

Notice of a public meeting of

Planning Committee B

To: Councillors B Burton (Chair), Cullwick (Vice-Chair), Baxter, Fenton, Melly, Nelson, Orrell, Vassie and Warters

Date: Thursday, 24 April 2025

Time: 4.30 pm

Venue: West Offices - Station Rise, York YO1 6GA

AGENDA

1. Apologies for Absence

To receive and note apologies for absence.

2. Declarations of Interest

(Pages 7 - 8)

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see the attached sheet for further guidance for Members.]

- 3. Minutes** (Pages 9 - 16)
To approve and sign the minutes of the last Planning Committee B meeting held on 24 March 2025.

- 4. Public Participation**
At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Tuesday, 22 April 2025.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

- 5. Plans List**
This item invites Members to determine the following planning applications:

- a) **13 Bankside Close, Upper Poppleton, York, YO26 6LH [24/00804/FUL]** (Pages 17 - 44)
Erection of 1no. detached dwelling to side. [Rural West York]
- b) **Mitrefinch House, Green Lane Industrial Estate Road, York, YO30 5YY [25/00110/FULM]** (Pages 45 - 62)
Change of use from industrial storage/distribution building (use class B8) to sports and recreation facility including a wellness centre (use class E) with associated external alterations. [Rawcliffe and Clifton Without]

c) Honeysuckle House, Herdsman Road, York (Pages 63 - 74)
[24/02209/GRG3]

Installation of 27no. Air Source Heat Pumps (ASHP). [Dringhouses and Woodthorpe Ward]

6. Planning Appeal Performance and Decisions (Pages 75 - 90)

This report informs Members of planning appeal decisions determined by the Planning Inspectorate between 01 October and 31 December 2024.

7. Urgent Business

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

Democracy Officer:

Jane Meller

Contact details:

- Telephone: (01904) 555209
- Email: jane.meller@york.gov.uk

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

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এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim (Polish)
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (ہولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

Meeting	Planning Committee B
Date	24 March 2025
Present	Councillors B Burton (Chair), Cullwick (Vice-Chair), Baxter, Fenton, Melly, Orrell, Warters and Merrett (Substitute)
Officers Present	Gareth Arnold, Development Manager Jonathan Kenyon, Principal Officer, Development Management Jodi Ingram, Lawyer (Planning)

66. Apologies for Absence (4.32 pm)

Apologies had been received from Cllr Nelson and she was substituted by Cllr Merrett.

67. Declarations of Interest (4.32 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

None were declared.

68. Minutes (4.32 pm)

Resolved: That the minutes of the last two meetings held on 30 January 2025 and 26 February 2025 were approved as a correct record.

69. Public Participation (4.33 pm)

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

70. Plans List (4.33 pm)

Members considered a schedule of reports of the Development Manager, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

**71. 5 Main Street, Heslington, York, YO10 5EA
[24/01377/FULM] (4.33 pm)**

Members considered a major full application by Miranda Lam for the change of use of offices (use class E) to 25no. bed purpose-built student accommodation, erection of a single storey extension to The Hive and associated external works.

The Development Manager gave a presentation on the plans and provided an update to the officer report noting an additional condition as follows:

The first-floor windows on the northwest facing elevation, on the rear wing of no.5 Main Street (to the corridor and bedroom 33 as shown on the approved floor plans) shall be obscure glazed at all times.

Reason: to avoid undue overlooking of neighbouring gardens, in accordance with Local Plan policy D1: Placemaking.

Public speakers

Nicholas Allen spoke in objection to the application on behalf of the Heslington Village Trust. He referred to the Village Design Statement which provided supplementary planning guidance and Neighbourhood Plan, which was yet to be adopted, noting that affordable housing for local residents was considered a priority. He stated that student housing would be detrimental to resident amenity.

In response to Member questions, he stated that the Parish Council withdrew the Neighbourhood plan, and it was being redrafted.

David Blacketer, also spoke in objection to the application, on behalf of Heslington Parish Council. He spoke about the village atmosphere and high street landscape noting it had been unchanged for hundreds of years. He raised concerns about the development not contributing to public benefit and the level of harm it would bring to Main Street. He urged the committee to refuse the application.

Miranda Lam, the applicant, spoke in support of the applicant and explained that they were experienced in providing safe student accommodation, there would be a student management plan in place to manage behaviour and complaints, with two property managers, cleaners and welfare officers. She stated that there was a serious shortfall in university accommodation.

In response to questions from Members, she stated that 18 months marketing of the site was not mandatory but that in addition to the seven

months stated in the officer report, there had been two previous unsuccessful marketing exercises prior to this one. She also confirmed that they ran similar student accommodation in other parts of the country as well as for fifteen years on Hull Road. There had been no management issues in this time.

Officers responded to Member questions and reported that, given the context of a commercial site, the marketing period had been judged to be reasonable; there had been no serious interest in or offers on the site. Officers had no knowledge of prior marketing activity. There was a different policy relating to marketing which covered the loss of a pub. The Neighbourhood Plan had been withdrawn and there was no resubmission date. As the building was vacant there was no requirement for affordable housing or for s106 funding. Officers identified, in terms of applying policy H7, there was a strong need in providing student accommodation for future growth. There were no planning applications coming through from the University.

