
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	15 MARCH 2012
PRESENT	COUNCILLORS WATSON (CHAIR), GILLIES (VICE-CHAIR), CRISP, GALVIN, GUNNELL, JEFFRIES, ORRELL, REID AND SEMLYEN

48. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
Turf Tavern, 277 Thanet Road	Councillors Watson, Gillies, Crisp, Galvin, Jeffries, Orrell, Reid and Semylen	As objections had been received and the officer recommendation was to approve.
32 Lord Mayors Walk	Councillors Watson, Gillies, Crisp, Galvin, Jeffries, Orrell, and Semylen	As objections had been received and the officer recommendation was to approve.

49. 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. No interests were declared.

50. MINUTES

RESOLVED: That the minutes of the last meeting of the West and City Centre Area Planning Sub Committee held on 9 February 2012 be approved and signed by the chair as a correct record.

51. 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.

52. 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.

52a **Turf Tavern, 277 Thanet Road, York, YO24 2PE (12/00087/FULM)**

Members considered a major full application (13 weeks) by JH Bryan and Union Pension Trustees Ltd for the erection of 12 two and three storey dwellings with a garage block.

Officer advised the committee that revised plans had now been received detailing the dropped crossing at the Jervis Road access to the satisfaction of Highways Officers. They also advised that the Safer York Partnership welcomed the changes detailed in the revised plans with respect to the gated access, the removal of the bin collection assembly area, the provision of boundary fencing and gates and the provision of secure covered cycle storage sheds advising that they should help to ensure that this development provided a safe and secure environment for any future residents.

Officers advised that a neighbour living at 2 Jervis Road strongly objected to the revised plans which have dormer windows to the rear on the basis of loss of privacy to his back garden and loss of light to his bathroom window.

With regard to paragraph 4.9 of the report, regarding the restrictive covenant, officers advised this should state *“The Council sold off the current Turf Tavern site in 1954 with a restrictive covenant that the site had to be used as a pub. The Council have agreed to release the restrictive covenant on the basis that the owner obtains permission for not less than 8 houses together with two affordable units, which would be transferred to a RSL and available for affordable rent”*.

Officers responded to issues regarding the parking at the rear of the site and the use of permeable paving which had been raised at the site visit. Officer's stated the applicant had confirmed that permeable paving would be used if the Code for Sustainable Homes assessment required it, and pointed out that the

development would result in a reduction of about 28% of the amount of hard surfacing currently on the site.

Members raised concerns about the maintenance of the shared parking area. Officers advised that an estate management committee would be set up, with 12 shareholders which equated to the number of units, who would have shared responsibility for the management of this area.

Representations were received from the agent in support of the application. He advised Members that there was a high demand for low cost housing, which this development would satisfy. He confirmed that he was aware of 18 people wanting to buy these properties, 11 of whom currently lived in the immediate vicinity. He provided clarification on how the management committee would operate.

Members noted that the covenant was not a matter for the committee to consider but acknowledged that some residents had felt aggrieved by the way in which the covenant had been lifted as they felt the process had excluded them from having their opinions heard. Members acknowledged that the amenity space for each property was very small when you took into account storage for bicycles and bins and noted the lack of privacy in back gardens as these opened onto the communal parking area.

However Members commented that this was an admirable use of the site and agreed there was a demand for low cost housing in the area.

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

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to:

- Principle of development
- Impact on visual and residential amenity
- Sustainable development
- Highway safety

- Site drainage
- Archaeology
- Loss of pub
- Contamination
- Effect on Local Facilities

As such the proposal complies with Policies GP1, GP3, GP4a, GP6, GP15, HE10, H3c, H5, T4, L1b and L1c of the City of York Development Control Local Plan.

52b 32 Lord Mayors Walk, York, YO31 7HA (12/00100/FUL)

Members considered a full application by Mr Adam Bennett for the change of use from offices with flat above to a 10 bedroom house in multiple occupation.

Officers advised that three additional objections had been received including comments from the owner and occupier of the property at the rear, 12 High Newbiggin Street and from another interested party raising the following issues:-

- Noise from use affecting neighbours; impact on adjacent patio from smoking and noise from residents, boiler; noise from internal doors
- Excess rubbish from 10 residents in patio area
- No parking provision
- Loss of individual house to student accommodation; over supply of student accommodation in city
- Insufficient amenity space
- Retrospective works require listed building consent

Officers also circulated a list showing the variety of uses of properties along Lord Mayor's Walk for Members' information.

