



Notice of meeting of

East Area Planning Sub-Committee

- To:** Councillors Moore (Chair), Hyman (Vice-Chair),
D'Agorne, Hall, Greenwood, Smallwood, King, Vassie,
B Watson and I Waudby
- Date:** Thursday, 14 December 2006
- Time:** 2.00 pm
- Venue:** The Guildhall, York

AGENDA

1. **Declarations of Interest**

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. **Minutes**

(Pages 2 -
13)

To approve and sign the minutes of the meetings held on 26 October and 9 November 2006.

3. **Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Panel's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Wednesday 13 December 2006 at 5.00pm.

4. Plans List

Members will consider a schedule of reports of the Assistant Director (Planning and Sustainable Development), relating to planning applications in the East Area with an outline of the proposals and relevant policy considerations and the views and advice of consultees and Officers.

- a) **Land adjacent to Concorde Park fronting Amy Johnson Way, York (06/02102/FULM)** (Pages 14 - 21)

Erection of 2 storey Eco Business Centre including 32 workshops, 40 office units, car and cycle parking and a wind turbine. *[Skelton, Rawcliffe, Clifton Without Ward]*

- b) **58 Crossways, York (06/02270/FUL)** (Pages 22 - 27)

Erection of two storey pitched roof side extension. *[Hull Road Ward]*

- c) **Robert Wilkinson Primary School, West End, Strensall (06/00748/GRG3)** (Pages 28 - 33)

Installation of a multi-use games area (MUGA). *[Strensall Ward]*

- d) **St Olaves School, Queen Annes Road, York (06/01573/FUL)** (Pages 34 - 41)

Erection of footbridge over existing public footpath on land adjacent to St Olave's Prep school. *[Clifton Ward]*

- e) **Hoxne Farm, Sheriff Hutton Road, Strensall (06/01054/FUL)** (Pages 42 - 49)

Alterations to existing caravan park including the removal of the existing touring caravan and caravan storage areas and the development of a new area to accommodate 30 holiday cabins. *[Strensall Ward]*

f) **147 Heslington Lane, York**
(06/02347/FUL)

(Pages 50 - 55)

Two storey side extension and repositioned bike shed.
[Fishergate Ward]

5. **Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out below.

Democracy Officer:

Name: Jill Pickering

- Telephone – (01904) 552062
- E-mail – jill.pickering@york.gov.uk

**EAST AREA PLANNING SUB COMMITTEE
SITE VISITS****Wednesday 13 December 2006**

TIME (Approx)	SITE	ITEM
10.00	Depart Clarence Street coach park	
10.10	St Olaves School footbridge, North Parade	4d
10.40	Robert Wilkinson Primary School, Strensall (MUGA)	4c
11.10	58 Crossways, Badger Hill, Hull Road	4b
11.50	Return to Clarence Street coach park	

City of York Council

Minutes

MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	26 OCTOBER 2006
PRESENT	COUNCILLORS MOORE (CHAIR), CUTHBERTSON (SUB FOR CLLR HALL), GREENWOOD, KING, ORRELL (SUB FOR CLLR HYMAN), SMALLWOOD, VASSIE, B WATSON AND I WAUDBY
APOLOGIES	COUNCILLORS D'AGORNE, HALL AND HYMAN

27. INSPECTION OF SITE

The following site was inspected before the meeting:

Site	Attended by	Reason for Visit
The Pupil Support Centre, Danesgate, Fulford Cross, York	Cllrs Greenwood and Moore.	To examine the relationship of neighbouring properties to the boundary and familiarise Members with the site.

28. DECLARATIONS OF INTEREST

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

Cllr Cuthbertson declared a personal non-prejudicial interest in the application for The Pupil Support Centre, Danesgate, Fulford Cross as a Member of the Children's Services Advisory Panel.

29. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 28 September 2006 be approved and signed by the Chair as a correct record.

Arising out of consideration of the Minutes, the Chair confirmed that in Minute 26b (Tang Hall Library, Fifth Avenue, York (06/01558/GRG3)) negotiations had now resulted in the applicant agreeing to reduce the roof height of the building by 300mm following Members concerns.

30. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

31. PLANS LIST

Members considered the report of the Assistant Director (Planning and Sustainable Development), relating to the following planning application, outlining the proposal and relevant policy considerations and setting out the views and advice of consultees and officers.

31a. The Pupil Support Centre, Danesgate, Fulford Cross, York (06/1623/GRG3)

Members considered a General Regulations (Reg3) application, submitted by Education Services City of York Council, for a single storey skills centre and extension to the Bridge Centre at Danesgate, Fulford Cross, York.

Officers updated that following consultation with the Council's Archaeologist he suggested the addition of a Condition requiring a watching brief on the site. Following a query received on the hours of use and discussions with Environmental Health it was proposed to include a condition allowing evening use until 9pm with the site vacated by 10pm. It was confirmed that Members had received a copy of the Sustainability Statement for the development and it was suggested that a condition tying the statement to the scheme would be appropriate.

Officers also confirmed that during the site visit the previous day Members had referred to the illumination of the site, in particular the boundary adjacent to Maple Grove. It was reported that the Architect for the scheme would be appointing a Lighting Engineer to examine the illumination of the whole site. It was therefore proposed to add a condition stating that, before work commenced on the development, a lighting scheme was to be agreed with the Local Planning Authority.

Representations in support of the development were received from a representative of the Education department. She confirmed that the proposal would fill a vital gap in York's educational provision for young people between leaving school and College. It was confirmed that the building could not be moved further away from the site boundary, as this could affect drainage and other services. The Police Architectural Liaison Officer had wanted the school site as open as possible to allow for passive surveillance, as two large buildings close together would create dark corners, which he wanted to avoid.

Cllr Hill, as Local Member, reported the comments of the Fishergate Planning Panel they indicated that they hoped that all the existing boundary fencing would be replaced by new and that the existing playground surfacing could be used for paths in the adjacent nature reserve. They were concerned that the temporary widening of the road could impact on the sensitive green triangular area in front of the site and the close proximity of the cycle sheds to an oak tree.

Officers confirmed that access to the site was via a narrow road so some enabling work would be required to cut into the grass banks. The Council's Tree Officer had originally had concerns regarding damage to trees but details of these works were now to be agreed in writing with the Local

Planning Authority prior to commencement. Following construction work the contractor would then be required to return the area to its original condition within one month.

Certain Members expressed concern that at one point the new building was only 20.5 metres from the rear elevation of one of the neighbouring properties on Maple Grove when the Authority normally sought a minimum of 21 metres. Officers confirmed that there were no guidelines to state that there should be a minimum of 21 metres but that the Authority normally required this distance between facing windows and 10.5 metres between facing window and a blank wall but that it did depend on the type of development proposed amongst other factors.

RESOLVED: That the application be approved subject to the conditions listed in the report and subject to the addition of the following:

1. Prior to the building hereby approved coming into use details of any scheme of illumination for all external areas of the site shall be submitted to and approved in writing by the Local Planning Authority and those details implemented on site.

Reason: To protect the living conditions of nearby residential properties and to prevent light pollution.

2. The site shall be developed in accordance with the proposals shown in the Sustainability Statement dated 13th October 2006 and the development shall achieve an excellent or very good BREEAM assessment standard upon its completion.

Reason: To ensure that the development is sustainable and accords with Policy GP4A of the draft City of York Local Plan incorporating the 4th set of changes or any document subsequently replacing this document.

3. No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits which must be recorded during the construction programme.

4. The use of the buildings hereby approved shall cease by 9pm and the site be entirely vacated by 10pm Monday to Friday and shall not be used at all on Saturdays, Sundays or Bank Holidays.

Reason. To protect the living conditions of local neighbours, in particular the residents of Maple Grove from undue noise and disturbance late at night and at weekends.

Notes to Applicant

1. NB: Any concrete removed from the existing playground in order to make way for the development hereby approved should be re-used elsewhere on this site or elsewhere in the local vicinity in connection with the construction of footpaths / footways or any other suitable construction operation. Please check with the Local Planning Authority beforehand to ensure that any such work does not require planning permission.

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 design, impact on neighbours, sustainability, protected trees and impact on the highway network. As such the proposal complies with Policies GP1, GP4a, NE1, T5 and ED1 of the City of York Draft Local Plan (Incorporating the 4th set of changes) approved April 2005.

CLLR R MOORE, Chair

The meeting started at 2.30 pm and finished at 3.25 pm.

MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	9 NOVEMBER 2006
PRESENT	COUNCILLORS MOORE (CHAIR), HYMAN (VICE-CHAIR), D'AGORNE, HALL, GREENWOOD, SMALLWOOD, KING, VASSIE, B WATSON AND I WAUDBY

34. INSPECTION OF SITES

There were no site visits for this meeting.

35. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

36. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the Press and Public be excluded from the meeting during consideration of the Agenda Item 6 (Enforcement 06/00597/COND – Non compliance with approved plans) on the grounds that it contains information, if disclosed to the public would reveal that the Authority proposes to give, under any enactment a notice under or by virtue of which requirements are imposed on a person, or that the Authority proposes to make an order or direction under any enactment it contained information classed as exempt under Paragraph 6 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by the Local Government (Access to Information) (Variation) Order 2006).

37. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 12 October 2006 be approved and signed by the Chair as a correct record, subject to the following addition:

Minute 33 Reason iii)

That a report be brought back to Members regarding an alleged breach of a permission granted for Enforcement Case 06/00597/COND

38. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation scheme.

39. 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.

39a. St Peters School, Clifton, York (06/01428/FUL)

Members considered a full application, submitted by St Peters School, for the erection of gated enclosure at each end of the former public footpath. The council's legal officer clarified the position as to what was being considered in this application – this application was for the erection of gated enclosure at each end of the former public footpath. The closure of the footpath was not for discussion at this meeting as this decision had been made by the Secretary of State.

Officers updated that this item had been deferred from the last meeting due to discrepancies on the map and issues regarding the certificate of ownership – these issues have now been clarified. No objections had been received for this application from the council's Head of Network Management.

Representations in objection to the application were received from a representative of the Clifton Path Action Group. The speaker raised issues regarding the current fixed barriers at both ends of the path and the proposal to erect a bridge across footpath 14 from St Olave's to St Peters. Issues were also raised regarding protecting the line of the path, so as to enable it to remain a visible element in the history of Clifton, and there was a request that if the application was approved that a condition be included to address this.

Representations in objection to the application were received from a representative of the Ramblers Association. The speaker stated that the school had managed without fencing for a period of six months, that there was no requirement for a gate at the swimming pool end of the path, that if the application were to be approved a condition should be included to state that the gates be locked by use of a padlock at all times, and that he would support the occasional use of the path, for example for historic walks, etc.

Members discussed the use of the path for vehicular access, the fact that there were no objections raised by the council on highway grounds, preserving the line of the path for historic reasons, the opening of the gates into the highway, and a possible condition to state the gates could only be used for maintenance purposes only and would be locked by padlock at all other times.

RESOLVED:

That the application be approved subject to the conditions outlined in the report and subject to the following additional conditions and informative:

(i)The gate which fronts onto Clifton shall only be used as a vehicular access for maintenance purposes and should remain locked with a padlock at all other times.

Reason: In the interests of highway safety.

(ii)The gates at each end of the path shall be fitted so as to open inwards and not open out onto the public highway.

Reason: To prevent obstruction to other highway users.

Informative: The footpath is an important physical feature of the site and Clifton Conservation Area. The Council would encourage this to be maintained in its current state.

39b. The Pepsimax Raceway, Kathryn Avenue, Huntington, York (06/01476/FULM)

Members considered a major full application, submitted by Mr I Yeowart, for the change of use of indoor kart track to park and ride car park. Officers provided an update as detailed below:

ADDITIONAL REPRESENTATIONS.

3.2 ENVIRONMENTAL PROTECTION UNIT: Comments as follows;

Air Quality

Based on the information provided it seems unlikely that the change of use will generate any significant increase in the number of trips made to and from the development site and that the proposed park and ride activity may result in a small decrease in the number of trips made by private car to the railway station. As roads leading to the railway station are within the Air Quality Management Area any reduction in the number of trips on these roads is supported. Care must however be taken to ensure that the vehicles used to provide the shuttle service are of an equivalent or better emissions standard than the private vehicles which will be left at Monks Cross. It is therefore recommended that if the change of use is permitted a condition should be attached requiring any shuttle vehicles making trips into the AQMA to meet as a minimum the Euro III emission standards or better (equates to cars less than 6 years old). The use of a hybrid or fully electric vehicle would be particularly welcomed.