Following debate, Cllr Cullwick proposed the officer recommendation to approve the application. This was seconded by the Chair and on being put to a vote, Members voted unanimously against the proposal.

Following further debate, Cllr Warter proposed deferral to allow further information to be provided in relation to marketing and regarding the provision of student accommodation on campus in accordance with Student Housing Policy H7 (i). This was seconded by Cllr Orrell. Members voted in favour of the proposal to defer the item, and it was therefore:

Resolved: That the application be deferred.

Reason: To provide the committee with further information relating to the marketing that had been undertaken and the provision of on-site student accommodation in accordance with Student Housing Policy H7(i).

**72. 5 Main Street, Heslington, York, YO10 5EA, [24/01378/LBC]
(4.33 pm)**

Following the deferral of Item 5a, Cllr Cullwick proposed deferral of the associated listed building consent application contained at Item 5b. The Chair seconded this proposal and Members voted unanimously in favour, and it was therefore:

Resolved: That the application be deferred.

Reason: That this application needed to be considered alongside the related major full application.

73. St Oswalds Church of England Primary School, Heslington Lane, York, YO10 4LX [24/01931/FUL] (5.37 pm)

Members considered a full application by Jonathan Ramsey for a single storey side extension, new pedestrian access gates and paving, alterations to hard and soft landscaping, and siting of PV solar array to main roof.

The Development Manager gave a presentation on the plans and subsequently confirmed that there was no update to the Officer report. There were no questions from Members on the plans.

Public Speaker

Claire Sinclair, Vice-Chair of the school governors, spoke in support of the application. She explained changes in need at the school had meant that the current space had been filled and two extra classrooms would be required. She described the school's plans to minimise the traffic impact by introducing a pedestrian entrance and actively encouraging walking to school.

She responded to questions and explained that the new pedestrian entrance was to be used by all pupils. She noted the difficulties in forecasting use of the new entrance and the reduction in walking time. She explained that the Council was responsible for managing the Published Admission Number (PAN) and there were no current plans to increase overall pupil numbers at the school.

During questions to officers, it was reported that, if the Committee were minded, condition 11 could be amended to ensure the retention of cycle parking in perpetuity of the site.

Cllr Warters proposed the officer recommendation to approve, subject to the above amendment to condition 11. This was seconded by Cllr Cullwick. On being put to a vote, Members voted unanimously in favour, and it was

Resolved: That the application be approved, subject to the conditions in the report and the amendment to condition 11 as outlined above.

Reason: The proposed works will respect the general character of the site and area and the impact on the amenity of neighbouring residents and the highway network would be acceptable. It is considered it complies with the City of York Local Plan and national planning guidance, as contained in the National Planning Policy Framework.

74. Site at Junction of Osbaldwick Road and Hull Road, Osbaldwick, York [24/01851/FULM] (5.53 pm)

Members considered a major full application by Mr Strakosias for the erection of 2no. battery storage facilities, with 1no. facility of 40no. battery storage units within the existing Osbaldwick substation area and 1no. facility of 4no. battery storage units on land to the east of the sub-station, with ancillary structures and infrastructure, associated vehicle accesses, including new access track, and enclosed by 3 metre high palisade security fencing, 3.5 metre high acoustic barrier, and with 5.1 metre high lighting and CCTV columns.

The Development Manager gave a presentation on the plans for the battery storage facilities and provided the committee with an update to the officer report noting the consultation response from Osbaldwick Parish Council and the following changes to the conditions:

- Condition 6 was deleted.
- Additional landscaping condition:
The development shall not be used for energy storage purposes until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme for the 7MW battery energy storage system which shall illustrate the number, species, height and position of trees and shrubs. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which die, are removed or become seriously damaged or diseased within the lifespan of the development 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 in the interests of the character and appearance of the area.

The section of the report outlining the special circumstances for building on the greenbelt was identified for Members.

Public Speaker

Louise Leyland, the agent for the applicant, spoke in support of the application. She highlighted the applicant's experience with this type of development and noted the limited impact on the green belt. She reported that the applicant owns all the land and noted that the benefits of providing resilience to the UK grid.

In response to questions from Members she explained that the storage units had not yet been procured and that white was best for keeping units cool. The agent agreed that the landscaping could be implemented earlier and noted that it had already commenced. She reported that the tree belt was not within the applicant's site.

Officers advised that, in relation to the tree belt, a planning condition could not be imposed on a third party and that any undertaking would be a private property matter carrying no weight. The shelter belt was longstanding and there were no grounds for Members to defer the application based on ownership of the tree belt.

Members considered the conditions relating to the colour of the units, the landscaping condition and lighting and during debate they proposed to include a condition relating to the colour (matt dark green) of the units for the small site and request that details be submitted to officers for approval for the additional units on the larger site. They proposed an amendment to the wording of the landscaping for it to start within six months of the commencement of the project rather than the conclusion and finally, they proposed to include a condition on the lighting scheme at the site.

In addition, the Chair agreed to request, on behalf of the committee, an area Tree Preservation Order (TPO) on the shelter belt in question.

The Chair proposed the officer recommendation subject to the update and conditions outlined above and this was seconded by Cllr Melly. On being put to a vote, Members voted unanimously in favour and it was:

Resolved: That the application be approved subject to the update and additional conditions relating to the colour and finish of the containers, the lighting scheme and the amendment to the landscaping condition as outlined above.

