
Meeting	Area Planning Sub-Committee
Date	6 July 2017
Present	Councillors Galvin (Chair), Shepherd (Vice-Chair), Carr, Gillies, Hunter, Cannon, Flinders, Cullwick (items 4a, b & e), Taylor (Substitute for Councillor Craghill) and Hayes
Apologies	Councillors Craghill and Orrell

Site	Visited by	Reason
5 Mayfield Grove	Councillors Galvin, Shepherd, Carr, Gillies, Hunter, Cannon and Flinders	As the recommendation was to approve and objections had been received
Land to the rear of 79-85 Stockton Lane	Councillors Galvin, Shepherd, Carr, Gillies, Hunter, Cannon and Flinders	As the recommendation was to approve and objections had been received
31 Princess Road, Strensall	Councillors Galvin, Shepherd, Carr, Gillies, Hunter, Cannon and Flinders	As the recommendation was to approve and objections had been received

1. Declarations of Interest

Members were invited to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial interests or disclosable pecuniary interests that they might have had in the business on the agenda.

Councillor Cullwick declared an interest in items 4c and 4d, given that he was the applicant for item 4c, and that the applications were linked. He withdrew from the meeting before consideration of these items.

Councillor Gillies declared a non-predjudicial personal interest in item 4b, as the applicant was known to him.

2. Minutes

Resolved: That the minutes of the Area Planning Sub Committee meeting held on 4 May 2017 be approved and then signed by the Chair as a correct record.

3. Public Participation

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Sub-Committee.

4. Plans List

4a) 31 Princess Road, York, YO32 5UE (17/00198/FUL)

Members considered a full application by Mr and Mrs B Pepper for a full height rear extension, including insertion of first floor windows and roof lights to side elevations and (recessed) balcony to rear and a single storey rear extension to detached annex (31A Princess Road) and the erection of detached garage with car port.

Officers gave an update, which was attached to the online agenda following the meeting. This included an amended recommendation and amendments to paragraph 4.11, with particular regard to proposed new window openings.

In response to Member questions, Officers clarified that there were five proposed windows on the side facing towards no.29 Princess Road. On the ground floor two were in the extension and two in the existing house. On the first floor the window would be obscure glazed and that was a condition of any consent. They also clarified that the distance between the extension and the neighbouring property was 15 metres. Officers also answered questions on what could be provided as permitted development.

Philip Thorpe, a neighbour, spoke on behalf of local residents in objection to the application. He stated that there were concerns locally regarding the height of the proposal and over massing. He also expressed concern that amenity at his property (no.29) would be seriously affected.

Brian Pepper, the applicant, stated that his wife had medical issues and was registered disabled. They felt the proposed extension would significantly enhance their quality of life. The plot was private, well spaced and the current plan was less than 25% of the existing footprint. He suggested that there would be minimal overshadowing due to the design and stated that the upper rear windows would not be visible from any aspect of the neighbouring property.

Councillor Paul Doughty spoke, as a Ward Member, to express his concern about amenity of residents and overdevelopment.

During debate members expressed that they felt sympathy for the concerns of neighbours, but did not feel that there were strong enough planning reasons to refuse the application. The balcony was recessed and the ground floor windows were/could be screened. The first floor window was obscure glazed and overlooking was further minimised as the properties diverged.

Resolved: That delegated authority be given to Officers to approve the application, following expiry of the consultation period. If any further material planning issues are received which have not been considered in the Officers report, they will be discussed with the Chair and Vice-Chair.

Reason: The revised development is considered acceptable and is considered to preserve the character and appearance of the conservation area. With regards to neighbour amenity the development would not create any significant harm in terms of overbearing impact proximity, light or overlooking, particularly given the generous size of the plots and separation distance. As such the proposal is considered to comply with the NPPF and Policies GP1 (Design), HE3 (Conservation Areas) and H7 (Residential Extensions) of the Development Control Local Plan and City of York Council's Supplementary Planning Document (House Extensions and Alterations).

4b) 5 Mayfield Grove, York, YO24 1HJ (16/00725/FUL)

Members considered a full application by Mr D Evans for the erection of 3no. dwellings with associated access following demolition of existing bungalow (revised scheme).

There was no Officer update for this item, however Officers did remind Members that this application had been deferred by sub-committee in January for the completion of a bat survey.