They advised that condition 6 be amended to include details of the external air supply unit and grills.

Members queried the means of escape from the top floor. Officers advised that the fire safety procedure was within the remit of building control not planning but noted that the applicant had provided information on the fire detection system which was in place.

Representations were received from the agent in support of the application. He assured Members that the works had been carried out to a good standard. He confirmed there was adequate provision for cycle storage and waste storage at the rear of the site and agreed to address any concerns regarding noise and air quality issues.

Representations were also received from a neighbour in objection to the application. She explained to Members that she owned the property behind this one on High Newbiggin Street, which she also rented out to a middle aged married couple. She explained that use of the building as an HMO would affect the privacy of her small patio area and well as lead to an increase in noise for her tenants. She noted that as wheelie bins were not used in the street, rubbish from the HMO would be left in bags which could encourage rats. She stated the use of the building was out of character for the area as the houses in the terrace were either occupied by families or had been divided into a maximum of two flats.

The applicant advised Members that the cycle/bin store would act as a barrier offering privacy to the property to the rear and some trellis work could be used to offer further privacy. He advised that he had worked together with his neighbour to resolve issues in the past. He explained that wheelie bins would be used to store bin bags in until collection day to protect the bags from vermin. Officers added that this issue was covered by proposed condition 3 which required a management plan for waste storage and recycling arrangements.

Members discussed the privacy of the neighbours in High Newbiggin Street and officers suggested that a fencing panel could be fixed to the existing low wall secured by amending condition 3.

In response to a request for clarification regarding air quality measures, officers confirmed that the amendment to condition 6 required details of grills to be submitted and the Head of Environmental Protection had advised that the vent should be at the rear of the property rather than in the passageway.

Members expressed concerns that this was a retrospective application but agreed that the quality of workmanship in the property was of a high standard. They agreed that they were

happy to delegate authority to officers to deal with the application for listed building consent.

RESOLVED: That the application be approved subject to the conditions listed in the report and the amended conditions below.

Amended condition 3

Within a month of the date of this decision notice details of the items listed below shall be submitted to the Local Planning Authority for approval and the works shall be carried out in accordance with the approved details within two months of the agreement of the details,

i/ cycle storage

ii/ a fence panel to the boundary wall with no. 12 High Newbiggin Street

The fence and cycle store shall thereafter be retained and used for no other purpose except with the written permission of the Local Planning Authority.

Reason: In the interests of sustainability and compliance with Policy T4 of the City of York Development Control Local Plan and in the interests of the living conditions of the neighbouring property.

Amended condition 6

Details of the air supply unit and any external grilles shall be submitted for the written approval of the Local Planning Authority, and thereafter the works shall be implemented and retained in accordance with the approved details.

Reason: To ensure that the details would be acceptable in the interests of the visual amenity and historical and architectural interest of the Listed Building and the amenity of the wider conservation area.

REASON FOR APPROVAL: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to-

- The supply of residential and employment accommodation in the City
- Impact of proposed changes on the visual amenity and the historic character of the listed building/ conservation area
- The residential amenity of the neighbours and occupiers
- Cycle and bin storage
- The provision of open space facilities

As such, the proposal complies with Policies HE3, HE4, H12, E4b, H8, GP4a), GP4b), GP1, T4 and L1c of the City of York Development Control Local Plan (2005); and national planning guidance contained in Planning Policy Statement 1 " Delivering Sustainable Development, " Planning Policy Statement 3 " Housing " and Planning Policy Statement 5 " Planning for the Historic Environment " and Planning Policy Guidance Note No 24 " Planning and Noise. "

52c Lime Tree House, Main Street, Upper Poppleton, York YO26 6DL (11/03230/FUL) - WITHDRAWN

This application, for extensions to the ground floor to provide an extension to the lounge and en-suite facilities to existing bedrooms as well as alterations to the roof to provide 7 additional bedrooms at first floor level (revised scheme), was withdrawn by the applicant, Roseville Carehomes Ltd, prior to the meeting.

Councillor B Watson, Chair
 [The meeting started at 3.00 pm and finished at 3.45 pm].