Reason: The battery storage facilities will provide electricity directly to National Grid to help balance the UK's energy supply

through harnessing energy and releasing it as required to ensure the frequency of National Grid is maintained at 50Hz. Supporting sustainable renewable energy generation and associated infrastructure is a key principle in planning policy and significant weight has therefore been given to the principle of the development.

The smaller BESS facility is within the Green Belt. While it is concluded that the BESS is inappropriate development in the Green Belt by definition, very special circumstances are considered to apply as there is a demonstrable unmet need for the type of development which needs to be sited in a location where an available connection into the National Grid exists. The development will support renewable energy infrastructure which will contribute to the need to reduce carbon emissions and tackle climate change. This is given significant weight in the planning balance as per paragraph 168 of the NPPF. The considerations set out paragraphs 5.38 to 5.40 clearly outweigh the harm to the Green Belt and other identified harms. Consequently, very special circumstances exist to justify the inappropriate development in the Green Belt.

The visual and landscape impact of the two BESS facilities together is not considered to result in minor harm. There is general compliance with policies D1 and D2 of the CYC Local Plan.

There are no significant impacts on public protection, ecological or archaeological grounds, subject to conditions. As such, the proposals are considered to be in accordance with relevant sections of the NPPF; particularly section 14 on climate change and section 15 on conserving and enhancing the natural environment. It is also found to be in accordance with policies DP2 Sustainable development and CC1 on renewable energy of the City of York Local Plan.

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COMMITTEE REPORT

Date: 24 April 2025 **Ward:** Rural West York
Team: West Area **Parish:** Upper Poppleton Parish Council

Reference: 24/00804/FUL
Application at: 13 Bankside Close Upper Poppleton York YO26 6LH
For: Erection of 1no. detached dwelling to side
By: Mr Frank Rowell
Application Type: Full Application
Target Date: 1 October 2024
Recommendation: Approve

1.0 PROPOSAL

1.1 Permission is sought for the erection of 1no. two storey detached dwelling within the side garden of 13 Bankside Close, Upper Poppleton.

1.2 Bankside Close is a large cul-de-sac which curves to the west. The application site terminates at the head of the cul-de-sac. The street comprises a mix of two storey detached red and buff brick dwellings with detached double garages set within spacious plots. Although the dwellings are not uniform in terms of design, they are fairly typical of 1970s / 1980s development.

AMENDMENTS

1.3 A number of amendments have been submitted to address landscape design, overlooking to rear and parking concerns. Proposals now seek to demolish the existing garages to create an elongated driveway for both the host and new dwelling.

RELEVANT PLANNING HISTORY

1.4 The following is relevant to the current scheme:

- 15/01855/TPO - Fell Horse Chestnut tree protected by Tree Preservation Order No. 1/1970. Approved October 2015. Conditional approval required that either a Horse Chestnut or Beech tree was replanted.
- 23/00412/TPO – Fell Horse Chestnut tree protected by Tree Preservation Order no. 1/1970. Approved April 2023. Conditional approval required that a Pear tree was replanted.

Committee call-in

1.5 The application has been called-in by Cllr. Anne Hook. On the grounds of overdevelopment of the area due to limited land and space, reducing amenity within the area for neighbouring residents. It was also noted that the area is used by parents during school drop-off and collection. The additional traffic arising from the development is considered to be a danger to young children in the area.

2.0 POLICY CONTEXT

2.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

Development Plan

The Development Plan comprises the City of York Local Plan which was adopted in February 2025 and the Upper Poppleton and Nether Poppleton Neighbourhood Plan which was “made” on 19 October 2017.

(a) Local Plan

The Relevant Policies are:

SS1 Delivering Sustainable Growth in York
DP2 Sustainable Development
H3 Balancing the Housing Market
D1 Placemaking
GI2 Biodiversity and Access to Nature
GI4 Trees and Hedgerows
ENV5 Sustainable Drainage
T1 Sustainable Access
CC2 Sustainable Design and Construction of New Development

(b) Upper and Nether Poppleton Neighbourhood Plan

PNP 4 Village Design Statement
PNP 6A Housing Development within Upper Poppleton and Nether Poppleton
PNP 11 Climate Change and Renewable Energy

The National Planning Policy Framework (2024)

The National Planning Policy Framework (NPPF) sets out the Government's overarching planning policies and at its heart is a presumption in favour of sustainable development.

Poppleton Village Design Statement

Poppleton Village Design Statement (VDS) includes a number of design guidelines including: DG1 new development should seek to provide a range of house types in order to maintain the population mix in Poppleton. DG11: The existing character and traditions must be appreciated when contemplating new development, whatever its size or purpose. Whilst imaginative and original design is encouraged one must consider the setting. DG12: To conserve the special character of the traditional communities, the size, scale and massing of new buildings and extensions should harmonise with neighbouring properties and spaces.

3.0 CONSULTATIONS

INTERNAL

Highways Network Management

3.1 Comments provided following amendments: The shared vehicle access is supported. Further details re. cycle storage including access and size of the store is required but can be secured via condition.