Noise

No problems are anticipated but it is recommended that site operating hours are restricted to 7am to 11pm in line with current late night operations on the site.

Contaminated Land

There are no contaminated land issues associated with this site.

OFFICERS COMMENTS:

The site lies within a mixed commercial area and is over 120 metres from the nearest dwellings. It is not considered that the development proposed represents a potential harm to the living conditions enjoyed by the occupiers of any dwelling. As such the recommended hours restriction is considered unnecessary and hence does not meet the tests set out for conditions in Circular 11/95.

An additional condition to secure the use of a lower emissions vehicle for transfers to the railway station is recommended to be attached to any consent. The applicant has written to confirm his agreement to working within the suggested emissions standards.

Condition 6. Vehicles used for the transfer of passengers between a railway station and the site shall conform to Euro III maximum emissions standards as defined by The Road Vehicles (Construction and Use) Regulations (specifically SI 2000/3197 and SI 2001/1825).

Reason: In the interests of sustainable development and in the interests of air quality.

ADDITIONAL COMMENTS

Further to the committee report, and for the avoidance of doubt, an additional condition is suggested to limit the maximum number and location of vehicles parked at the site to the number of spaces shown on the submitted layout plan, that being 88 total vehicles.

Condition 7. The number of motor vehicles parked shall not exceed 88 in total and parking shall be confined to the 88 parking spaces shown on Drawing Number 587.002 Revision A received 11 September 2006.

Reason: For the avoidance of doubt and in the interests of highway safety.

The applicant was present at the meeting to answer any questions from the committee.

Members discussed the issue of where the attendant would park, and were advised that if they were minded to approve this application condition 3 could be amended to include this. Regarding the possible problem of surplus cars, the applicant informed Members that they were considering a taxi collect facility, but this was still in its early stages. Security at the site

was discussed and Members were informed that there would be CCTV on site and the site would be locked when not manned. Traffic issues around the area were also discussed, and the loss of a leisure facility in the area.

RESOLVED: That the application be approved, subject to the conditions outlined in the report and subject to the following additional and amended conditions:

(iii) The site shall only be used for the parking of cars and motor vehicles for staff and in connection with the use by the occupants of those vehicles of a passenger transfer service between the site and a railway station;

(vi) Vehicles used for the transfer of passengers between a railway station and the site shall conform to Euro III maximum emissions standards as defined by The Road Vehicles (Construction and Use) Regulations (specifically SI 2000/3197 and SI 2001/1825).

Reason: In the interests of sustainable development and in the interests of air quality.

(vii) The number of motor vehicles parked shall not exceed 88 in total and parking shall be confined to the 88 parking spaces shown on Drawing Number 587.002 Revision A received 11 September 2006.

Reason: For the avoidance of doubt and in the interests of highway safety.

39c. 37 Towthorpe Road, Haxby, York (06/01825/FUL)

Members considered a full application, submitted by Hogg Builders (York) Ltd, for the erection of 5 detached dwellings to the rear of 37 – 43 Towthorpe Road.

Officers updated that the following paragraph should be substituted for paragraph 4.18 in the report included in the agenda:

4.18 The levels changes on the site relating to the impermeable areas (e.g. dwellings, driveways, patio areas) would be drained into the surface water system. The topographical and site sections submitted do also show there would be some changes to land levels in the remaining permeable areas, with use of retaining walls on plot 3 nearest properties on the Old Coppice. The site is known to have land drainage problems, and run off from ground levels changes on the adjacent Old Coppice development has caused water logging and flooding of the garden to no. 37 Towthorpe Road, part of which falls within the application site. An ombudsmen investigation upheld a complaint against the Council in this respect.

The amended drainage scheme submitted with this application is considered to provide adequately for drainage of increased surface water runoff resulting from the proposed development and to restrict outflow to the receiving watercourse to an acceptable rate. Hence this application provides an opportunity to provide for the drainage of this site.

Officers also updated Members on an additional consultation response from Yorkshire Water, detailed below:

YORKSHIRE WATER: The [foul water] drainage details are not acceptable to Yorkshire Water.

OFFICERS COMMENTS: There is nothing to indicate that foul water connection to the public foul water sewer in New Forge Court cannot be made. However details of the connection have not yet been provided to the satisfaction of Yorkshire Water. Details of foul water drainage are proposed to be secured by condition 14.

Representations were received in objection to the application by a resident of Old Coppice, representing themselves and other residents. The speaker raised issues regarding the current drainage problems and the fact that the removal of the trees on site would only increase the flooding problems. The erection of five dwellings would worsen the existing flooding.

Representations were received in support of the application from a representative for the applicant. He stated that they accepted that the current system on the existing development had failed and measures were being taken to resolve the situation. He detailed the action to be taken to address the problem.

Members discussed the drainage of the site and were advised by officers that the proposals put forward in the planning application address all the council's concerns regarding drainage issues.

Members asked for details regarding the sustainable features of the application, and requested that if the application were to be approved a condition be included to request details of schemes for collection and use of rainwater.

Cllr Hall requested that his abstention be recorded.

RESOLVED: That the application be approved subject to the conditions detailed in the report and the following additional condition:

23. Details of a scheme for the collection and use of rainwater for domestic purposes (including grey water recycling for internal use and rain water storage for external use) shall be submitted to and agreed in writing by the local planning authority before development commences on site. The approved scheme shall be implemented on site before the dwellings hereby approved are first occupied.

Reason: In the interests of sustainable development.

39d. 3 Wenlock Terrace, Fishergate, York (06/02074/FUL)

Members considered a full application, submitted by P M Yorkshire Limited, for the conversion of a building from 4 flats to 9 flats with external alterations including new store in the rear yard.

Officers updated that the item had been brought to this committee at the request of Cllr Simpson-Laing on the grounds of overcrowding and traffic. No response had been received from the Planning Panel and a late objection had been received from a neighbour regarding parking issues. The posting of the site notice had been delayed and officers were requesting that if Members were minded to approve the application that delegated authority be given to officers to deal with any subsequent objections.

Representations were received in support of the application from the agent for the applicant. He stated that the application addressed sustainability issues, as it is close to the city centre and on a bus route. On and off street parking would be available. Although three of the units would be fairly small, no planning policy exists to govern this.

Members discussed the size of the units, parking issues, noise issues, and sustainability issues in terms of energy use as the plans showed that 9 of the rooms had no windows.

RESOLVED: That the application be refused.

REASON: The proposal, due to the conversion of this dwelling into 9 flats, two of which will be of very modest size, will result in an unacceptable intensity of occupation. It will adversely impact upon the living conditions of existing neighbours in other properties in Wenlock Terrace and the potential neighbours within the proposed flat conversion, through the associated noise disturbance and levels of activity created by separate dwellings. It is therefore the opinion of the Local Planning Authority that the proposal will create an adverse impact upon neighbouring residential amenity contrary to Policy H8 of the City of York Deposit Draft Local Plan.

40. ENFORCEMENT 06/00597/COND - NON COMPLIANCE WITH APPROVED PLANS

Members considered a report updating them on action to be taken to respond to an issue of non-compliance relating to the implementation of an approved drainage scheme.

RESOLVED:

- (i) That Members note that the council will seek to approve an alternative drainage system, that is based on the system as it

has been installed, through the submission of a further planning application with the amended details.

REASON:

It is considered that the siting of the storage system in the front garden allows for a more efficient system to be installed. The planning application could require that the existing outfall be subject to some form of control to limit the flow into the existing culvert.

- (ii) That the planning application be brought to this committee for consideration;
- (iii) That this item be included in the next quarterly enforcement report

REASON:

To inform Members.

CLLR R MOORE, Chair

The meeting started at 2.00 pm and finished at 4.55 pm.

CYSP8
Reducing dependence on the car

CYE4
Employment devt on unallocated land

CYGP5
Renewable energy

CYGP4A
Sustainability

3.0 CONSULTATIONS

Internal

Highway Network Management - Highway Network Management are still to clarify certain issues relating to a Section 38 Agreement and areas within the public Highway. Subject to satisfactory revisions and clarification the following comments are to be maintained.

The proposal is for the creation of an Eco Business Centre. The EBC provides workshop facilities for start-up/newly formed businesses. The existing centre currently operates from a site in Fishergate. The small size of the units proposed tends to attract one man operations such as artists and computer repair businesses. Once the businesses in the units have become established they leave the premises to develop further.

The application has been supported by a good Travel Plan and great emphasis has been placed upon the sustainable principles of the site and the aim to reduce the energy used in association with the site.

Access to the site is to be via an existing access road, which offers adequate levels of visibility and width. Traffic associated with the site will use existing highway around Clifton Moorgate and is not expected to have a material impact on the operation of existing junctions.

The adjacent highway is protected by waiting restrictions which will manage on-street parking.

Within the site car and cycle parking has been provided to the relevant CYC standard together with showering facilities for those who choose to arrive by foot/cycle. Adequate turning facilities have been provided with sufficient facilities to enable deliveries to be made clear of the public highway.

Conditions;
Hwy 18, Hwy 19, Hwy 21,
Hwy 29(gate), Hwy 31, Hwy 35

Economic Development Unit - The EDU have the following comments to make and illustrates the principle of the development.

Background

This proposed building has developed from the need to provide replacement accommodation for the current business centres at the Parkside Commercial Centre in Terry Avenue and the Fishergate Centre in Fishergate; a business centre providing accommodation for business people of any age and a business centre for the 18-30 age group respectively. Neither of these buildings was purpose-designed as a business centre however and have now reached the end of their economic lives, requiring considerable investment to continue in use. Such resources would certainly be better spent on a new building on a new site with better facilities, access and energy use in the modern age.

Facilities

The proposed design at Amy Johnson Way provides accommodation for 32 workshops and 40 office units including a management suite from which small business tenants may receive training, business advice and counselling in the running of their business from the on-site managing company. The intention is to build a vibrant small business community on site, encouraging professionalism and best-practice, providing support from the managing company and inter trading amongst businesses. This will be facilitated by the provision of a communal cafe at first floor level, public and exhibition areas with training and room-hire for neighbouring businesses to use in the centre.

Economic Development objectives

This new building is intended to help encourage the growth of the small business sector in the city, providing purpose-designed facilities in a supportive environment in an iconic, sustainable building which can act as a focal point for new business formation and growth. The small business sector in the city is an important one in providing opportunities for both self-employment and employment particularly at a time when many people face an uncertain employment future as large companies restructure. Individuals may wish to examine the opportunities that self-employment can offer as they examine the opportunities open to them.

The application has full Economic Development support and will further the objectives for good employment prospects for local people.

City Development - No objections in principle subject to the application addressing relevant Policy context to be assessed by the Development Control Officer and Highway Regulation.

Environmental Protection Unit - EPU have no objections to this application subject to the following conditions. The site was previously used as an airfield and there are concerns regarding possible contamination that justify an environmental watching brief.

Sustainability - The application in its use of design, use, materials and technologies is supported. Officers have requested a more detailed Sustainability Statement and are awaiting further response from Sustainability Officer.

Countryside Officer - No objections in principle. A full green or 'brown' roof is considered preferable to the area provided that it is to be primarily used for occupants of the building and not wildlife, however such a feature would require fundamental changes to the design of the structure and so no objections are raised.

External

Parish/Planning Panel Response - No objections from Clifton Without Parish Council.

External Consultee Response - A single letter of objection has been received from the Clifton Moor Business Association. Whilst supporting the principle of the Eco Business Centre they have serious concerns regarding car parking and movement of vehicles. They feel that car parking numbers of 400 would be appropriate whereas Highway Standards require only around 40 spaces. Officers recommendation is based upon the satisfaction of Highway Network Management.

4.0 APPRAISAL

Key Issues -

Design

Impact Upon Traffic/Highways

Sustainability of Proposal

Site Context - The site is located approximately 4 miles from the centre of York and is currently an area of concrete and underused land that backs onto the car park of the nearby cinema on Stirling Road. The site appears to be an area left over from the World War Two Airfield that occupied the site until comprehensive redevelopment was undertaken in the 1980's 90's. The site is located amongst several other office and light industrial uses within this retail/industrial park. The site is served by Amy Johnson Way that gives access to several businesses in the locality.

Design - The locality of the site is dominated by mono functional industrial, office and leisure facilities that characterise the Clifton Moor area. There is no overall design master plan in place to accommodate such applications and as such the proposed building conforms to the existing precedent of a single two storey building with a single main entrance.

