
Meeting	Area Planning Sub-Committee
Date	5 June 2014
Present	Councillors McIlveen (Chair), Douglas, Looker, Fitzpatrick, Watt, Cuthbertson, Hyman, Warters, Barton (Substitute for Cllr Galvin), Cunningham-Cross (Substitute Cllr Horton) and Semlyen (Substitute for Cllr King)
Apologies	Councillors Horton, King and Galvin

Site	Visited by	Reason for Visit
Proposed Monk Stray Access Gates, Stockton Lane	Councillors Barton, Cuthbertson, McIlveen, Warters and Watt.	As the recommendation was for approval and objections had been received
Fulford School, Fulfordgate	Councillors Barton, Cuthbertson, McIlveen, Warters and Watt.	As the recommendation was for approval and objections had been received
Holmedene, Intake Lane, Acaster Malbis	Councillors Barton, Cuthbertson, McIlveen, Warters and Watt.	As the recommendation was for approval and objections had been received
1 Dringthorpe Road	Councillors Barton, Cuthbertson, McIlveen, Warters and Watt.	As the application had been called in by Cllr Hodgson on the grounds that the application has been ongoing with numerous revised plans being submitted but no resolution reached.

1. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests they might have in the business on the agenda.

Councillor McIlveen declared a personal and prejudicial interest in plans item 4e (Fulford School, Fulfordgate) as Northern Power Grid was a client of his employer. He stood down from the chair and left the room for this application and took no part in the discussion or vote on this application.

2. Minutes

RESOLVED: That the minutes of the meetings of the Area Planning Sub Committee held on 10 April and 8 May 2014 be approved and signed by the Chair as correct records.

3. 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.

4. 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 views of consultees and Officers.

4a) Proposed Monk Stray Access Gates, Stockton Lane

This application was withdrawn by the applicant prior to the meeting.

4b) Car Park, Bootham Row, York (14/00833/ADV)

This application was withdrawn by the applicant prior to the meeting.

**4c) Holmedene, Intake Lane, Acaster Malbis, York. YO32 2PY
(14/00447/FUL)**

Members considered a full application from Mr Michael Meek for a two storey front, first floor side, single storey front extensions and balcony to the side.

Councillor Galvin had submitted a letter in support of the proposals which made the following comments:

- Although there may not be “special circumstances”, there was a need for the extension to facilitate accommodation for ageing parents
- The proposed changes would in fact enhance the overall appearance of the property and show a much more balanced frontage.
- The proposals would not have a harmful effect on the green belt as the view from the road and the surrounding area would remain almost unchanged due to the location of the property.

Mr Michael Meek, the applicant, had registered to speak in support of the application. He explained that the proposed changes would allow him to be able to care for his elderly parents at the property while allowing them all sufficient space in order to be able to live together harmoniously. He stated that the proposed changes would give the building a better appearance and the changes were sympathetic to both the building and the surrounding area.

Members accepted that the proposed design may well be an improvement on current house although acknowledged that design was an issue of personal preference. They noted however that taking into account the previous extension, the proposed extensions including the addition of the balcony, the percentage increase would be 53% on the original footprint which was far in excess of the 25% maximum increase guideline in policy GB4 of the Development Control Local Plan. They also considered the view of the building from the main road and the effect on neighbouring properties and expressed the view that the proposed changes would have an overbearing effect. They agreed that while the applicant’s intentions were laudable this was not very special circumstances, and Greenbelt Policy must take priority in this case.

Resolved: That the application be refused.

Reason: It is considered that the proposed increase in height of the existing side extension, the scale and design of the two storey front extension and the creation of a balcony would not appear subservient in relation to the host dwelling and would represent a disproportionate addition. Furthermore, the resultant dwelling would have an awkward appearance which would be at odds within this location and would be detrimental to the rural character of the area. As such, the proposal would conflict with advice relating to design contained within the National Planning Policy Framework (March 2012), and with Policies GP1 (a, b and c) and H7 (a and e) of the City of York Draft Development Control Local Plan and advice contained within Section 7 of York Supplementary Planning Guidance on House Extensions and Alterations (2012).

It is considered that the proposed extension would constitute a disproportionate addition to the original dwelling and thus constitutes an inappropriate form of development that would, by definition, be harmful to the Green Belt. It is considered that the proposal would be harmful to the openness of the Green Belt, and thus would be contrary to national planning advice contained within paragraphs 88 and 89 of the National Planning Policy Framework (March 2012) and Policies GB1 (Development in the Green Belt) and GB4 (Extensions to Existing Dwellings in the Green Belt) of the City Of York Draft Local Plan.

4d) 1 Dringthorpe Road, York. YO24 1NF (14/00489/FUL)

Members considered a full application from Mr W Jones for a two storey side extension (resubmission)

Officers explained how the current application differed from the previous application which had been refused in November 2013 and subsequently dismissed at appeal in January 2014.

