented within a period of six months of the completion of the

development and maintained thereafter in accordance with the approved five-year site biodiversity management plan. Furthermore, any trees, hedging plants, or shrubs which within a period of five years from the substantial completion of the planting and 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 the Local Planning Authority agrees alternatives in writing.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site, since the landscape scheme is integral to the amenity and the biodiversity value of the development.

Additional Condition

No development shall take place until a plan has been submitted and approved in writing by the local planning authority that shows the locations of the site security fencing (to be erected tight to the back of the proposed kerb in order to safeguard the proposed planting areas and existing trees from construction operations). The works shall be carried out in accordance with the approved details.

Reason: To protect existing trees and prevent compaction and contamination of the soil in order to ensure good growing conditions for the successful establishment of the approved landscape scheme both of which are integral to the quality of the development.

REASON: The proposal, subject to the conditions listed in the report and the additional conditions above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity and biodiversity. As such the proposal complies

with Policies GP1, GP9, NE1 and NE7 of the City of York Development Control Local Plan.

**47b The Little Mill Shop, 20 Shambles, York, YO1 7LZ  
(11/03428/FUL)**

Members considered a full application from Miss Katie Pask for the change of use from retail (use class A1) to mixed use retail and cafe (use class A1 and A3).

Officers advised that a response had been received from the Guildhall Planning Panel who had raised concerns about the continued loss of retail space to cafe use in the city.

Officers also stated that a letter of support had been received from the existing occupants of the building stating that the changes required were minimal and would not harm the historic fabric of the building and that the proposed use would allow full occupation of the building and retain a retail presence at ground floor level.

They also advised that a letter of objection/concern had been received from the tea rooms on the Shambles and the resident at number 21. These raised following points:

- Already a proliferation of gift shops with eating places attached in the Shambles – some operate without planning permission and some have larger eating areas than which they were granted consent for.
- Un-necessary competition, the Shambles should retain its diversity and not contain another eating establishment.
- Application form states upper floor rooms will be used for weddings and events – concern this could lead to disturbance to neighbours particularly in the evening.
- Concern that the use could become more of a bar rather than cafe.

Officers reported that the Environmental Protection Unit has no objection to the application but noted there were residential properties next door and to the rear of the proposed use and noted that in the event that hot food is to be served, a kitchen extraction system would be required, with ventilation above the ridge of the roof in which case the Food & Safety Unit would also need to be consulted.

In respect of amendments to conditions, officers recommended that condition 5 be amended to restrict opening hours from a 23.00 to a 21.00 finish with a further condition restricting music to restrict sound through the walls given the adjoining residential use.

Representations were received from the applicant in support of the application. She explained to members that this was a joint venture with a business partner and they happy with the suggested conditions. She confirmed they did not intend to sell alcohol and their intention was to close at 6.00pm in the evening. In response to concerns which had been raised about hosting hen parties and potential noise issues, she explained their hen do's were aimed at families and those who wanted a nice tea rather than what most people thought of as a typical hen party. In response to a question about disabled access, and how customers, particularly those with a visual impairment, would move safely around the premises safely, the applicant agreed to look into this and take advice on how best to achieve this.

RESOLVED: That delegated authority be given to officers to approve the application when the statutory publicity period ends on 15 February 2012, subject to consultation with the Chair and Vice Chair if any objections are received during this time and subject to the conditions listed in the report and the amended and additional conditions below.

Amended Condition 5

The premises shall operate only between the hours of 07:00 and 21:00 each day of the week.

Reason: In the interests of the amenities of surrounding residential premises, given that it is proposed to have a cafe on the upper floors, this is in accordance with policy GP1 (i) and S6 of the Development Control Local Plan.

Additional condition 6

No live or recorded music shall be played that is audible outside of the premises.

Reason: In the interests of the amenities of surrounding residential premises, given that it is proposed to have a cafe on the upper floors.

REASON: The proposal, subject to the conditions listed in the report and the amended and additional condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to the unique historic and retail character of the street, amenity and the architectural and historic importance of the listed building. As such the proposal complies with Policies S4, S6 and HE4 of the City of York Development Control Local Plan.