The design of the building is admirable in its use of sustainably sourced materials and the amount of active frontage that surrounds the building does represent a welcome intervention into this area of windowless shed and speculative office development. Ideally Officers would have preferred some physical link to the cinema site to the rear but the overall design of the locality and site ownerships have made this impractical. The applicants have accommodated windows to all facades and this does create some natural surveillance to all sides that creates a more welcoming appearance.

In summary the design, scale and materials of this structure are considered appropriate. There is no desirable precedent to follow and it is considered that the proposed structure will contribute more positively to this locality in design terms than many of its neighbours. The principle of the wind turbine has deliberately been encouraged to the front of the building to create a sense of identity and promote the ethos of sustainability to a wider audience. It is also felt that the location of the turbine will create a greater sense of place and is fully supported by Officers.

Impact Upon Highways - The development creates 40 new car parking spaces and 30 cycle parking spaces which meet Highway standards for parking and as such Highway Network Management have raised no objection. At time of writing revisions are being awaited clarifying the ownership of the site entrance. At present the site entrance is within an area of maintainable highway and as such clarification is being undertaken and modest revisions to the access are expected.

In principle however the units will be used by small businesses often with one worker for each unit. Based upon this, and in light of Highway recommendations, no objections are raised to the proposed amount of car parking.

Sustainability - The proposal intends to create a sustainable building that not only works upon an environmental level but also creates small scale business support thereby supporting the wider community. At the time of writing Officers are awaiting a further response from the Council's Sustainability Officer with regards to further information that has been requested but the general opinion of Officers is one of support in environmental terms.

In summary the Environmental credentials include the following;

High Quality design with longevity

Support for small business communities.

Ground Source heating. (subject to site conditions)

Solar Heated Hot water. Providing nearly 100% hot water demand in summer and 40% in winter

Wind Turbine providing energy contribution to external and communal areas.

High levels of insulation reducing energy use through generation and loss of heat.

Water saving devices on taps and cisterns.

Lighting controls linked to daylight and occupation of rooms and areas within the building.

Rainwater collection for flushing of toilets and watering of landscaped areas.

Permeable car parking areas to reduce surface water run off.

Green roof garden. (This is mainly to be used as an area for staff and not considered appropriate for a biodiversity asset.)

On site recycling provision.

Green Travel Plan highlighting and encouraging public transport and cycling to and from the site, encouraging use of communal cycle for tenant use and signing up to the City Car Club scheme.

In summary Officers support the application and it is felt that both the environmental and social aspects of sustainability have been addressed through the energy efficiency measures, high quality design and the provision of usable and positive places for small local businesses to start up.

Suitability of the site for Employment - Justification has been provided by the applicants for the relocation from their current premises in Fishergate and Terry Avenue as these premises were not purpose built for such activities and the accommodation at present would require considerable investment to accommodate the changes needed. This move therefore will create a 'community' of small businesses and entrepreneurs and is fully supported by Officers in the Economic Development Unit.

5.0 CONCLUSION

In conclusion the proposal intends to introduce to this area of the city a positive addition that encompasses Sustainability in all its forms from high quality lasting design to high levels of insulation and sustainably sourced materials. In light of this Officers feel that the proposal is acceptable and will contribute positively to the local area of Clifton Moor and the City as a whole.

As such the proposal complies with Policies GP1, SP8, GP4a, E4, GP5 and T4 of the City of York Deposit Draft Local Plan as well as overriding Policy Advice in the form of PPS, PPG4 and PPG14.

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 PLANS2 Apprvd plans and other submitted details
- 3 VISQ8 Samples of exterior materials to be app
- 4 HWAY18 Cycle parking details to be agreed
- 5 HWAY19 Car and cycle parking laid out
- 6 HWAY21 Internal turning areas to be provided
- 7 HWAY29 IN No gate etc to open in highway
- 8 HWAY31 No mud on highway during construction
- 9 HWAY35 Servicing within the site
- 10 Any suspect contaminated materials detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.
Reason: As our in-house research has shown no obvious potential source of contamination at the site, the watching brief is recommended.

7.0 INFORMATIVES: Notes to Applicant

1. 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 neighbours. As such the proposal complies with Policies GP1, SP8, GP4a, E4, GP5 and T4 of the City of York Deposit Draft Local Plan as well as overriding Policy Advice in the form of PPS, PPG4 and PPG14.

2. Demolition and Construction - Informative

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval:

1. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

2. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

3. The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

4. All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

5. There shall be no bonfires on the site.

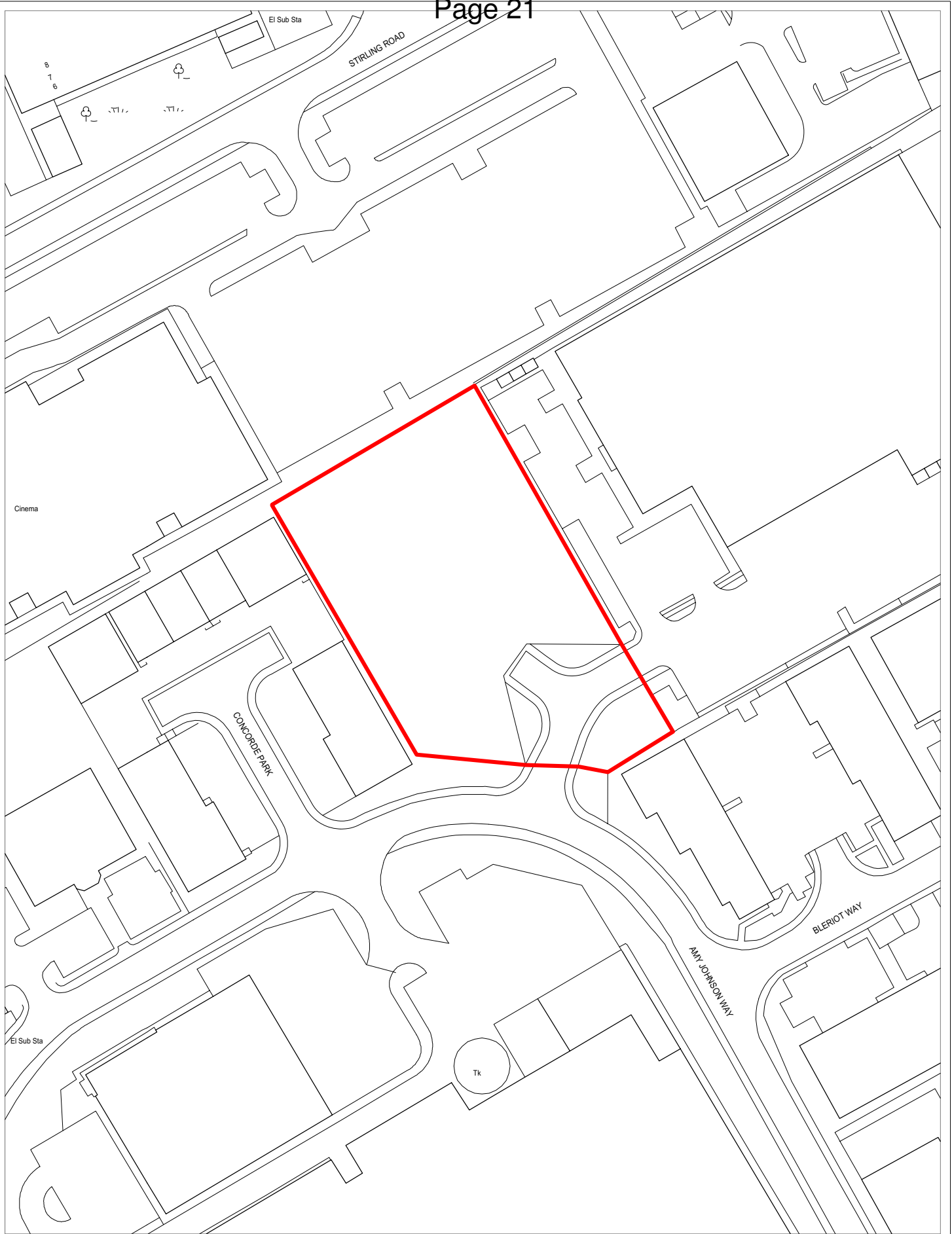
Any deviation from the above conditions shall be approved beforehand by the Environmental Protection Unit by ringing 01904 551572

3. Notwithstanding the approved plans the applicant should provide real time monitoring of the energy performance of the building and make this information publicly available in order to contribute up to date information on sustainable methods of construction and to promote best practice across the city.

Contact details:

Author: Andrew Graham Development Control Officer

Tel No: 01904 551596



CITY OF
YORK
COUNCIL

LAND ADJACENT TO CONCORDE PARK
FRONTING AMY JOHNSON WAY - 06/02102/FULM

SCALE 1:1250
Originating Group

DRAWN BY PSL
Project

DATE 30/11/2006
Drawing No.



COMMITTEE REPORT

Committee: East Area **Ward:** Hull Road
Date: 14 December 2006 **Parish:** Hull Road Planning Panel

Reference: 06/02270/FUL
Application at: 58 Crossways York YO10 5JQ
For: Erection of two storey pitched roof side extension.
By: Mr D Dale
Application Type: Full Application
Target Date: 12 December 2006

1.0 PROPOSAL

This application seeks planning permission for a two storey side and rear extension at 58 Crossways. The proposed side extension is full width up to the property boundary with 60 Crossways and would protrude 1.8 m from the rear of the property.

An application was submitted earlier in the year for a two storey side extension with the same physical dimensions, this also included a change of use to a House of Multiple Occupation (HMO) as eight bedrooms were included within the property and they were not to be let to a single household living as a family. The current application under consideration includes four bedrooms and thus no change of use is required. The previous reasons for refusal were:

1 It is considered that the proposed extension and conversion from private dwelling house to a house of multiple occupation would harm the living conditions which neighbours could reasonably expect to enjoy because of the potential noise and disturbance from the high level of occupancy and activity. The proposal constitutes an overdevelopment of the site and an intensity of use of the property which is disproportionate to its original purpose within its setting. Therefore the proposal is contrary to Policies GP1, H7 and H8 of the City of York Draft Local Plan and Planning Policy Statement 1.

2 The Council promotes sustainable forms of travel, however the proposal does not provide cycle storage for future residents of the property. Therefore the proposal is contrary to Policies H8 and T4 of The City of York Draft Local Plan.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

Schools Badger Hill Primary 0184

2.2 Policies:

CYGP1
Design

CYH7
Residential extensions

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - Car parking and cycle storage are provided in line with CYC standards; no objections.

3.2 External

Hull Road Planning Panel - Object. The proposal constitutes an overdevelopment of the site which would harm the living conditions which neighbours could reasonably expect to enjoy.

Neighbour Consultation - At the time of writing this report 10 individual letters and 33 standard signed slips had been received from local residents. The following points were included on the signed slips:

The plans are merely a re-submission of the previous application which was refused but with the rooms relabelled. It is questioned what is the purpose of the extension. What would the storeroom and utility room be used for. Why does a 4 bedroom property need 3 bath/shower rooms. The point is made that should the application be approved the storeroom, utility room, and lounge could easily be changed into bedrooms as per the original application which would then change the dwelling into a HMO. It is concluded that the plans do not comply with Policy H7 of the Draft Local Plan.

The individual letters raised the following points:

- If permission is granted the original scheme which was refused is likely to be implemented. Just the door on the front elevation would need replacing with a window. This would in turn remove the cycle storage.
- The house is likely to be used by students.
- The applicant is buying a number of dwellings in the area and is altering them and converting them into student lets.
- The side extension is less in keeping with the main house than the original application because the window has been replaced with a door. The door is of unusual size and design and is out of keeping with the area.
- Emergency access and exits appear to be less than adequate.
- The four proposed bedrooms are big enough to be doubles meaning that up to 8 people could live in the property.
- Car parking levels are inadequate.
- The Badger Hill Estate is being over taken by development. The area is ideal for families but this is being eroded by development for students.

- Students do not look after properties as well as a householder normally would.
- When people sell their homes in Badger Hill they think they are selling to a family but in fact it is often a developer.
- If more bedrooms are added it is likely to result in more cars being parked on the road, this causes problems for road users as the house is close to a bend and the junction with Brentwood Crescent.
- The applicant may have purchased the two next door houses and thus it could result in 3 student lets all next to each other. There have been examples of students causing noise and nuisance in the area.
- The Council are complaining about a lack of suitable family housing in the city and yet houses keep being converted into student lets and HMO's.
- It is the job of the University to provide suitable housing for students not local householders.
- The cumulative adverse impact from the many extensions in the area which are used for student lets harms the amenity of local residents.
- There is no mention of any sound proofing to reduce noise generated within the property.
- Student lets are generally less well kept and lower the appearance of the area.
- The extension would block sunlight from entering the rear garden of 56 Crossways.