Flood Risk Management

3.2 The submitted Site Plan – Re: 1076.P105 dated May 2024 by Fining Associates which showing foul water being connected to the public foul sewer and surface water connection to the public surface water sewer at a restricted rate of 0.5 (nought point five) litres per second, requires amendments but is generally acceptable in principle but we note no infiltration testing has been carried out to discount part 1 (to the ground) of the hierarchy of surface water disposal nor has any surface water drainage calculations or attenuation details provided.

Public Protection

3.3 No objections. Conditions / informatives are required re. unexpected contamination, demolition and construction and electric vehicle recharging.

Design and Conservation (Landscape / Trees)

3.4 The proposed tree planting is within the root protection area (RPA) of T1. It is requested that the position of the tree is outside of this that way they are not digging in the RPA and the tree will not be suppressed due to proximity to T1. The incursion

of the paved terrace into the RPA of T1 is only minor and is therefore deemed acceptable subject to them providing details of how they will minimise impact within the arboricultural method statement subject to condition.

Design and Conservation (Ecology)

3.5 Initial review of the submitted information requires further information to be provided. Amended details provided are acceptable, however officers would like confirmation of where the offsite BNG units would come from. Conditions suggested.

EXTERNAL

Yorkshire Water

3.5 No objections.

Ainsty Internal Drainage Board

3.6 The Board has assets in the wider area in the form of Poppleton Crescent Dyke. This watercourse is known to be subject to high flows during storm events. The applicant is proposing to discharge into the mains surface water sewer. This appears to discharge into the Board maintained watercourse known as Poppleton Crescent Dyke and accordingly, approval will be required from the Board in terms of the amount of water to be discharged. This is in addition to any consent required from Yorkshire Water.

Upper Poppleton Parish Council

3.7 The Parish Council objects to the planning application as it considers it to be an overdevelopment of the plot and contrary to the Poppleton Village Design Statement. The Parish Council agrees with the significant number of objections by the neighbours.

4.0 REPRESENTATIONS

Neighbour Notification and Publicity

4.1 The application was advertised by neighbour notification letter and site notice. 20 responses from 13 residents/properties have been received. The following issues have been raised:

- proposals adversely affect the character and amenity of the Bankside Close
- size of plot and proposed dwelling out of keeping with existing street scene of larger properties

- Poppleton Village Design Statement requires the protection of soft landscaping. The proposed dwelling appears cramped and will result in a loss of landscaping.
- adverse impact on root system of Sycamore to rear of site
- loss of trees on the site over the years
- detrimental impact on parking, which is already an issue in the close
- potential impacts on highway safety due to increase traffic/parked cars
- very limited on street parking, development does not appear to provide adequate parking for cars
- access for deliveries and emergency vehicles could be compromised
- previous planning application for similar scheme was rejected 15 years ago
- site plan inaccurate, show incorrect house opposite and tree is much closer than shown.
- loss of privacy
- impact on outlook of 3 and 5 Bankside Close

5.0 APPRAISAL

KEY ISSUES:-

- Principle of development
- Design and appearance
- Amenity
- Highway issues
- Drainage
- Trees
- Biodiversity Net Gain
- Sustainable Design and Construction

PRINCIPLE OF DEVELOPMENT

5.1 The Local Plan seeks to positively meet the housing development needs of the city by providing both sufficient numbers of housing and also the right type and mix. This aim aligns with the Government's objective of significantly boosting the supply of homes. Local Plan policy SS1 (Delivering Sustainable Growth for York) requires the efficient use of land in sustainable locations with a priority on developing previously developed land. The Poppleton Neighbourhood Plan policy PNP 6A supports the use of existing domestic curtilages for residential development with PNP 11(c) stating that decisions should apply a presumption in favour of sustainable development by approving applications that accord with up to date development plans.

5.2 Proposals seek to develop the side garden of 13 Bankside Close which lies within an established residential area within the village of Upper Poppleton in a sustainable location close to local shops/amenities and with public transport links

into the centre of York. Proposals seeks consent for a detached two storey, 3 bedroom dwelling. The Local Housing Needs Assessment (July 2022) demonstrates that there is a larger need for 2-3 bedroom dwellings in the York area and as such the proposal would help to boost the supply of homes and meet an identified need. Given the above, and the consistency with Development Plan policies SS1 and PNP 6A, the general principle of residential development in this location is considered to be acceptable.

DESIGN AND APPEARANCE

5.3 Neighbourhood Plan Policy PNP 4 states that development proposals will be supported where they bring forward high quality design appropriate to their character and appearance. All new developments within the settlement limits of the villages should respect the Design Guidelines in the Poppleton Village Design Statement (PVDS), specifically DG. Neighbourhood Plan Policy PNP6A supports housing development within domestic curtilages providing it respects the character of surrounding development and provides appropriate garden and amenity space. Local Plan Policy D1 states that development proposals which fail to make a positive design contribution to the city, and/or cause damage to the character and quality of an area will be refused.

5.4 The proposed dwelling would sit relatively centrally between no. 11 and no. 13 Bankside Close. The dwelling would be constructed from red brick and concrete roof tiles and would have a similar palette of materials to the majority of housing within this part of Bankside Close. Given the modest scale of the plot, the dwelling would have a narrower frontage than its immediate neighbours, however it would be sited opposite no. 34 Bankside Close, itself being of more modest proportions. The more modest appearance, whilst not typical of the street would harmonise with the surrounding 1970-1990s development and reflects the existing variance within the street.

