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Meeting	Area Planning Sub-Committee
Date	18 February 2021
Present	Councillors Hollyer (Chair), Crawshaw (Vice-Chair), Cullwick, Fisher, Galvin, Melly, Orrell, Waudby, Webb, Perrett and D'Agorne (Substitute)
Apologies	Councillor Craghill

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### **38. Declarations of Interest**

Members were invited to declare, at this point in the meeting, any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests that they might have in the business on the agenda. No interests were declared.

### **39. Minutes**

Resolved: That, subject to the following amendment, the minutes of the Area Planning Sub-Committee meeting held on 10 December 2020 be approved as a correct record, to be signed by the Chair at a future date:

#### Minute 34 (Declarations of Interest)

The second paragraph of this minute to be amended to read as follows:

*“Cllr Crawshaw declared a personal prejudicial interest in respect of Agenda Item 4b) (54 Scarcroft Hill [20/01561/FUL]), due to living within the same ResPark zone as the application property. Having also called the decision in for consideration at this sub-committee, Cllr Crawshaw wished to make clear that he had only realised this interest after the Call-In request was made and that it had had no bearing on his decision to request a call-in. He left the meeting prior to consideration of the item and took no part in the debate or decision thereon.”*

#### **40. 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.

#### **41. Plans List**

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

##### **41a) 98B Tadcaster Road, Dringhouses, York, YO24 1LT [20/00990/FUL]**

Members considered a full application from Mr Richard Marchant for the erection of a single dwelling and associated carport/garden store following partial demolition of single storey element to the front of 98B Tadcaster Road.

Officers gave a presentation based upon the slides at pages 27-38 of the agenda papers. They then provided an update, reporting:

- an amendment to Condition 2 to include 2 new section drawings, and
- an additional condition (Condition 20) in respect of the ground level.

In response to Members questions, it was confirmed that:

- The passing place referred to in paragraph 5.10 of the report was within the curtilage of the land;
- There was no policy enabling the council to require a Section 106 contribution towards tree planting elsewhere;
- The building would be similar in height to the adjacent bungalow, and have a similar sized garden;
- This application was separate from the outline planning permission previously granted, and not subject to the conditions attached to the outline permission.

Ian Alford spoke in objection to the application on the grounds that a 2-storey dwelling was inappropriate for this location and that the excavation to create a the basement could have an

adverse effect on drainage from his property next door. In response to Members' questions, he confirmed that:

- all the buildings adjacent to the site were bungalows, one with dormer windows, and
- during past flooding events he had experienced puddles of water in his garden but nothing more serious.

Lee Vincent, the Applicant's Agent spoke in support, stating that all issues raised during the application process had been addressed; the building's footprint would be similar to neighbouring properties, a drainage design had been agreed with Yorkshire Water, and all spoil would be removed from the site to ensure existing site levels were maintained.

In response to further questions from Members, officers confirmed that:

- they did not consider the building to be overbearing;
- the excavation would have no effect on the water table; the ground was pure clay.

After debate, Cllr Crawshaw moved, and Cllr Webb seconded, that the application be approved subject to the conditions listed in the report and the amended and additional conditions reported at the meeting. A named vote was taken, and all Members voted in favour of this proposal.

Resolved: That the application be approved, subject to the conditions listed in the report and the following amended / additional conditions:

#### Amended Condition 2

The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

151 P00 received 13 January 2021; 19210-DR-C-0100-P11 received 16 December 2020; 18011\_130 P02 received 24 September 2020; 18011\_105\_P03 received 9 June 2020; 18011\_106\_P02 received 9 June 2020; 18011\_107\_P01 received 9 June 2020; 18011\_110\_P01 received 9 June 2020; 18011\_111\_P01 received 9 June 2020; 18011\_115\_P01 received 9 June 2020; 18011\_131\_P01 received 9 June 2020; 18011\_135\_P01 received 9 June 2020; 18011\_001\_P02 received 9 June 2020; 18011\_005\_P01 received 9 June 2020

**18011\_150\_P00**

**18011\_152\_P00**

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

Additional Condition 20

Before any works, other than demolition, commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period. There shall be no material alteration to ground levels other than where approved under this planning permission and any soil excavated as result of the development shall be removed from the application site.

Reason: To ensure that the approved development does not have an adverse impact on surface water drainage and the character and appearance of the area.

Reason: The proposed dwelling is acceptable in principle with an outline permission already in place for a dwelling on site. By sinking the level of the dwelling in part, the proposal will allow for a second internal level to be created. It is also noted that there are other two storey backland dwelling in the immediate area. The design of the dwelling is acceptable in terms of its backland location, its form and the use of materials. The impact on amenity has been considered and due to the height and location of openings there are not considered to be any unacceptable adverse impacts. The loss of a Grade B tree weighs against the proposal, however this harm is limited by the location of the tree in a rear garden and the use of a condition ensuring replacement tree planting. The use of conditions will ensure the proposal is acceptable with regard to drainage, highways and archaeology. Overall, subject to conditions, the proposal is considered to be acceptable.

**41b) 1 Duncombe Barracks, Burton Stone Lane, York, YO30 6BU  
[20/01902/FULM]**

Members received an application from City of York Council for the erection of dwellings and a commercial unit, with associated parking, landscaping, access and ancillary works, following demolition of existing buildings and structures.

Officers explained that an issue had arisen in relation to the highways design for the scheme and sought to defer the application to allow further consideration of this matter.

Cllr Crawshaw then moved, and Cllr Hollyer seconded, that the item be deferred. A named vote was taken, and all Members voted in favour of this proposal.

Resolved: That the application be deferred to a future meeting.

Reason: To enable officers to give further consideration to the highways aspect of the application.

Cllr A Hollyer, Chair

[The meeting started at 4.31 pm and finished at 5.36 pm].

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