4.0 APPRAISAL

- 4.1 Key Issues: - Neighbouring Amenity
- Street Scene

4.2 Draft Local Plan Policy CYGP1 states that development proposals will be expected to: respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and the character of the area. New developments should also ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.3 Draft Local Plan Policy CYH7 states that planning permission will be granted for residential extensions where: (a) the design and materials are sympathetic to the main dwelling and the locality of the development; and (b) the design and scale are appropriate in relation to the main building; (d) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and (e) proposals respect the spaces between dwellings; and (g) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

4.5 Draft Local Plan Policy CYT4 states that in all new developments, cycle parking provision will be required in accordance with specified standards.

4.6 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that (1.25) Side extensions should be sympathetically designed to appear subservient to the main house. Their appearance will be improved if the extension is set back from the main building. (1.26) It is particularly important that the design of side extensions takes account of the height of the new building in relation to the distance from neighbouring properties.

4.7 Effect upon the Street Scene - The proposed two storey side extension complies with many of the design principles set out in the dwelling extension SPG. The two storey side extension is set back from the front of the house and set down from the ridge of the roof. The proposed extension is up to the boundary which is often not acceptable due to a terracing effect, however a precedent has been set in the area including at the next door property, 60 and at 53 Crossways across the road. It is considered that the proposed two storey side extension would not significantly harm the character and appearance of the area.

4.8 Effect Upon Neighbouring Property - 60 Crossways is the property next door which the proposed extension would protrude towards. 60 Crossways has this year received planning permission for a two storey side extension up to the property boundary. Neither extension would have any windows in its side elevation. The proposed extension at 58 would protrude 1.8 m in length at two storey level into the rear garden. This would create a large solid structure on the property curtilage boundary. This would have some outlook implications for 60 Crossways however on balance considering its orientation north of this property it is considered that the structure would not significantly harm the amenity of residents living at 60 Crossways. Residents living at the rear on Bishopsway are a sufficient distance away not to be harmed by the proposed extension.

4.9 The second reason for refusal of the previous application was a lack of cycle storage. This has been overcome by the introduction of a store room at the front of the proposed extension. The store room can be accessed straight from the front driveway through a new door. A condition can be imposed on any approval to ensure that this room remains for cycle storage.

4.10 Many of the neighbours concerns relate to the house being used by students. This is not a planning consideration in this application, the applicant has not stated who the occupiers of the property would be. Other concerns relate to the house being used as a HMO, this application is not for a change of use and if the house owner wishes to let to more than 6 individuals then a new planning application would be required. In many ways it is regrettable that a family area is being changed in character as houses are extended and let out on a short term basis. However, this application is merely judging the impacts of a two storey side extension which may or may not be used as a student let now or in the future, planning policy is not currently in place to stop this on an individual house by house basis.

5.0 CONCLUSION

On balance it is considered that the two storey side and rear extension would not cause significant harm to the street scene or the living conditions of local residents.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Plans submitted to the City of York Council on 17/10/06

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

- 3 NOISE8 Restricted hours of work
- 4 VISQ1 Matching materials
- 5 Cycle parking provision as shown as a store room on the ground floor layout plan must be provided before the extension is occupied and thereafter retained for such use.

Reason: To comply with the Local Planning Authority's cycle parking standards.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

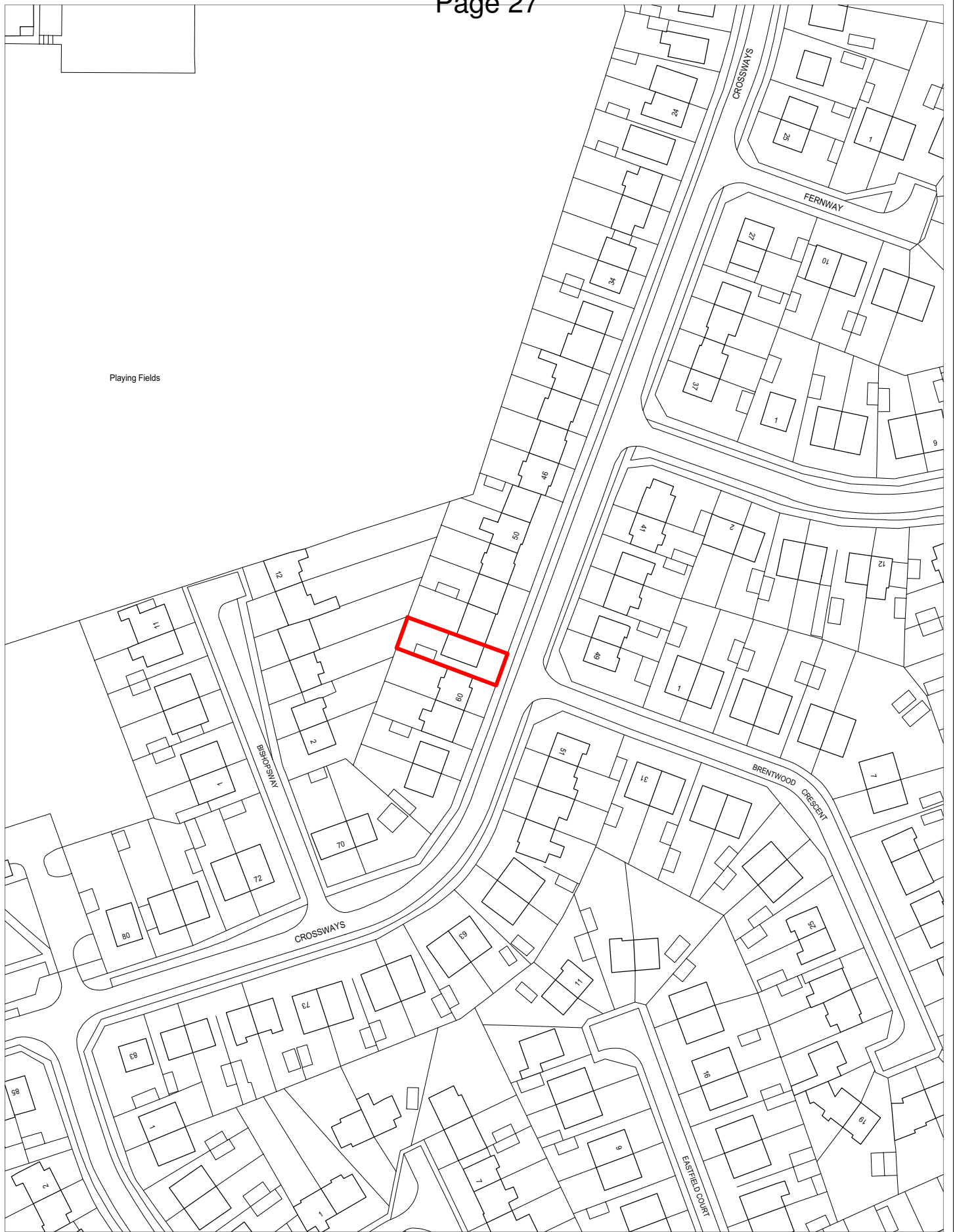
In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the street scene and the amenity of neighbours. As such the proposal complies with Policies GP1 and H7 of the City of York Draft Local Plan.

2. Please note that this approval does not include a change of use to convert the dwelling into a HMO. Therefore if at any point there is a wish to further increase the number of bedrooms at 58 Crossways the Local Planning Authority should be notified in writing prior to this development in order to establish whether further planning permission is required.

Contact details:

Author: Michael Jones Development Control Officer

Tel No: 01904 551325



CITY OF
YORK
COUNCIL

58 CROSSWAYS - 06/02270/FUL

SCALE 1:1250
Originating Group

DRAWN BY PSL
Project

DATE 30/11/2006
Drawing No.



COMMITTEE REPORT

Committee:	East Area	Ward:	Strensall
Date:	14 December 2006	Parish:	Strensall And Towthorpe Parish Council

Reference: 06/00748/GRG3
Application at: Robert Wilkinson Primary School West End Strensall York YO32 5UH
For: Installation of a multi-use games area
By: Robert Wilkinson Primary School
Application Type: General Regulations (Reg3)
Target Date: 19 June 2006

1.0 PROPOSAL

This application seeks planning permission for a multi-use games area (MUGA) at Robert Wilkinson Primary School in Strensall. The proposed MUGA is approximately 31 x 30 m in size and would be used by the School during the day and would then be opened up to community use in the evening.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Strensall Village COMPLE

City Boundary York City Boundary 0001

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

Schools Robert Wilkinson Primary 0218

2.2 Policies:

CYGP1
Design

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - Having consulted the applicant who confirmed that the MUGA would not be used by outside parties until after school activities have finished there are no objections.

Police Architectural Liaison Officer - Having examined the proposed management plan for this development and provided that this is followed, there should be no issues relating to security and 'designing out crime.'

Environmental Protection Unit - No objections in principle to this application. There are some concerns about the effects of noise from games activities on the amenity of nearby residents and the effects of high level lighting. Conditions were recommended to control light spillage, an acoustic barrier, and opening hours.

3.2 External

Strensall and Towthorpe Parish Council - Do not wish to object to the application as long as the facility is open to the whole village and not merely the pupils and staff of Robert Wilkinson School. If this is not the case then there are objections to the scheme.

Response to Neighbour Consultation Letters and Site Notice (posted 10/05/06) - One piece of correspondence received from a resident of 2 Leyfield Close which is the dwelling closest to the proposed MUGA. The following points were raised:

- The MUGA should only be used by the school
- It should not be let to other sporting bodies now or in the future
- The floodlighting should only be placed next to Haxby Moor Road and light to the play area should not point towards residential areas
- Why does a primary school need to have a MUGA when there is already a games area nearby
- At present there is a parking problem around the school and side streets. Cars park on footpaths, corners of road junctions and over house driveways. This would be made worse with this extra facility being offered.

4.0 APPRAISAL

4.1 Key Issues:

- Visual Amenity
- Noise
- Light
- Traffic

4.2 The Application Site - Robert Wilkinson Primary School is located on West End in Strensall. The area is predominantly residential on three sides with the River Foss and Green Belt to the north. The proposed MUGA is located on the north west section of the school grounds. The land is currently a grassed area which is separated from Haxby Moor Road by a 1.5 m high hedge. The proposed MUGA would measure approximately 31 x 30 m and would be surrounded by a 3 m high fence. Four 8 m high floodlights would illuminate the playing surface to enable use of the games area during hours of darkness. Access to the site would be through the side gate entrance off Haxby Moor Road. The applicant wishes for the MUGA to be used by both the school and outside parties once school has finished, the applicant is offering opening times of 8.30 am to 8.30 pm Monday to Friday at which time the School entrance gates would be locked by the Schools resident caretaker.

4.3 Visual Amenity - The School is set within attractive grounds which make it a pleasant learning and working environment. The trees within the School grounds form an attractive edge to Haxby Moor Road, the River Foss and the edge of Strensall as seen from the Greenbelt from the north. The proposal includes the removal of one False Acacia tree but this would be replaced on a three to one ratio. Two new Flowering Cherry and two new Crab Apple trees would be planted around the south east and south west elevations of the MUGA in order for its visual dominance to be reduced and so that the open green feel of the area is not completely lost. A 1.8 m high acoustic fence would be erected along the boundary with Haxby Moor Road, this would be significantly screened by the existing hedging along this boundary.

4.4 Noise - The nearest dwelling to the proposed MUGA is 2 Leyfield Close which is a little over 30 m away. MUGA's have the potential for a significant level of noise generation. However, the proposed MUGA is not of great size meaning that the number of games and players at any one time would be restricted. The proposed acoustic barrier would also help reduce the level of potential noise nuisance for neighbours. The exact materials of the acoustic barrier have not been submitted but this can be controlled by planning condition. Opening hours of the MUGA can also be controlled by condition to ensure that activities have stopped during sensitive times such as at night time.

4.5 Light - A light spillage map from the proposed floodlights has been submitted. This indicates that light pollution out of the school grounds would be minimal. The proposed floodlights are 8 m in height and so will be visible in the surrounding area. However, because of this height they can be angled further downwards to ensure a significant amount of light does not travel horizontally into the Green Belt or neighbouring properties. Any permission can be conditioned to ensure that light levels are as submitted on the light intensity map. The proposed tree planting would also help alleviate any light spillage from the site.