Mark Stothard, agent for the applicant, stated that comments which had been made during consultation had been taken on board and the scheme revised. The requested bat survey had been completed on 16 May 2017 and no bat activity recorded. He highlighted that there had been no objections to the proposal from either Public Protection or Highways departments. He also expressed the opinion that this was a sustainable development, with good public transport links, using previously developed land.

Councillor Ashley Mason spoke, as Ward Member, to express the concerns of residents and fellow Ward Members about overdevelopment at this site. He stated that this was already a busy street, as main access for the school, and therefore parking was an issue.

During debate Members felt that, whilst this was a tight development in a busy area, this was mitigated by the need for new housing and the fact this was a site which backed onto mainly industrial buildings.

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

Reason: The proposal has been revised to address concerns in respect of character and amenity, residential amenity and highway safety. Further bat survey work has been undertaken that did not find evidence of bats being present at the site. Subject to conditions, whilst considered to be a tight scheme, the development would not result in any demonstrable harm to flood risk, archaeology, biodiversity, visual and residential amenity, highway safety and land contamination.

4c) 1 Lastingham Terrace, York, YO10 4BW (17/01112/FUL)

Members considered a full application by Mr and Mrs Cullwick for a single storey rear extension, roof dormers and part conversion of garage into habitable room (resubmission).

Members were advised that this application had been brought to sub-committee as the applicant was a CYC Councillor.

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

Reason: The proposal is considered to be acceptable, subject to the conditions listed, as it complies with the National Planning Policy Framework (2012), draft local plan policies GP1, HE3 and H7, Section 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act and also advice contained within Supplementary Planning Document (SPD) 'House Extensions and Alterations.' December 2012.

4d) 2 Lavingham Terrace, York, YO10 4BW (17/00961/FUL)

Members considered a full application by Mr and Mrs Allen for a single story rear extension.

Members were advised that the application had been brought to sub-committee as it was linked to the previous application for 1 Lavingham Terrace (17/01112/FUL) (Minute item 59c refers).

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

Reason: The proposal is considered to be acceptable, subject to the conditions listed, as it complies with the National Planning Policy Framework (2012), draft local plan policies GP1, HE3 and H7, Section 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act and also advice contained within Supplementary Planning Document (SPD) 'House Extensions and Alterations.' December 2012.

4e) Land to the Rear of 79 to 85 Stockton Lane, York (16/02923/FUL)

Members considered a full application by Pilcher Homes Ltd for the erection of 9no. dwellings with access from Greenfield Park Drive.

Officers gave an update stating that Plot 9 had been moved a metre closer to no. 52 than on the original plans. This change had not been highlighted on the drawing or detailed in the email setting out key changes to the scheme. Due to this omission Officers were requesting deferral until a later date in order that re-consultation could be carried out.

Resolved: That the application be deferred.

Reason: To allow re-consultation with neighbours on the repositioning of Plot 9.

5. Appeals Performance and Decision Summaries

Members considered a report informing them of the Council's performance in relation to appeals determined by the Planning Inspectorate between 1 January and 31 March 2017, and providing a summary of the salient points from appeals determined in that period. A list of outstanding appeals at date of writing was also included. Officers circulated a further Appeal Summary which had been missed during agenda publication. This was attached to the online agenda following the meeting.

Officers highlighted that CYC's appeals performance was very good and the number of appeals allowed continued to be well below the national average when measured over a 12 month period.

In response to a question relating to North Selby Mine Officers stated that buildings subject to the enforcement notice were being demolished and the appeal was likely to be withdrawn.

Resolved: That Members note the content of the report.

Reason: To inform Members of the current position in relation to planning appeals against the Council's decisions as determined by the Planning Inspectorate.

6. Planning Enforcement Cases - Update

Members considered a report providing them with a continuing quarterly update on planning enforcement cases.

In response to questions from Members Officers stated that:

- CYC would always attempt to negotiate when issues arose. Enforcement Notices would only be issued where there was clear justification.
- If Members felt that enforcement action was not being taken in a timely manner they could contact the Development Manager directly.

It was agreed that details about the monitoring of Section 106 Agreement payments would be circulated to Members of the sub-committee.

Resolved: That Members note the content of the report.

Reason: To update Members on the number of outstanding planning enforcement cases.

Councillor Galvin, Chair

[The meeting started at 4.30 pm and finished at 5.50 pm].