**47c The Little Mill Shop, 20 Shambles, York, YO1 7LZ  
(11/03429/LBC)**

Members considered an application for listed building consent from Miss Katie Pask for internal alterations.

Officers advised that the only changes required to enable the proposed use and satisfy building regulations would be the installation of emergency lighting, smoke/heat detectors, upgrading of doors to provide 30 minute fire protection and installation of a doorway to provide protection between the kitchen in the 1<sup>st</sup> floor rear room and the stairwell and they were content these measures could be undertaken without harm to historic fabric and could be dealt with through conditions. They asked that condition 3 be amended to include a sub-section on fire protection.

RESOLVED: That delegated authority be given to officers to approve the application when the statutory publicity period ends on 15 February 2012, subject to consultation with the Chair and Vice Chair if any objections are received during this period and subject to the conditions listed in the report and the amended condition below.

Amended condition 3

Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the

works shall be carried out in accordance with the approved details.

- a) Any new ductwork and associated cabling required in installation with the w/c and kitchen equipment which affects historic fabric.
- b) Any required ventilation and soil pipes.
- c) Fire Protection works including, the installation of emergency lighting, smoke/heat detectors, upgrading of doors and installation of a doorway to provide protection between the kitchen in the 1st floor rear room and the stairwell.

Reason: So that the Local Planning Authority may be satisfied with these details.

REASON: The proposal, subject to the conditions listed in the report and the amended condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to the historic and architectural interest of the listed building. As such the proposal complies with Policy HE4 of the City of York Development Control Local Plan.

**47d 1 Station Road, Upper Poppleton, York, YO26 6PX  
(11/02886/FUL)**

Members considered a full application from Mr D Wilson for the erection of two detached dwellings and associated driveways and parking following the demolition of the existing dwelling and outbuildings.

Officers provided an update to Members. They advised that paragraph 4.11 of the report should state that the access point to plot 2 (the proposed bungalow) would be some 50m from the junction of Longridge Lane with Station Road and not 45m as stated.

In respect of trees along the site boundaries, they advised that a detailed survey had been undertaken and it would therefore be easy to identify what specimens would be retained. Also the fact

the site was within the conservation area offered a degree of protection to the trees on site.

They advised that paragraph 4.5 of the report states that in terms of its scale, massing and relationship to site boundaries, the new detached dwelling house property on plot 1 would closely reflect other properties in the vicinity notably “Longridge Lane” but this should also read “Station Road”.

To conclude, they informed Members that the reason for draft condition 13 should be amended to refer to the City of York LDF Draft Core Strategy Policy CS10.

Representations were received from a local resident of Longridge Lane in objection to the application. She expressed concerns over the design of the proposed dwellings which she stated were an eyesore and would be obvious from her living room window. She also raised concerns with regard to the safety of cars exiting from the proposed driveway onto the road close to a busy junction and local post office.

Representations were also received from the agent in support of the application. He advised Members that he had made every attempt to meet national and local policies and adhere to the Poppleton Village Design Statement and that officers had been very helpful throughout the application process.

Members noted that the hedging around the site was sparse in places and comprised a mixture of varieties and asked that whatever hedging is left after demolition is still of shielding value to the new properties. They expressed the view that the proposals were a good use of the plot which currently contained a derelict bungalow. They acknowledged that the plot was a reasonable size for two family houses and expressed pleasure that the applicant was not trying to squeeze more houses into the area.

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

**REASON:** The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the character and appearance of the Upper



Poppleton Conservation Area. As such the proposal complies with Policy HE3 of the City of York Development Control Local Plan.

**47e 1 Station Road Upper Poppleton York YO26 6PX  
(11/02887/CAC)**

Members considered an application for conservation area consent from Mr D Wilson for the demolition of an existing dwelling and outbuildings.

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

**REASON:** The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the character and appearance of the Upper Poppleton Conservation Area. As such the proposal complies with Policy HE3 of the City of York Development Control Local Plan.

Councillor B Watson, Chair  
[The meeting started at 3.00 pm and finished at 3.35 pm].

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