4.6 Traffic - Robert Wilkinson Primary School is in the built up urban area of Strensall and is easily accessible by the local community by non car modes. The School can be accessed on foot and by bicycle with the existing storage facilities being available for users of the MUGA. The MUGA would not be used by outside parties whilst the main school is open and thus there would not be additional traffic at morning drop off and afternoon pick up times. The MUGA would result in more traffic in the area late afternoon and in the evening. The proposed car parking area is in the playground away from Haxby Moor Road with the overspill car park being located adjacent to the Road, this is used in the day by employees of the School. The size of the MUGA would mean that the occupation levels would not cause significant highway problems through additional traffic.

5.0 CONCLUSION

It is considered that the proposed MUGA would not significantly detract from the visual amenity of the school and the surrounding area. Potential noise and light nuisance for neighbours can be reduced to a satisfactory level through the use of conditions.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve under General Regs 3 Council Dev

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Revised plan received by Development Control on 01/12/06

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.
Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.
- 3 The opening hours of the multi-use games area shall be confined to 08:30 to 20:30 Mondays to Saturdays and not at all on Sundays and Bank Holidays.

Reason: To safeguard the amenities of neighbours in this residential area
- 4 The flood lights shall not be illuminated between the hours of 21:00 and 08:30 and the site shall be vacated and locked by 21:00.

Reason: To protect the amenities of local residents
- 5 The flood lights shall be installed and thereafter operate such that the light intensity around the site is in accordance with the light intensity contour map submitted to The CoYC on 31/08/06.

Reason: To protect the amenities of local residents
- 6 An acoustic fence shall be erected in accordance with the Revised Plan received 01/12/06. Further details of the fence including its height, materials, thickness, and acoustic specification shall be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: In order to protect the amenities of local residents.
- 7 Before the commencement of development, including demolition, building operations, or the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing; construction details of the retaining wall, including existing and proposed levels; construction details and method

statement for erection of acoustic barrier, in particular adjacent to existing trees.

Before commencement on site the protective fencing line shall be shown on a plan and agreed with the local authority and subsequently adhered to at all times during development to create exclusion zones.

None of the following activities shall take place within the protective fencing: excavation, raising of levels, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles; there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new service runs. The fencing shall remain secured in position throughout the construction process including the implementation of landscaping works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area and/or development.

7.0 INFORMATIVES:

Notes to Applicant

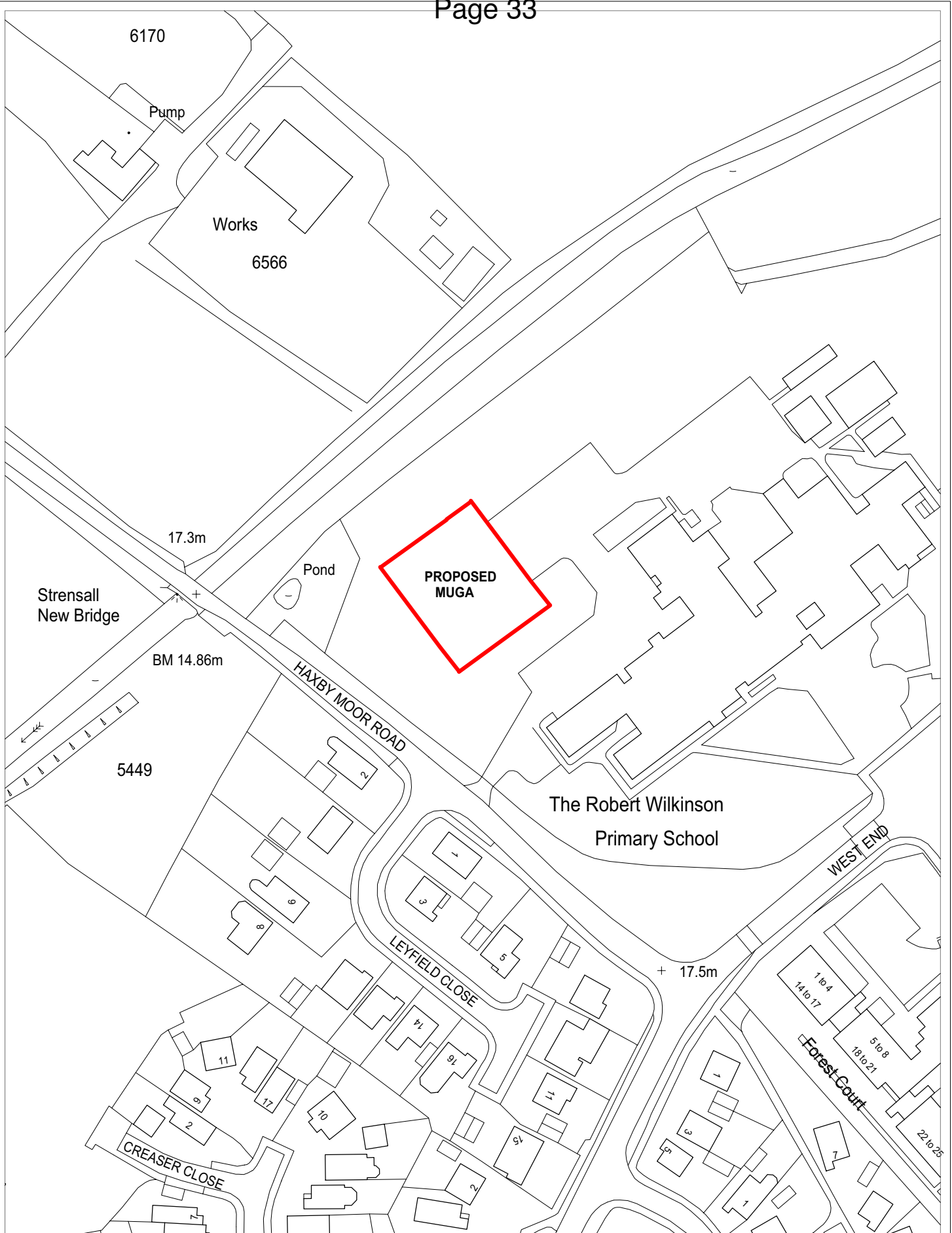
1. REASON FOR APPROVAL

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 impact on the street scene and the amenity of local residents. As such the proposal complies with Policy GP1 of the City of York Draft Local Plan.

Contact details:

Author: Michael Jones Development Control Officer

Tel No: 01904 551325



CITY OF
YORK
COUNCIL

ROBERT WILKINSON PRIMARY SCHOOL - 06/00748/GRG3

SCALE 1:1250
Originating Group

DRAWN BY PSL
Project

DATE 30/11/2006
Drawing No.



COMMITTEE REPORT

Committee: East Area **Ward:** Clifton
Date: 14 December 2006 **Parish:** Clifton Planning Panel

Reference: 06/01573/FUL
Application at: St Olaves School Queen Annes Road York YO30 7AA
For: Erection of footbridge over existing public footpath on land adjacent to St Olave's Prep school
By: The Bursar
Application Type: Full Application
Target Date: 8 September 2006

1.0 PROPOSAL

1.1 It is proposed to erect a pedestrian footbridge over the public footpath that runs adjacent to the southern boundary of the St.Peter's school playing fields and which links Queen Anne's Road and North Parade with Westminster Road. It will be located close to its eastern end close to North Parade and the purpose of it is to link the grounds of St. Olaves prep School and St. Peter's school, therefore eliminating the need for the pupils to leave the school grounds and cross the public footpath. The school grounds are closed off to the public.

1.2 The landing side of the bridge on the St. Peter's side is in the Clifton Conservation area (the public footpath being the boundary) and there are several protected trees in the vicinity of the proposed bridge.

1.3 The bridge is 2.2 metres to the bottom of the platform and 4.8 metres to the top of the handrail.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Clifton 0013

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

Schools Queen Anne 0253

2.2 Policies:

CYGP1
Design

CYHE3
Conservation Areas

CYNE1
Trees, woodlands, hedgerows

CYHE11
Trees and landscape

3.0 CONSULTATIONS

3.1 INTERNAL.

3.2 Highway Network Management.

No objections. The footbridge is to be constructed over a public footpath, as such the construction of the footbridge will require a license under Sec 176 of the 1980 Highways Act.

The construction of the footbridge will undoubtedly require the closure of the PROW during the construction period. This requires a legal order prior to the closure occurring and therefore the applicant should therefore consult the Authorities PROW team.

3.3 Conservation Officer.

An interesting design for what are often quite basic structures. Requests a condition covering materials.

3.4 Landscape Architect.

No objection to this application in terms of fitting in with the landscape. Nor do I object to the removal of two or three of the smaller avenue trees to the east of the footpath.

However I am concerned for the health of the large, mature Sycamore (tag 1762) to the west of the footpath. The entire construction would be within the protected zone around the tree. Whilst I think it is possible to have some degree of development within this zone I am concerned that the current proposals would cause too much detrimental damage to the rooting zone of the tree. The Sycamore is of great stature and has a high public amenity value from both north and south directions. Because it is mature, it would be less able to recover from any damage.

Pile foundations would use up relatively little surface area. However height is required for the construction vehicles/machinery to implement the foundations and the heavy low boughs of this tree do hang quite low. Some crown lifting would probably be required to provide height clearance over the bridge too.

It would be better if all the construction could be kept outside of the existing shrub bed around the base of the Sycamore.

Also of less concern but still valid, is that the proposed post-top light would probably be within the canopy overhang, thus reducing its effect, i.e. the location of the lighting may need further consideration.

The existing arboricultural method statement is quite thorough, (including stipulating minimum excavations of 100mm depth), but as you know I had some outstanding concerns. These were discussed at our site meeting with the engineer, architect and arboriculturalist. Consequently I am satisfied that the development could go ahead with minimal damage to the tree. Nonetheless, I would like to formally secure the correct details and use of machinery on site through a condition. It may be that the additional information is provided by the engineer or contractor, rather than the arboriculturalist, so long as we acquire all the additional information before a start is made on site and all the information is consistent.

In summary, the bridge and tree could have a pleasing visual relationship, but the applicant must have a consultant arboriculturalist on board to assist in the detailing of the scheme and methodology for implementation.

3.5 Clifton Planning Panel.

Object.

- i) Do not see the justification for the bridge.
- ii) The structure is not in keeping with the listed building.

3.6 Third Parties.

2 letters of objection received making the following observations.

- Bridge is too large and represents further build up in a green area.
- Not sensitive to its environment especially so close to a Grade II listed building.
- Will increase traffic on Queen Anne's Road as it will shift activity within the school campus from the main site entrance on the A19 to this site and this will be dangerous to locals and school children. This traffic flow is likely to be outside of normal hours and so will cause disruption and increased risk to the community over extended periods of the day and evening.
- could be the first part of a larger plan to expand the site and the existence of the footbridge would be used to justify future applications for developments such as flood lighting and all weather pitches in this part of the site.
- No need for the bridge. The present arrangement is perfectly safe via the secure gate at the corner of St. Peter's playing field. No evidence that this is unsafe or poses any risk to the children.
- Serious invasion of privacy for the residents of North Parade whose houses back onto the playing fields. Footbridge appears to be at the same height as, and only metres from, the rear windows of these houses and children walking over the bridge will be able to look directly into resident's bedrooms and bathrooms.
- Noise level will increase as the children will be at first floor level and will be crossing a metal bridge.
- The bridge may attract local youths in the evening who have caused problems in the past.

- Bridge is to be lit so adding to the already significant light pollution from the school and outbuildings.

4.0 APPRAISAL

4.1 KEY ISSUES.

- Design and visual impact.
- Protected trees.
- Neighbour amenity.

4.2 Design and Visual impact.

The footbridge is relatively modest in size and is of a contemporary design which is of a steel and stone construction. The plans indicate a painted steel structure which will be of graphite colour. The Conservation Officer has raised no objections and has praised the design, describing it as interesting. The public footpath marks the boundary of the Conservation area and therefore half the footbridge is inside the Conservation area and half of it is outside. However, for the purposes of assessing the scheme in this context then officers have considered it to be in the conservation area.

4.3 Despite the loss of a couple of small trees on the St. Peter's school side, officers do not consider the setting of the area to be adversely affected by the proposal. Whilst some openness is inevitably lost, the interesting design does not detract adversely from the overall character of the area. It introduces a structure of some interest next to a range of buildings (St. Olaves) which are architecturally unimpressive. The suggested materials will also offer a modern, contemporary look which would preserve the character and appearance of the Clifton Conservation area.