5.5 A number of neighbour objections have raised the issue of overdevelopment of the plot. The agent has confirmed that the amenity space distribution amounts to 96% of the gross internal area of the new dwelling. This establishes that the site can accommodate a detached three storey dwelling, almost an equal amount of amenity space and parking. The submitted street elevation also demonstrates that the development would retain an element of separation from the neighbouring dwelling thereby appearing in keeping within its setting. By virtue of the design and scale of development and the larger than average side garden plot, the new dwelling would not constitute, or appear as overdevelopment. Additionally, the garden areas, although smaller than those belonging to surrounding housing, are proportionate to the scale of the proposed development. Proposals therefore comply with Neighbourhood Plan Policy PNP 6A and Local Plan policy D1 and PVDS design guideline no. 12 (development should harmonise with scale of neighbouring development).

5.6 In terms of landscaping it is acknowledged that the host dwelling benefits from a larger side garden than other houses in the street. PVDS design guideline 17 states that space should be maintained around dwellings to avoid a loss of soft landscaping. Whilst it is acknowledged that the new dwelling would develop the side garden and reduce the amount of existing soft landscaping, the development would maintain a modest landscaped frontage. The side garden is set back from the road, following the turning head, and is largely enclosed by fencing rather than appearing as a continuation of the front gardens either side of it. The location of development, in an area which already differs from the rest of the street frontage, would not appear significantly out of keeping with the prevailing street scene.

5.7 Local Plan Policy GI4 seeks to protect trees and hedgerows and recognises their biodiversity value, the contribution they can make to the quality of a development, and their importance within a landscape context. Proposals for development will be supported where they retain trees and hedgerows that make a positive contribution to the general amenity of an area. The development of the side garden and subsequent reduction in landscaping would not, in this instance, have a significant adverse impact on the appearance of the streetscene. No trees or hedgerow would be removed. The scheme proposes some replacement planting including a new tree to the rear garden of the new dwelling. In addition, some landscaping to the front of the host dwelling would be retained. The resulting impact on biodiversity is discussed below.

5.8 Overall, the scheme would support the government's aim of boosting local housing in sustainable locations and whilst it would be of more modest scale than the existing housing, the variety within the street is such that that scheme would not appear overly incongruous in this location. As such the scheme is compliant with the Poppleton Neighbourhood Plan Policy PNP 6A and Local Plan policy D1 with regard to design and visual appearance and PVDS guidelines 12 and 17. It is also compliant with the aims and objectives of the NPPF.

HIGHWAY ISSUES

5.9 Local Plan Policy T1 requires development proposals to demonstrate safe and appropriate access to the adjacent highway, ensure priority is given to pedestrians and cyclists and provide adequate storage provision for bicycles. PNP6A supports the provision of a single dwelling within the curtilage of a domestic property where appropriate levels of parking and vehicular access are provided. Local Transport Note: Cycle Infrastructure Design LTN 1/20 provides guidance in this respect and suggests that new development should include the provision of 1no. bicycle space per bedroom. Paragraph 116 of the NPPF states development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.10 The host dwelling currently benefits from a detached double garage and drive set back from the front dwelling elevation, which accommodates at least 3no. cars. The site is positioned at the head of the cul-de-sac and close to a footpath which leads from Bankside Close to Dikelands Lane, which is used as a pedestrian cut-through to Poppleton Ousebank Primary School on Main Street. It is understood that the occupants of the host dwelling often park centrally within the drive, given the restrictions created by the side wall of the host dwelling. It is acknowledged that there would not be adequate width for two lines of cars (for separate dwellings) to park side by side given the constraint of the side wall belonging to the host dwelling.

5.11 A significant number of objections have been received from local residents who do not consider that the proposed parking arrangements utilising the existing drive for the host and new dwelling are sufficient given the number of vehicles currently owned by the applicant. In addition, due to the initially proposed off-street parking proposed, the development would likely result in on-street parking which, according to neighbour objections, already causes obstructions within the street.

5.12 Amendments have been submitted to address the concerns raised, in terms of the width of the drive and number of off-street car parking spaces. The amendments remove the existing double garage in favour of an extended driveway (further into the rear garden) which comfortably accommodates 2no. cars per drive/dwelling.

5.13 The existing garage has been replaced with a small timber store (1no. per dwelling) for bicycle storage. Neighbour objections to this final amendment have been received stating that the changes do not address the concerns raised, however the removal of the garage would elongate the drive allowing up to 3no. cars on the host drive and 2no. cars for the new dwelling.

5.14 The site plan has also been amended to provide indicative bin and cycle storage for each property. The stores show bicycle storage provision for 2no. bicycles per dwelling. These are not large enough to accommodate the recommended storage of 1 bicycle per bedroom, however there is space to provide a larger store. The proposed access is deemed appropriate and full details of bin and bicycle storage can be secured via condition. The revised proposals therefore align with Local Plan policy T1 and LTN 1/20.

RESIDENTIAL AMENITY

5.15 Local Plan Policy D1 states that development proposals should ensure design considers residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing. Neighbourhood Plan Policy PNP6A also seeks to safeguard the amenities of existing residential properties. The

NPPF states that developments should create places with a high standard of amenity for all existing and future users.

