

COMMITTEE REPORT

Committee: East Area
Date: 9 November 2006
Ward: Clifton
Parish: Clifton Planning Panel

Reference: 06/01428/FUL
Application at: St Peters School Clifton York YO30 6AB
For: Erection of gated enclosure at each end of former public footpath.
By: St Peters School
Application Type: Full Application
Target Date: 8 September 2006

1.0 PROPOSAL

St. Peters School is located in the Clifton Conservation Area on Clifton. Previously a public footpath ran through the school grounds. On the 16th May 2006 The Planning Inspectorate determined that the footpath should be closed to public use. A means of enclosure was erected at each end of the footpath by St Peters School and planning permission is now sort for the permanent erection of a gate on both the northern and southern entrance of the former public footpath.

This application was requested to be heard at Planning Committee by Cllr Scott and Cllr Reid as it was suggested that there may be a high level of public interest in the site.

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

Floodzone 2 Flood Zone 2 CONF

Schools Queen Anne 0253

2.2 Policies:

CYGP1
Design

CYHE3
Conservation Areas

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections

Conservation - No objections

3.2 External

Clifton Planning Panel - Support the application

Response to site notices' - Two pieces of correspondence received, the following points were raised:

- a) The application is inconsistent about ownership of the land associated with the former public footpath.
- b) The application makes no justification of the need for the gates and also states that no vehicle movements are planned
- c) Support the proposed designs for the metalwork but opposed to new access points being granted to the school as it undermines the claims for closing the path and they could be used for unknown purposes.

In response to part a), this has now been resolved with a revised red line boundary being submitted which includes the land where the proposed gates would be located, this is consistent with the signing of Certificate A of the application form.

4.0 APPRAISAL

4.1 Key Issue(s): Impact on the Conservation Area

4.2 The Application Site - St Peters School is on Clifton within the Clifton Conservation Area. The former public footpath that ran through the school was closed to the public on 16th May 2006. Means of enclosure have been erected at both ends of the footpath in order to ensure it is not used as a public through route. These were a temporary measure and consent is now sort for permanent gating. The footpath is no longer open to the public and this application is simply concerned with the impact of the gates themselves. A site plan has been submitted with a red line boundary around the site which includes both ends of the former public footpath where the proposed gates would be located. It is standard practice that when a public footpath is closed that half of the land reverts into the ownership of one side of the footpath and the other half into the ownership of the other side of the footpath. As St Peters School own the land on both sides of the footpath the whole of the footpath falls within their ownership.

4.3 Draft Local Plan Policy GP1 states that development proposals will be expected to respect or enhance the local environment. Policy HE2 (Development in Historic Locations) states that within conservation areas development proposals must respect adjacent buildings, open space, landmarks and settings and have regard to local scale, proportion, detail and materials. Proposals must maintain or enhance

existing urban space, views, landmarks, and other townscape elements, which contribute to the character or appearance of the area.

4.4 Impact on the Conservation Area - The proposed gate on the southern boundary of the school is less visually important in terms of protecting the character and appearance of the area. The proposed gate is of simple design and it is considered that it would not cause significant harm to the visual amenity of the area. The proposed gate on the northern boundary, adjacent to Clifton, would be visually prominent within the conservation area. A Conservation Officer looked at the plans and raised no objections to them in terms of their impact on the conservation area. The front boundary of St Peters School is characterised by a black steel fence with simple styling. The proposed gate is of the same design with black colouration and it is considered that it would maintain the character of the area and would not cause detrimental harm to the street scene.

5.0 CONCLUSION

The proposed gates would not harm the character and appearance of the area.

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. 1071-6/1 received by The CoYC on 23/06/06

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.

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 Clifton Conservation Area. As such the proposal complies with Policies GP1 and HE2 of the City of York Draft Local Plan.

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