Trees.

4.4 The application results in the loss of 2 unprotected small trees on the St. Peter's School side of the public footpath (they are not subject of individual tree preservation order although they are protected by virtue of their position in the Clifton Conservation area). These are relatively modest in size and not of significant amenity value. They are part of a more extensive avenue of trees and their loss is not seen as harmful in this wider context. Officers have raised no objection to their removal.

4.5 However, within the grounds of St. Olaves school is a large, mature Sycamore tree which does offer significant amenity value to the area. Whilst this is shown to be retained on the submitted plans, officers do have some concerns over the impact of the bridge on the roots of this tree. Other than the possible pruning of some of the very bottom branches, the bridge will not damage the canopy spread of the tree because the highest part of the bridge is to the side of the tree and it is not high enough to actually touch the tree.

4.6 Of particular concern is the landing area on the St.Olave's side which is shown as new hardstanding and this will run to within 2.5 metres of the centre of this tree.

As well as this, officers were also initially concerned about the method of construction as the main construction zone (the piling of the foundations) is shown within what should be a protected zone around the tree. Officers met the agents and their arboriculturist out on site to discuss these problems and amended proposals have since been submitted which show the specification of machinery to be used. The piling rig to be used will be no higher than 2.5m so as not to damage the lower canopy of the tree. A lamppost on the public footpath needs to be relocated slightly and the drawings have been amended to show the revised location of this.

4.7 The components of the bridge shall be installed using a side hiab, so as not to cause damage to the tree canopy although at the time of writing this report we still do not know the type of machinery to be used. Details for porous pedestrian block paving for the ground-level landing areas has now been submitted and the latest report confirms that the depth of construction around the landing areas (which are within the protected zone of the tree) will to be no more than 100mm below existing (with allowance up to 150mm to give a 50mm margin of error). The attendance of the developer's arboriculturalist at specific intervals during development and the commitment to invite the opportunity for LA's landscape architect to visit the site has now been included in the latest arboricultural method statement and this is welcomed.

4.8 There are still one or two outstanding issues which still require the confirmation of details such as issues regarding the removal of ground vegetation and the introduction of mulch to improve growing conditions for the tree in the remaining areas of soil, the locations of electricity supply for lighting and type of machinery to be used in connection with described in para. 4.7 above. However, these were discussed at the site meeting on the 14th November and officers are content that these details can be agreed. However, at this stage condition 5 is recommended so that the Council can ensure that all details re the construction work around the tree have been agreed before any work can commence. Officers are content however that the construction of the bridge will not damage or harm the protected Sycamore tree either during construction or in the long term.

Neighbour amenity.

4.9 Objections have been received from residents on North Parade concerned at a possible loss of their amenity as a result of the use of the bridge. Whilst officers can understand this concern they are of the opinion that the impact will be minimal. The nearest properties are no's 42 and 44 North Parade and the distance from the decking of the bridge to the nearest part of these dwellings is approx. 28 metres. The nearest first floor windows of these houses is then several metres more further in. The walkway is only 2.2 metres off the ground with adult head height approx. a further 2 metres above this. This is obviously less for a child. At a distance of around 30 metres, a height of around 4 metres and with views from the bridge filtered by the existing trees, overlooking of the houses on North Parade will be extremely minimal.

4.10 As for noise, the length of the walkway is small with the distance from top step to top step being approx. 5 metres. Users will be over to the other side in a matter of seconds. There is no reason to think that the disruption will be any greater than that associated with the existing daily use of the school. Lighting is low key and will be

capped so that it just lights the bridge and its walkway. As for its abuse by local youths on a night, this is not a material planning consideration as it is outside the control of the Local Planning Authority. However, the bridge can only be used from within school grounds and the point of the application is to make the school grounds secure and inaccessible to the public at this point. Therefore, the use of the bridge outside of school hours should not be an issue.

4.11 Some concern has also been expressed over a possible increase in traffic around Queen Annes Road as a result of the bridge been installed. Officers cannot see how one would conclude this given that the number of pupils is the same, they will still initially access the site from the same spot (the coded gate) and the only alteration is the movement of children within the site. There is direct correlation between this and an increase in vehicles using Queen Anne's Road and North Parade.

4.12 As for the need for the bridge, this is not for the Local Planning Authority to speculate on or judge.

5.0 CONCLUSION

5.1 The bridge is modest in size and of a modern, interesting design which preserves the character of the Conservation area. Despite the loss of a couple of trees, the impact on the natural environment is also considered to be minimal, subject to the work being carried out and finished in conjunction with the details of the recently submitted management plan in order to ensure the future health and vitality of the large, mature, protected Sycamore tree. The impact on the amenity of nearby neighbours is also considered minimal. Subject to conditions, approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

Drawing no's
- 104 Rev. A
- 201 Rev. A
- 401 Rev. A

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

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

- 3 VISQ8 Samples of exterior materials to be app
- 4 HWAY40 Dilapidation survey
- 5 Before the commencement of development, including demolition, building operations, or the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details of protective fencing, phasing of works, site access during demolition/construction, type of construction machinery/vehicles to be used, (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles and storage of materials. The following details must also be provided: construction details and existing and proposed levels, where a change in surface material is proposed within the canopy spread and likely root zone of a tree.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

7.0 INFORMATIVES:

Notes to Applicant

1. The applicant is advised that the proposed scheme is likely to affect the adjacent Public Right of Way (PROW). The PROW should remain free to use throughout the works and unaltered without the prior consent of the authorities PROW team. Any diversions or extinguishments will require the relevant legal works, which will need to be funded by the applicant and carried out prior to the commencement of works on site. Such legal processes are not guaranteed to be successful. To discuss this matter further please contact the Council's Public Rights of Way Officer on 01904 551481).

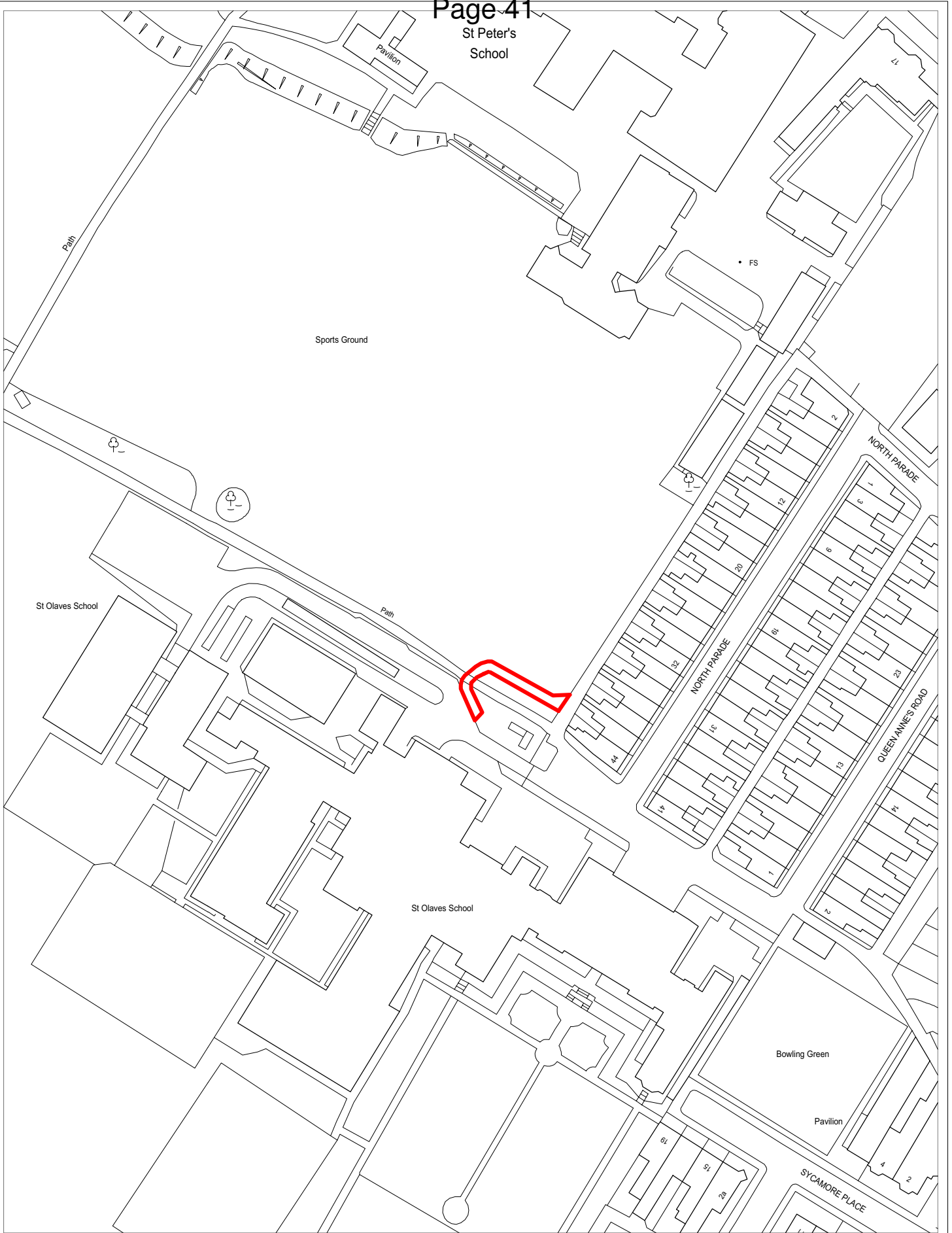
2. REASON FOR APPROVAL

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 good design, impact on the Conservation area, protection of trees and neighbour amenity. As such the proposal complies with Policies GP1, HE3, NE1 and HE11 of the City of York Local Plan Deposit Draft.

Contact details:

Author: Matthew Parkinson Development Control Officer
Tel No: 01904 552405

St Peter's School



CITY OF
YORK
COUNCIL

FOOTBRIDGE: ST. PETER'S SCHOOL - 06/01573/FUL

SCALE 1:1250

DRAWN BY PSL

DATE 30/11/2006

Originating Group

Project

Drawing No.

9, St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

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City of York Council LA 1000 20818

COMMITTEE REPORT

Committee:	East Area	Ward:	Strensall
Date:	14 December 2006	Parish:	Strensall And Towthorpe Parish Council

Reference: 06/01054/FUL
Application at: Hoxne Farm Sheriff Hutton Road Strensall York YO32 5TL
For: Alterations to existing caravan park including the removal of the existing touring caravan and caravan storage areas and the development of new area to accommodate 30 holiday cabins.
By: Mr J Ord
Application Type: Full Application
Target Date: 7 July 2006

1.0 PROPOSAL

1.1 The application is to change the type of accommodation from touring caravans to more permanent cabin style holiday accommodation and as a consequence, reorganise the layout of the site. The site is off Sheriff Hutton Road to the north of Strensall village. It is an existing caravan park which offers accommodation for a maximum of 30 touring caravans and a large area for year round caravan storage. The site also offers other facilities such as fishing in a large pond towards the front of the site and a cattery next to the applicant's on site house.

1.2 The site is right on the northern boundary of the City of York Council area. It is in a small area of land that is not within the green belt.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

2.2 Policies:

CYV5
Caravan and camping sites

CYT5
Traffic and pedestrian safety

CYNE1
Trees, woodlands, hedgerows

3.0 CONSULTATIONS

3.1 INTERNAL.

3.2 Highway network management.

No objections. Would result in a reduction in traffic and the elimination of vehicles towing caravans entering the site.

3.3 Landscape Architect.

No objections.

3.4 EXTERNAL.

3.5 Strensall and Towthope Parish Council.

Object.

Consider the it to be too large a development of holiday accommodation on a restricted site to impose on the village. The access is on a very busy road junction and 30 habitations with the increased traffic in the number of cars we believe would constitute a traffic hazard.

Consideration must also be given to the provision of utilities on this site as each of the 30 dwellings planned will require sewage, drainage etc.

3.6 Foss IDB.

The site lies within the Board's District within the catchment of the River Foss, which lies a little distance to the east and south of the site.

There appears to be a slight confusion as to the method of surface water disposal. In the application it states that the method is "to Soakaway" yet the drawing O03/03/02 states that it is to continue to be disposed of "to ground via a field drainage system".

Provided this is the same method (i.e. the field drainage system is the herring bones etc that disperse the water into the ground) then the Board has no objection to the proposals.