5.16 The new dwelling would be located within the grounds of an existing residential property with the first floor windows being approximately 9m from the rear boundary and approximately 30m from 5 Bankside Close to the rear of the site. Both distances are deemed to be acceptable in a suburban village location. In terms of separation distance, the relationship of the new dwelling is similar to that of the host dwelling and no. 3 Bankside Close. Additionally, the existing screening to the rear boundary (trees) would help to ensure that there would be no significant adverse impact in terms of overlooking.

5.17 In terms of impact on no. 11 Bankside Close to the west, the new dwelling would be located alongside the shared boundary, projecting approximately 7.8m beyond the rear elevation of no. 11, adjacent to the boundary hedge belonging to no. 11. The new dwelling would be located 4m from the side elevation of no. 11. No. 11 is a large detached property, situated centrally within a wide and spacious plot. The lounge of no. 11 is located to the right hand side of the dwelling, adjacent to the new development. Six windows serve this ground floor living area (2no. windows to front, 2no. to the side and 2no. to the rear). The main bedroom is located above the lounge, with windows overlooking the rear garden. By virtue of the distance to the side boundary and the width of the plot belonging to no. 11, the location of the new dwelling would not have a significant impact on outlook from the rear facing windows. It is acknowledged however that the rear projection combined with the two storey height of the new dwelling would cause some overshadowing during the early to mid-morning – the only time that the rear facing (and one side) windows would receive direct sunlight due to the orientation of the building. However, as the lounge is served by six windows, there would not be a significant loss of light to the room overall, and for the majority of the day, the rear part of the lounge would largely be unaffected by the development in terms of overshadowing. Similarly the rear facing bedroom would also not be significantly compromised due to loss of light.

5.18 The new dwelling would be highly visible from the rear garden of no. 11, being sited along a significant portion of the eastern side boundary. No. 11 has two main seating areas – one to the rear of the dwelling positioned to the side of the detached garage, and one to the western (side) elevation of the property away from the proposed dwelling. It is acknowledged that the proposals would bring development much closer to this neighbouring dwelling than exists at present, and that the street is generally characterised by spacious development, however the width of the plot of no. 11, combined with the orientation of the dwelling and location of seating areas would ensure that the new dwelling would not appear so dominant or have such a significant impact on amenity that would justify a refusal of planning permission.

5.19 The new dwelling would provide a good level of accommodation for future occupants, with adequate outdoor amenity space provided for both the new and existing dwelling. Overall proposals would comply with the requirements of Local Plan Policy D1 and Neighbourhood Plan Policy PNP 6A.

DRAINAGE

5.20 Policy ENV5 of the Local Plan (2018) states Sustainable Drainage System (SuDS) methods of source control and water quality improvement should be utilised for all new development, to minimise the risk of pollution and to attenuate flood volumes. The type of SuDS used should be appropriate to the site in question and should ensure that there is no pollution of the water environment including both ground and surface waters. Existing land drainage systems should not suffer any detriment as a result of development.

5.21 Foul drainage is proposed to connect to the mains sewer as per the existing arrangement and surface water drainage is proposed to be drained via soakaway. The drive would be constructed from permeable materials. Revised details confirming the location of the soakaway is agreed, however soakaway testing has yet to be demonstrated within the site. Revised proposals are generally in accordance with policy ENV5 of the Local Plan (2018) and details can be secured via condition.

TREES

5.22 Local Plan Policy GI4 recognises the value of the existing tree cover and hedgerows and supports development that provides protection for overall tree cover as well as for existing trees worthy of retention. In addition it also supports proposals that do not create conflict between existing trees in or adjacent to a site and new buildings and those which supplements the city's tree stock with new tree planting where an integrated landscape scheme is required.

5.23 Development would be located in close proximity to a mature Sycamore tree (T1) protected by a Tree Preservation Order within the garden of no. 5 Bankside Close, to the rear of the application site. The Massing and Landscape Plan has been updated to include the root protection area (RPA) of T1 in relation to the proposed development. Proposals would be located outside of the RPA, with only minimal incursion in terms of the corner of the rear patio. Officers are content that there would be no detrimental impact to T1 in terms of the location of the new dwelling. The Landscape plan also shows the position of a new pear tree to the north east corner of the site, outside of the RPA of T1. This was secured in relation to conditional approval of 23/00412/TPO which required the replanting of a pear tree following the removal of a horse chestnut tree. Officers are content that the position of the pear tree would not compromise the health of the T1 tree and would remain

outside of the RPA therefore also ensuring the long term health of this new replacement tree. Proposals are compliant with the aims of Local Plan Policy GI4.

BIODIVERSITY NET GAIN

5.24 Local Plan Policy GI2 requires development proposals to protect existing habitats, contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Recent changes to legislation (Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)) include the statutory need for development to provide a biodiversity net gain (BNG) showing a 10% improvement for small sites.

5.25 The BNG small sites metric and Preliminary Ecology Reports (PEA) have been updated to provide up to date and accurate on-site data. The PEA concludes that the proposals would impact over 25m² of vegetated habitat and as such is required to provide the statutory 10% biodiversity net gain. The PEA confirms that this would be through the purchase of off-site units which can be secured via condition. In terms of onsite enhancements, the PEA recommends the installation of bat and bird boxes which would satisfy the requirements Local Plan policy GI2.

