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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	10 AUGUST 2006
PRESENT	COUNCILLORS MOORE (CHAIR), HYMAN (VICE-CHAIR), HALL, KING, GREENWOOD, SMALLWOOD, M WAUDBY AND B WATSON
APOLOGIES	COUNCILLORS D'AGORNE AND VASSIE

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### 13. INSPECTION OF SITES

The following site was inspected before the meeting:

Site	Attended by	Reason for Visit
Northfield, 15 North Lane, Wheldrake	Cllrs Moore, Greenwood, Hall, Hyman, King and B Watson.	To familiarise Members with the site.

### 14. DECLARATIONS OF INTEREST

The Chair invited Members to declare any personal or prejudicial interests which they had in any of the business on the agenda.

No interests were declared.

### 15. MINUTES

**RESOLVED:** That the minutes of the Sub-Committee held on 13 July 2006 be approved and signed by the Chair as a correct record.

### 16. PUBLIC PARTICIPATION

It was noted that there were no registrations to speak under the public participation scheme.

### 17. 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.

**17a. Northfield, 15 North Lane, Wheldrake, York (06/01438/FUL)**

Members considered a Full Application, submitted by George Blades and Sons Ltd for the erection of one detached dormer bungalow with associated external works at Plot 4 (resubmission).

Officers updated that 6 further letters of objection had been received from neighbours and the issues raised were circulated at the meeting.

Representations were received in objection to the application from a neighbour who was also speaking on behalf of the immediate neighbour to the site. She raised concerns that applications had been refused on four occasions for this site on the same grounds and that they could not see that there had been any change in this application. She requested Members to refuse the application on the same grounds.

Representations were also received in support of the application from the applicants agent who circulated photographs showing the application site and neighbouring properties together with Local Plan extracts in relation to density. He indicated that he did not feel the application was out of character or that the proposal would lead to a loss of light to the adjacent dwelling. He explained that shrubbery, adjacent to the neighbouring property, would be removed and that this would improve light to the dwelling.

Representations were received from a representative of Wheldrake Parish Council who indicated that he was also speaking on behalf of a number of residents in the vicinity of the site. He stated that residents wished to retain the rural character of the village and objected to this additional development.

Certain Members raised concerns regarding *the implications of a letter received from the applicants agent to Sub-Committee members relating to the proposed appeal lodged against the Committee's previous decision and requested legal advice on its contents.*

*[as amended by East Area Planning Sub-Committee meeting on 14 September 2006]*

A number of Members who had attended the site meeting, the previous day, indicated that the visit had now confirmed to them that the proposal would not be an overdevelopment of the site. Members also referred to the Sub-Committees minutes of 13 April 2006, when the previous application had been refused, and when concerns had been raised by some Members at the loss of light to a window at 15a Northfield. Members considered that, with the removal of shrubbery and a tree from the boundary, this objection would be overcome.

Councillors Smallwood and B Watson asked that their continued opposition to the proposal be noted. They indicated that they supported local residents objections to the scheme and the retention of the rural aspect of the village.

**RESOLVED:** That the application be approved subject to the conditions outlined in the report and the addition of the following informative regarding the use of the garages for the avoidance of any doubt.

This application site includes 2 bays and accompanying forecourt of the 3 bay garage block A on the north side of the site, as shown on Stuart Fletcher site layout plan drawing no. 1017A accompanying this application. Consequently, this decision includes part of the garage block A and forecourt as part of the approved scheme for a dwelling on this site plot 4, notwithstanding Condition 20 attached to a previous decision no. 04/02009/FUL for three dwellings on the adjacent land dated 13 July 2004, which restricted the use of the garage to the three dwellings which were approved at that time.

**REASON:** In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the principle of housing development, visual amenity, density, residential amenity, education and open space provision. As such the proposal complies with PPS1, PPG3, Policy H3 and H4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies H4a, H5a, GP1, GP4a, GP10, NE1, T4, ED4 and L1c of the City of York Local Plan Deposit Draft.

**17b. Nunthorpe Lodge, York Street, Dunnington (06/01101/FUL)**

Members considered a Full Application, submitted by Mr and Mrs L A Stephenson for the erection of a pitched roof detached dwelling on land to the west/rear of Nunthorpe Lodge, with access to York Street (revised scheme).

Officers updated that the site plan attached to the report should have shown the application site at the rear of Nunthorpe Lodge and that the word 'prior' required adding to reason 12 (page 23) following the word 'amphibians' in the final line.

Officers also updated that the applicant had yesterday amended the height of the dwelling, reducing the height by 250 mm giving a ridge height of 9 metres. He confirmed that this was the only change to the scheme and that the design, layout and position were as detailed in the report.

Representations were received in objection to the scheme from a neighbour who indicated that this was the fifth design for this site and that approval had eventually been granted in March 2005 following a number of amendments. She indicated that this application now contained many of the adverse features contained in earlier applications and the neighbours requested Members to refuse this application.

In reply to a note passed to the Chair at the meeting by the objector, Officers measured the distances to boundaries and confirmed that these

were correct in the Officers report and that, in their opinion, no information had been omitted from the report.

Representations were received in support of the scheme from the Applicants Agent who explained that the scheme had been resubmitted as the applicant wished the design of the house to be more in keeping with the site and its surroundings. He indicated that the full height glazing, facing York Street, on the approved scheme had now been omitted and that this had been replaced by 2 small obscure glazed windows at first floor level and 4 secondary ground floor windows which faced the adjacent property. The balcony had also been removed and although the roof height had been increased it was felt that the pitch of the roof was now more in keeping with adjacent property.

Members commented that they felt that the amended scheme did not overcome the previous objections and grounds for refusal which related to the location, scale and massing of the dwelling which would dominate and overshadow neighbouring dwellings.

**RESOLVED:** That the application be refused.

**REASON:** The position, size, scale and massing of the proposed house is considered to dominate and overlook neighbouring properties on York Street which results in an imposing development and a loss of privacy and general amenity for the occupiers of these houses. This is therefore considered inappropriate to the site and its surroundings and does not comply with design guidance in PPS1 or with the City of York Draft Local Plan (incorporating the 4th set of changes) policies H4a Part c (Housing Windfalls), GP1 (Design) or GP10 (Subdivision of gardens and infill development).

CLLR R MOORE, Chair

The meeting started at 2.00 pm and finished at 3.40 pm.