3.7 Third Parties.

2 letters of objection received making the following comments.

- i) 30 static caravans is too dense a number for such a restricted site - a mini village.
- ii) The whole site is subject to waterlogging, the water table being so high in the area.
- iii) No provision of security fencing around the site to prevent trespass onto, or from, the site to neighbouring properties.
- iv) Screening of the site is inadequate through the autumn, winter, early spring period.
- v) No provision made for recreational areas within the site.
- vi) Plans state foul drainage to the existing system. Does not consider that these will cope with the increased number of units nor their type.
- vii) The volume of traffic that such a scheme would generate would be a severe hazard. There have been several severe accidents at this point in the road over the

last 3/4 years. Possible all year round occupation of the site with normal day to day journeys to school, work etc likely. No public transport to the site.

viii) Would be extra light pollution.

viii) There is an active badger sett in the NE corner of the site.

ix) There is already adequate provision for this type of use in the locality.

x) Better quality accommodation means that there is the potential for increased occupancy in the winter months. If granted then effectively agreeing a housing estate of 30 properties in the green belt.

xi) Will increase the demand for the provision of healthcare, schooling, policing and general services in the area.

4.0 APPRAISAL

4.1 KEY ISSUES.

- control of use.
- visual impact.
- drainage.

4.2 The site has the benefit of planning permission as a touring caravan site. Ryedale District Council gave consent in November 1991 for 10 touring caravans on the site with a condition preventing the use of the site for this purpose between 31st October and the 1st March. Permission was then subsequently approved (again by Ryedale) in 1996 for 30 caravans with no time restrictive condition imposed. That was the last relevant planning permission and so technically the site can operate all year round without restriction or control from the planning department.

4.3 This application is to replace the existing consent with a permission which would allow more permanent structures, in the form of timber, holiday cabin style accommodation to occupy the site. Some of these will be for letting purposes but some will be privately owned. These would still meet the definition of a caravan as described in the 'The Caravans Sites Act 1968' although obviously they will offer larger, more permanent and better quality timber clad style units. Significant levels of caravan storage is also permitted on the site. This would also be removed.

4.4 The purpose of the application is twofold. Firstly to offer a better standard of holiday accommodation and secondly to improve the environment for fishermen who fish the main pond nearest to the front entrance of the site. At the moment the touring caravans are located in an area close to the northern boundary of the lake and these impact on the enjoyment of the lake and the facilities offered to the fisherman. This application shows the removal of all the pitches around the fishing lake and the transferring of them to an area around a secondary lake towards the back of the site, an area currently with planning permission for the storage of touring caravans. The new owners of the site are also concerned at the disruption to the site caused by the extensive storage area and do not wish to continue with this. They wish to also improve the fishing side of the enterprise to create a better quality visitor facility.

4.5 Policy V5 of the draft local plan is the most relevant policy for this case. Part i) of that policy states that the number of caravans should be restricted to 20. However, given that the permitted use of the site allows for 30 touring caravans, then no objections can be raised to this despite the change in design and style. The status of the site will not change significantly.

4.6 Point 2 of V5 states that no static caravans should be permitted. The cabins proposed do not have the appearance of standard static caravans but given the level of permanence associated with them, they are essentially static in nature. The reason for this blanket policy is mainly visual given that static caravans are often larger and more visually intrusive and therefore they are often unsuitable for all year round occupation. Normally such an application would be resisted. In this case however, given the existing unrestricted planning lawful use of the site which technically allows for caravans to stay on site all year round (albeit tourers), the site situation is slightly different. The main issues therefore are whether the revised details for the site are more visually intrusive than existing and whether the occupation of the site can still be properly controlled to prevent all year round occupation. The issue of visual amenity is dealt with at para. 4.9 below.

4.7 The cabins will offer better quality accommodation which could encourage occupation during the winter months. It is considered important to control this and this can be done by condition. It is noted that the last Ryedale permission effectively gave the site an unrestricted all year round use and with some modern touring vans it may now be possible to do this. However, given the change in emphasis to the better quality accommodation and the up to date relevant tourism policies in the local plan, officers are content that occupation times and levels can and must be controlled this time. The applicant has agreed to this. The aim of any such condition would be to prevent year round residential occupation and ensure that the units are used solely as holiday accommodation.

4.8 Overall, the site will have significantly fewer caravans within its boundaries. The removal of the permitted storage use significantly reduces the number of caravans on the site and consequently should result in a significant reduction in vehicle movements to and from the site. Visually, the removal of the stored caravans also represents an improvement. There is no reason to conclude that the traffic generation from the cabins should be any greater than that in connection with the 30 touring caravans currently permitted to use the site. The layout around the secondary lake is also much improved and would result in a better and more defined layout of the site.

Visual amenity.

4.9 The area of land in question is on the eastern side of the site and behind all the other site facilities. It is currently an open paddock and lake within the site's boundary confines and it has planning permission for extra caravan storage. Being currently unused it has little obvious use in connection with the existing use of the site. The area of land is well confined within the existing site boundaries and is framed by the existing storage facility to the south (although this will be incorporated into this scheme) and extensive and mature tree/shrub planting, including planted tree bunds, to the north and west. Only a very small part of the area in question will

be visible from Sheriff Hutton Road (glimpses at the site entrance) and barely at all from either the north or the south (officers drove a mile either side). To the east is farmland with no public views into the site. Although the area in question would see the introduction of holiday cabin style developments, the visual impact of the development would be no worse (and arguably better) than if the applicant implemented the approved storage use fully. The approved storage area could feasibly result in 100 caravans being stored in close proximity to each 365 days a year whereas the 30 cabins, whilst spaced over a much wider area than the existing touring area, would offer spaces between the units and generally a greater level of openness. Any visual impact is considered minimal when set against existing and is not considered materially harmful to the area when considered against existing levels of visual harm. The levels of natural screening are excellent, however it is recommended that these be retained as a condition of approval. Additional areas of planting to supplement this further is also shown on the submitted plans. The site is not in the green belt (just open countryside) and therefore the issue of appropriateness is not relevant in this case.

Drainage.

4.10 Concerns have been raised by adjacent landowners about runoff from the site given the local high watertable and waterlogged ground. The applicant has confirmed that surface water drainage will continue to be to the ground and from there into the existing field drainage system with no positive/direct drainage being proposed into the adjoining watercourse and drain. The cabins will stand on a surface of crushed stone with stone/ scalplings on the top so that rainwater can percolate to the ground avoiding any issue of surface water run-off. A more stable surface may be required to the entrance of the cabins but this would also drain to the permeable surface. The Foss Internal Drainage Board have raised no objections to this arrangement although a condition controlling any future change to this arrangement is recommended, including the stipulation that there should be no increase in surface water run-off over the present arrangement.

4.11 As for foul water arising from the development, this is shown to be disposed of into the existing on-site private treatment system. There is no increase in the number of accommodation units on the site and therefore one would assume that this should result in the existing situation being maintained. However, in the event of these levels of discharge increasing, a condition is recommended to control this.

5.0 CONCLUSION

5.1 For the reasons outlined above, the application is considered to be acceptable.

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drawing no's

- 003/03/02
- 003/03/03
- 003/03/04
- 003/03/05

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

- 3 VISQ8 Samples of exterior materials to be app
- 4 The areas of new tree planting as shown on plan drawing no. 003/03/02 shall be carried out in accordance with the details in Point 5 of the same plan. 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.

- 5 The accommodation hereby approved shall only be used for holiday accommodation purposes and they shall not be occupied as a persons sole or main residential home. No caravan on the site shall be occupied between the 7th January and March 1st in any one calendar year.

Reason. In order to prevent the full time residential occupation of the site. The site is not considered appropriate for full time residential use due to its position in open countryside away from local services.

- 6 Any change in the surface water drainage arrangement as described in the correspondence received from Edwardson Associates dated 28th November 2006 shall be agreed in writing by the Local Planning Authority in conjunction with the Foss Internal Drainage Board prior to their implementation.

Reason. In the interests of satisfactory drainage within, and adjacent to, the application site.

- 7 In the event that a new foul water treatment system is to be installed, full details of the equipment and associated drainage arrangements shall be submitted to and approved in writing by the Local Planning Authority, in conjunction with the Environment Agency and Foss Internal Drainage Board prior to the installation of any such foul water treatment system.

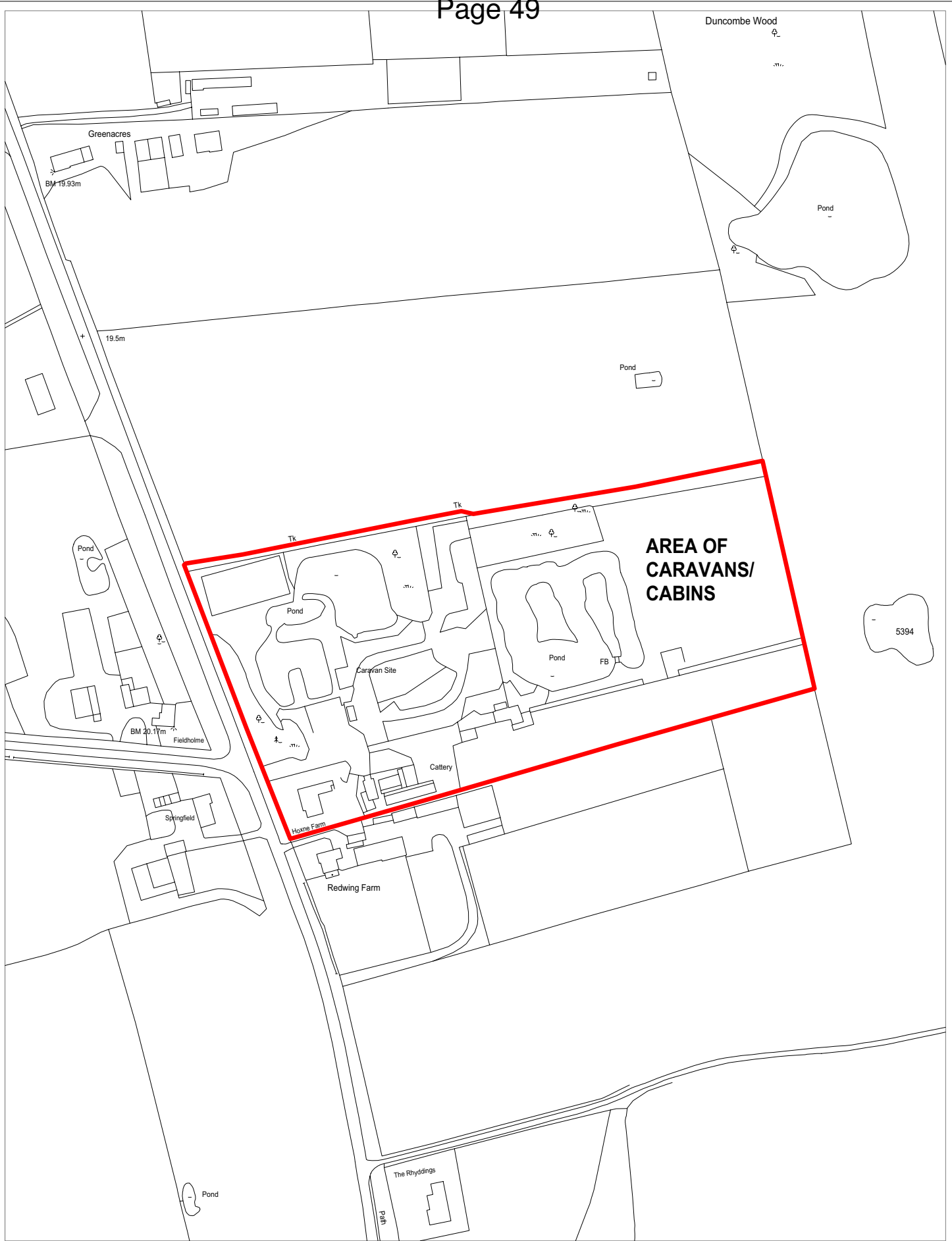
Reason. In the interests of satisfactory foul water drainage and in order to prevent pollution of the groundwater.

7.0 INFORMATIVES:

Contact details:

Author: Matthew Parkinson Development Control Officer

Tel No: 01904 552405



CITY OF
YORK
COUNCIL

**VALE OF YORK CARAVAN PARK, HOXNE FARM,
SHERIFF HUTTON ROAD, STRENSALL - 06/01054/FUL**



SCALE 1:2500	DRAWN BY PSL	DATE 30/11/2006
Originating Group	Project	Drawing No.