SUSTAINABLE DESIGN AND CONSTRUCTION

5.26 PNP11 of the Neighbourhood Plan states that new developments that exceed the Building Regulations with regard to energy conservation and use of renewable energy technology will be particularly supported. The policy goes on to encourage rainwater harvesting, greywater recycling, porous paving, solar photovoltaics and high standards of insulation. Local Plan Policy CC2 states that developments should achieve high standards of sustainable design and construction by demonstrating energy and carbon dioxide savings in accordance with the energy hierarchy, water efficiency and consideration of good practice adaptation principles for climate resilience. All new residential development of 1 or more dwellings should achieve on-site carbon emissions reduction of a minimum of 31% over and above the requirements of Building Regulations Part L (2013), of which at least 19% should come from energy efficiency measures, and a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations). The above efficiencies can be secured via condition.

6.0 CONCLUSION

6.1 The proposals would support the Government's aim of increasing housing supply in a sustainable location. The design and scale of the dwelling is considered appropriate within the context of the wider street scene, and would not result in an unacceptable impact on residential amenity or highway safety. The scheme, as amended, thereby complies with Local Plan policies D1, H3, GI2, GI4, T1, CC2 and ENV5, Poppleton Neighbourhood Plan Policy PNP 6A and the wider aims of the

National Planning Policy Framework. It is also in compliance with the Poppleton Neighbourhood Plan with Plan Policy 11(c) stating that decisions should apply a presumption in favour of sustainable development by approving applications that accord with up to date development plans.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Site Plan - Drg. No: 1076.P105C

Elevations 1 of 2 - Drg. No: 1076.P120C

Elevations 2 of 2 - Drg. No: 1076.P121C

Ground Floor Plan - Drg. No: 1076.P110C

First Floor Plan-Drg. No: 1076.P111C

Roof Plan - Drg. No: 1076.P112C

Arboricultural Impact Assessment Plan - Drg. No: 21119 AIA01 A

Tree Constraints Pln - Drg. No: 21119 TC01 A

Massing and Landscape Plan - Drg. No: 1076.P106B

Existing and Proposed Habitats Plan - Drg. No: 1076.P107

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

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the development. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices sample materials should be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

5 The dwelling hereby permitted shall achieve a reduction in carbon emissions of at least 31% compared to the target emission rate as required under Part L of the Building Regulations 2013 and a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

Should the dwelling not achieve a reduction in carbon emissions of 75%, compared to the target emission rate as required under Part L of the Building Regulations 2013, prior to construction a statement to demonstrate that such reductions would not be feasible or viable shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To fulfil the environmental objectives of the NPPF and support the transition to a low carbon future, and in accordance with policy CC2 of the Draft Local Plan 2018.

6 The approved landscape scheme for soft works (insert reference) shall be implemented within a period of six months of the practical completion of the development. If the tree dies, is removed or becomes seriously damaged or diseased, it shall be replaced in the next planting season with a tree of the same size and species, unless the Local Planning Authority agrees alternatives in writing.

Reason: The landscape scheme is integral to the amenity of the development.

7 Before the commencement of development, an Arboricultural Method Statement (AMS) regarding protection measures for T1 shall be submitted to and approved in writing by the local planning authority. Amongst the detail within the AMS, the statement shall include details and locations of protective fencing (in accordance with BS5837), site rules and prohibitions and locations for stored materials. The document shall also include methodologies specifically for the protection of tree roots when working in the root protection area of T1. A copy of the document shall be always available for reference and inspection on site. The development shall be implemented in accordance with the approved details.

Reason: To ensure the protection of Tree T1 during the construction / development phase.

8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite

receptors.

9 Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and shall thereafter be carried out in accordance with these approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

10 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), development of the type described in Classes AA, A, B, C, D and E of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the amenities of the adjoining residents the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2015.

11 Prior to the practical completion of the approved development details of cycle parking areas including means of enclosure to provide 1 cycle space per bedroom for the new dwelling and number 13 Bankside Close shall be submitted to and approved in writing by the Local Planning Authority. The new dwelling shall not be occupied until the cycle parking areas and means of enclosure have been provided in accordance with the approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

12 The new dwelling shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

8.0 INFORMATIVES:

Notes to Applicant

1. INFORMATIVE: BIODIVERSITY NET GAIN (BNG)

The statutory framework for Biodiversity Net Gain (BNG) set by paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 requires a Biodiversity Gain Plan to be submitted and approved prior to the commencement of development. The development cannot be lawfully commenced until this condition is satisfied.

Development may not begin unless:

- (a) A Biodiversity Gain Plan has been submitted to the planning authority; and
- (b) The planning authority has approved the plan

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, which is required in respect of this permission, is the City of York Council.

SUBMISSION REQUIREMENTS:

Under paragraph 14(2) of Schedule 7A, a Biodiversity Gain Plan must include the following:

- a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
- b) The pre- and post-development biodiversity value of the onsite habitat,
- c) Any registered off-site biodiversity gain allocated to the development, and
- d) Any biodiversity credits purchased to off-set the development and whether or not from a registered provider.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- Name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- A description of the development and planning permission reference number (to which the plan relates);
- The relevant date, for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- The completed biodiversity metric calculation tool(s), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the relevant date, and post-development biodiversity value;
- A description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- (Except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in

that hierarchy are not followed and the reason for that;

- Pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the relevant date, and drawn to an identified scale and showing the direction of North;
- A description of any irreplaceable habitat on the land to which the plan relates which exist on the relevant date, and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and

If habitat degradation has taken place:

- A statement to this effect;
- The date immediately before the degradation activity;
- The completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
- Any available supporting evidence for the value.