The applicant, Mr W Jones, had registered to speak in support of his application. He advised the committee that the current application was a resubmitted scheme which addressed the concerns which had given rise to the previous refusal of the

application. He assured Members that he had put a lot of effort into the scheme and had responded to questions from the planning officer. He confirmed that he had spoken to all his neighbours and that they were happy with the proposals.

From the photo of the street scene, Members noted that many of the semi-detached properties had been altered and extended in different ways so that the traditional street scene had changed.

With regard to the supplementary planning guidance in relation to rooflines, Members noted that this was guidance and not a requirement for strict observance. They considered that due to its location on the street corner, it was unlikely to create the effect of terracing.

Members agreed that while this was not necessarily a perfect solution, given the history of the site, it was in everyone's interest, including the neighbours, to find a resolution for the applicant. They noted that neighbours did not object to the proposals.

Members questioned whether it was possible to remove permitted development rights to prevent any further increase in living space and were advised that it would be possible but such a condition would need to be justified, it may be reasonable for example to add a condition removing permitted development rights for conversion of the garage in order that bike storage etc was maintained.

Members expressed concern about the possible treatment of the frontage of the plot and suggested adding a landscaping condition requiring the front section of the garden to be landscaped and a new tree planted. Officers advised that a scheme such as this would not normally be subject to a landscaping condition and that there would need to be an exceptional reason to justify it. Members stated that they felt that it was necessary in order to protect the appearance of the street scene.

Resolved: That the application be approved subject to conditions regarding matching materials, approved plans and additional conditions requiring the front garden to be landscaped and removing permitted

development rights to prevent the garage being used for living accommodation in the future.

The wording of the following conditions has been taken from the decision letter dated 6 June 2014, sent to the applicant following the meeting.

- 1 The materials to be used externally shall match those of the existing buildings in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

- 2 The development hereby permitted shall be carried out in accordance with the following plans:- N-01-D 02 Rev. C

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

- 3 No further development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme for the front garden which shall include the planting of a new tree. The scheme shall illustrate the number, species, height and position of trees and shrubs. This scheme 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 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 appearance of the street scene.

- 4 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), the garage shall not be converted into living accommodation and a garage or similar door shall be retained.

Reason: The proposed development extends to the full width of the property, the conversion of the garage 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 1995 would result in a loss of cycle and bin storage which would be contrary to the local planning authority's aim of reducing the need for the private car and encouraging cycling in the city.

Reason: The proposals are considered to comply with the national Planning Policy Framework, City of York Council Development Local Plan Policies H7 and GP1 and Supplementary Planning Guidance to Householders.

4e) Fulford School, Fulfordgate, York. YO10 4FY (14/00641/FUL)

Members considered a full application from the City of York Council for the erection of a detached building to house an electrical substation.

The Council's Engineering Technologist attended the meeting to answer any queries Members might have with regard to the need for the substation and choice of location.

Mary Urmston had registered to speak on behalf of Fulford Parish Council. She stated that the Parish Council was opposed to the erection of a substation on this site. She acknowledged the need for the substation due to the school's expansion plans and the Germany Beck development, but pointed out that the chosen site was directly adjacent to a public footpath and tennis

court. She suggested that a decision on this application should be deferred until the school's expansion plans became subject to consultation in order that the school's expansion plans and this application could be considered alongside each other. She questioned whether the substation needed to be as powerful as stated and whether there were any other suitable alternative sites.

The Council's Engineering Technologist confirmed that all other sites had been discounted and advised that the 11,000 volts output was required as this substation would serve not just the school but the local neighbourhood with the existing substation being disconnected if this was approved.

One Member commented that if a tree was removed from a local authority site such as this, another tree should be replanted.

Members acknowledged the school's need to expand and agreed that not approving the substation would leave the neighbourhood vulnerable. They accepted that the building would impact on the street scene to some extent due to its functional appearance. However they accepted that there were no other suitable sites for the substation and that this was the best option for both the local community and the school.

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

Reason: The new substation is essential to allow an adequate electricity supply to be maintained to the proposed enlarged school. Because of safety and technical reasons there are no alternative preferable locations. On balance, it is not considered the harm caused by the structure to the setting of the approach to the school as well as the adjacent open space, is such to outweigh the benefits from maintaining an electricity supply to the vital facility.

4f) 60 Hunters Way, York. YO24 1JJ (14/00925/FUL)

Members considered a full application from Mr and Mrs Cragg for a single storey rear extension and dormer window to the rear.

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

Reason: The proposals are considered to comply with the national Planning Policy Framework, City of York Council Development Local Plan Policies H7 and GP1 and Supplementary Planning Guidance to Householders.

5. Other Remarks

Councillor Warters raised concerns with regard to the enforcement of conditions/informatives which restricted the carrying out of demolition and construction works to specific times of the day. He referred to one site in particular and officers advised that they had written to the landowner in question regarding the breach of condition and were addressing the issue and would continue to monitor this site.

Councillor McIlveen, Chair (except for item 4e (Fulford School) where he left the room as he had declared a prejudicial interest and Cllr Hyman was elected to chair this item in the absence of the vice chair)

[The meeting started at 2.00 pm and finished at 3.35 pm].