9, St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

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City of York Council LA 1000 20818

COMMITTEE REPORT

Committee: East Area **Ward:** Fishergate
Date: 14 December 2006 **Parish:** Fishergate Planning Panel

Reference: 06/02347/FUL
Application at: 147 Heslington Lane York YO10 4HS
For: Two storey side extension and repositioned bike shed
By: Mr T Bayley
Application Type: Full Application
Target Date: 25 December 2006

1.0 PROPOSAL

1.1 This is a revised planning application to erect a two storey extension to the side and to the rear of a semi-detached dwelling. The proposed development would project to the side by 3.4m and to rear by 1.5m; its overall height to the ridge would measure 7.5m. The existing timber shed is proposed to be repositioned in order to provide secure cycle storage.

1.2 In relation to the dwelling-houses at 145 Heslington Lane, 11 Wilsthorpe Grove and 149 Heslington Lane, the proposed development would leave a distance of approximately 12.0m, 20.0m and 5.7m respectively.

1.3 The application site is currently screened by an approximately 2.0m high fence to the rear and to the side. The existing side boundary is proposed to be altered in order to create two additional parking spaces within front garden area. New drop kerb and cross over would also be formed as the result of the development. There is currently no car parking provision within the curtilage of the application site.

1.4 RELEVANT PLANNING HISTORY

1.5 06/01909/FUL: Two storey pitched roof side extension, single storey rear extension and repositioned bike shed. Planning permission was refused on 28.9.2006 because of the following reasons:

1. Due to its scale and its positioning, the proposed two storey extension would create a detrimental overbearing impact when viewed from the front public highway (Heslington Lane), contrary to Policy H7 of the City of York Draft Local Plan 2005.

2. By virtues of its siting, its scale, its close proximity to the habitable window at 149 Heslington Lane, and its choice of building material proposed to be used in the construction of the side elevation, the proposed conservatory would result in an unacceptable loss of daylight entering into the ground floor habitable window of this neighbouring property (149 Heslington Lane), contrary to Policy H7 of the City of York Draft Local Plan 2005.

3. The proposed vehicles parking access would create a condition prejudicial to highway safety as the existing 2.0m high boundary fence to the rear of the

application site would severely restrict the visibility of vehicles going into and out from the application site.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYH7

Residential extensions

CYGP1

Design

3.0 CONSULTATIONS

3.1 Neighbours notified, first consultation expired 24 November 2006, second consultation expired 4 December 2006 and third consultation will expire on 12 December 2006 following the change of description. 4 letters of objections have received to this date (30 November 2006) raising the following concerns:

- the proposal will exacerbate the flooding problem, in particular the garden area at 147 Heslington Lane,
- the proposal will produce a 7 to 8 bedroom student house and would create an adverse impact on neighbouring residential amenity.
- there are not enough off-street parking spaces within the application site,
- the proposal would create highway hazard to any vehicle trying to access Heslington Lane from Wilsthorpe Grove,
- There is currently an issue with 'studentification' of the area.
- the size of the dwelling will be doubled as the result of the development,
- the proposal would create a detrimental overbearing impact when viewed from the public highway,
- the car parking entrance is not feasible because Wilsthorpe Grove is an unadopted and private road,
- the proposal would obstruct daylight entering into 12 Wilsthorpe Grove,

3.2 Parish consulted. Response received 24 November 2006 raising the following concerns:

- There will be insufficient car parking space,
- No information has been provided regarding the removal of garden plants to facilitate car parking,
- There are no mentioning of new vehicular access and the proposed floor space increase.

3.3 Highways consulted - No objections.

3.4 Council's Building Control Section has been consulted on drainage matters and has raised the following comments:

The drainage proposals shown in the application are broadly in accord with the requirements of the Building Regulations, in that the surface water drainage to the new roof, appears to connect to a suitable outfall and in that it joins the existing surface water system. There may be guttering and fall pipe sizing issues, however they will be resolved by the Building Control body that supervises the work.

3.5 Yorkshire Water Consulted - Response received 23 November 2006. No comments.

3.6 Council's Structures and Drainage Engineer consulted - No objections subject to provision of drainage details prior to start on site. This will be resolved by the Building Control body that supervises the work.

4.0 APPRAISAL

4.1 The main planning issues raised by this application are whether the proposed development would have a detrimental impact on the residential amenities of nearby properties and the visual appearance and amenities of the surrounding area, in particular whether or not it would create a condition prejudicial to highway safety.

4.2 Compared to the previously refused planning application the revised scheme shows the width of the two storey extension would be reduced to 3.4m from the original 4.4m. In addition, it would be set 0.9m back from the front elevation of the original dwelling, with the rear elevation of the extension projecting to the rear by 1.5m. The conservatory in the previous application has been omitted from the revised scheme and the vehicle access and parking spaces have been re-positioned to the front garden area of the domestic curtilage.

4.3 Overall, it is considered that the revised scheme as described above is an improvement compared to what was originally submitted, in that it would be a lot less overbearing when viewed from the front highway and that it would be less likely to affect the level of daylight entering into the rear ground floor habitable window at 149 Heslington Lane (due to the fact that the conservatory has now been omitted from the scheme).

4.4 The proposal would not be directly facing the property at 12 Wilsthorpe Grove. Furthermore there would be a distance of more than 25.0m in between the two structures. Having taken the above into account it is not considered that its detrimental impact upon this neighbouring property could justify the refusal of planning permission.

4.5 With regard to the issue raised concerning vehicle parking provision, PPG13: Transport (published 2001) stresses that it is important to discourage users of the building from driving to the site by restricting the availability of parking in order to

restrict vehicle movements. Furthermore, Appendix E of the City of York Draft Local Plan 2005 stated that each development proposal is assessed "using the maximum standard as a starting point". In relation to this development, the applicant proposed to provide 2 parking spaces for what would be a 5 bedrooms dwelling. Having considered the above national and local planning policies, it is not regarded that the concern raised regarding the number of parking spaces can be a reason for refusing planning permission. The potential damage the proposal would have on Wilsthorpe Grove is a civil matter and cannot justify the refusal of planning permission.

4.6 The Local Highway Authority has been consulted and has raised no objections to the proposal. Therefore the concern raised regarding the positioning of the proposed vehicle access and parking spaces could not justify the refusal of planning permission.

4.7 What has been submitted is a householder planning application and not an application for the Change of use of an existing dwelling-house to a House in multiple occupation (HMO). This application must therefore be assessed against the criteria set out in the Residential extensions policy (policy H7) and not the policy on Conversion (H8) of the City of York Draft Deposit Local Plan 2005. A Change of Use planning application will normally require to be submitted to and approved by the Local Planning Authority if there will be more than six unrelated people who do not live together as a single household within the application site, and if the proposed development would result in a material change of use of the site.

4.8 In determining planning applications issues concerning the existing drainage capacity is not a material planning consideration that could warrant the refusal of planning permission. However the above issue is a Building Control matter and will be resolved by the Building Control body that supervises the work.

4.9 Having taken the above into account, it is considered that the proposed development accords with the policies set out in the City of York Local Plan and the Supplementary Planning Guidance on 'Guide to extensions and alterations to private dwelling houses'. Hence, this application is recommended for approval.

5.0 CONCLUSION

The proposed development would not be detrimental to the residential and visual amenities of the neighbouring properties and the surrounding area. The proposal accords with the policies set out in the City of York Local Plan and is therefore considered acceptable.

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development start within three years
- 2 The development hereby permitted shall be carried out only in accordance with the following plans:-

1146-2, 1146-1 and 1146-3

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

3 PD5 No openings in side elevation

4 VISQ1 Matching materials

5 Notwithstanding the information contained on the approved plans, the area marked as paved area shall be gravelled and details of the gravel material shall be submitted to and approved in writing by the Local Planning Authority. Once gravelled it shall not be removed at all times without the prior written consent of the Local Planning Authority.

Reason: In order to reduce the rate and the volume of surface water runoff in the interest of the amenities of residential property nearby.

6 HWAY18 Cycle parking details to be agreed

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

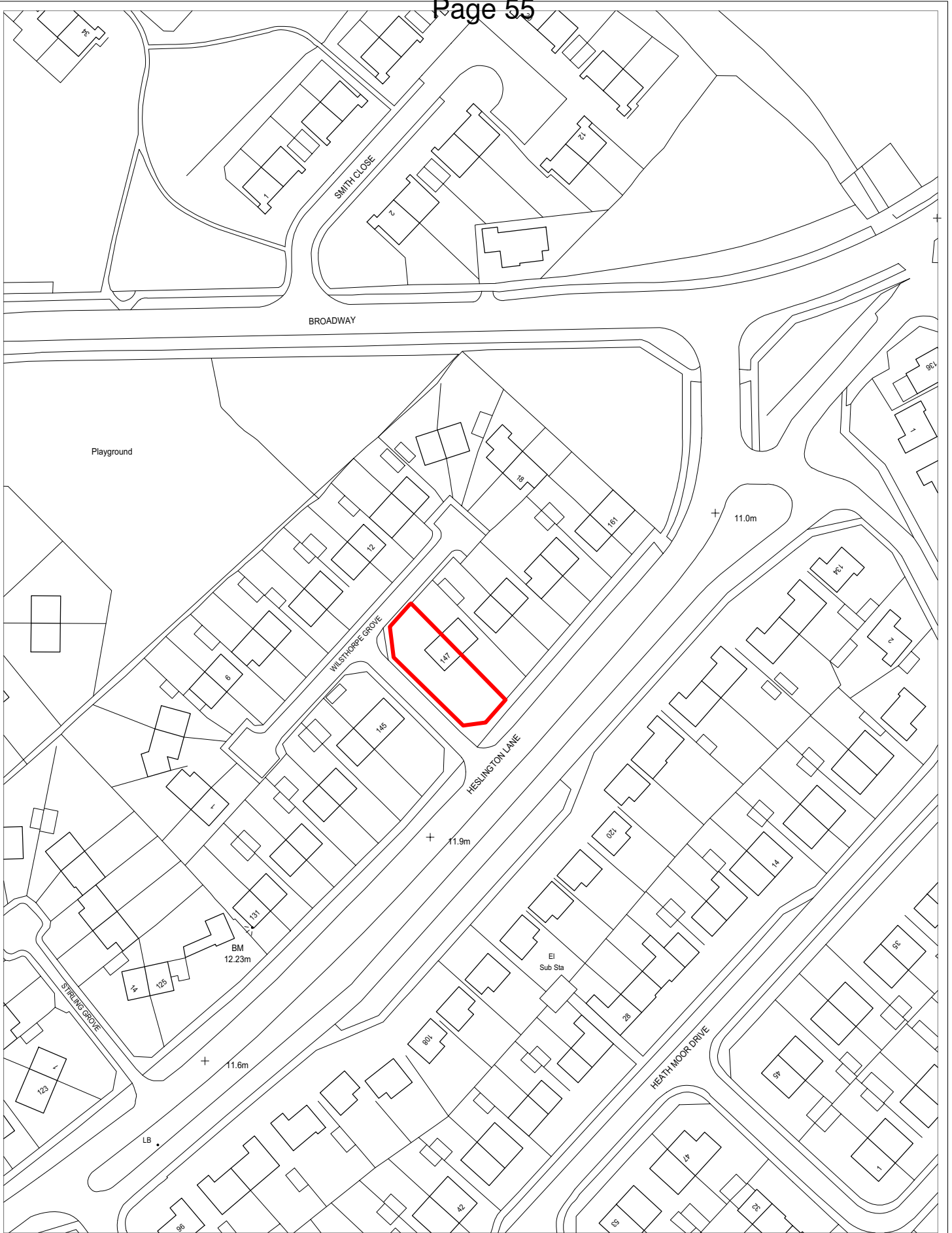
In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to residential and visual amenities. As such the proposal complies with Policies GP1 and H7 of the City of York Local Plan Deposit Draft.

2. The applicant is reminded that a change of use planning application will be required to be submitted to and approved by the Local Planning Authority if there will be more than six unrelated people who do not live together as a single household within the application site, and if the proposed development would result in a material change of use of the site.

Contact details:

Author: Billy Wong Development Control Officer

Tel No: 01904 552750



CITY OF
YORK
COUNCIL

147 HESLINGTON LANE - 06/02347/FUL



SCALE 1:1250
Originating Group

DRAWN BY PSL
Project

DATE 30/11/2006
Drawing No.

9, St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

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