There is a standard Biodiversity Gain Plan template available to complete which brings together many of these matters into one document.

https://assets.publishing.service.gov.uk/media/65df0c4ecf7eb16adff57f15/Biodiversity_gain_plan.pdf

Failure to submit a Biodiversity Gain Plan prior to the commencement of development will lead to formal enforcement action being considered, which could be in the form of a Temporary Stop Notice (that will require all development on site to stop, for a period of 56 days).

2. INFORMATIVE:

The developer's attention is 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 adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00

Saturday 09.00 to 13.00

Not at all on Sundays and Bank Holidays.

(b) 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".

(c) 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.

(d) 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.

(e) 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.

(f) There shall be no bonfires on the site

3. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 39) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Officers requested amendments to the parking arrangements, rear window treatment and additional information with regards to impacts on neighbour amenity and landscaping and biodiversity net gain.

Contact details:

Case Officer: Elizabeth Potter

Tel No: 01904 551477

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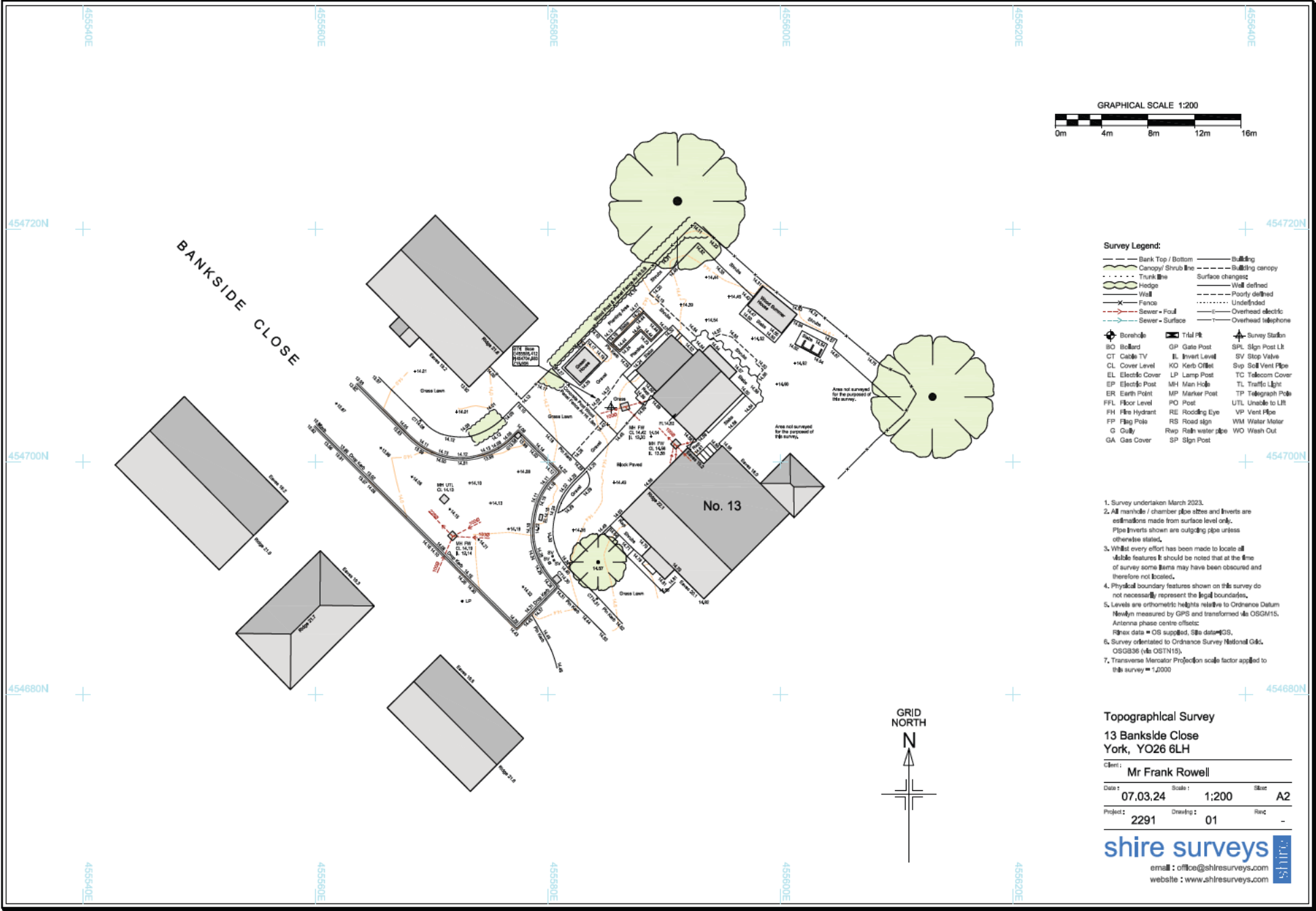


Planning Committee B

24/00804/FUL

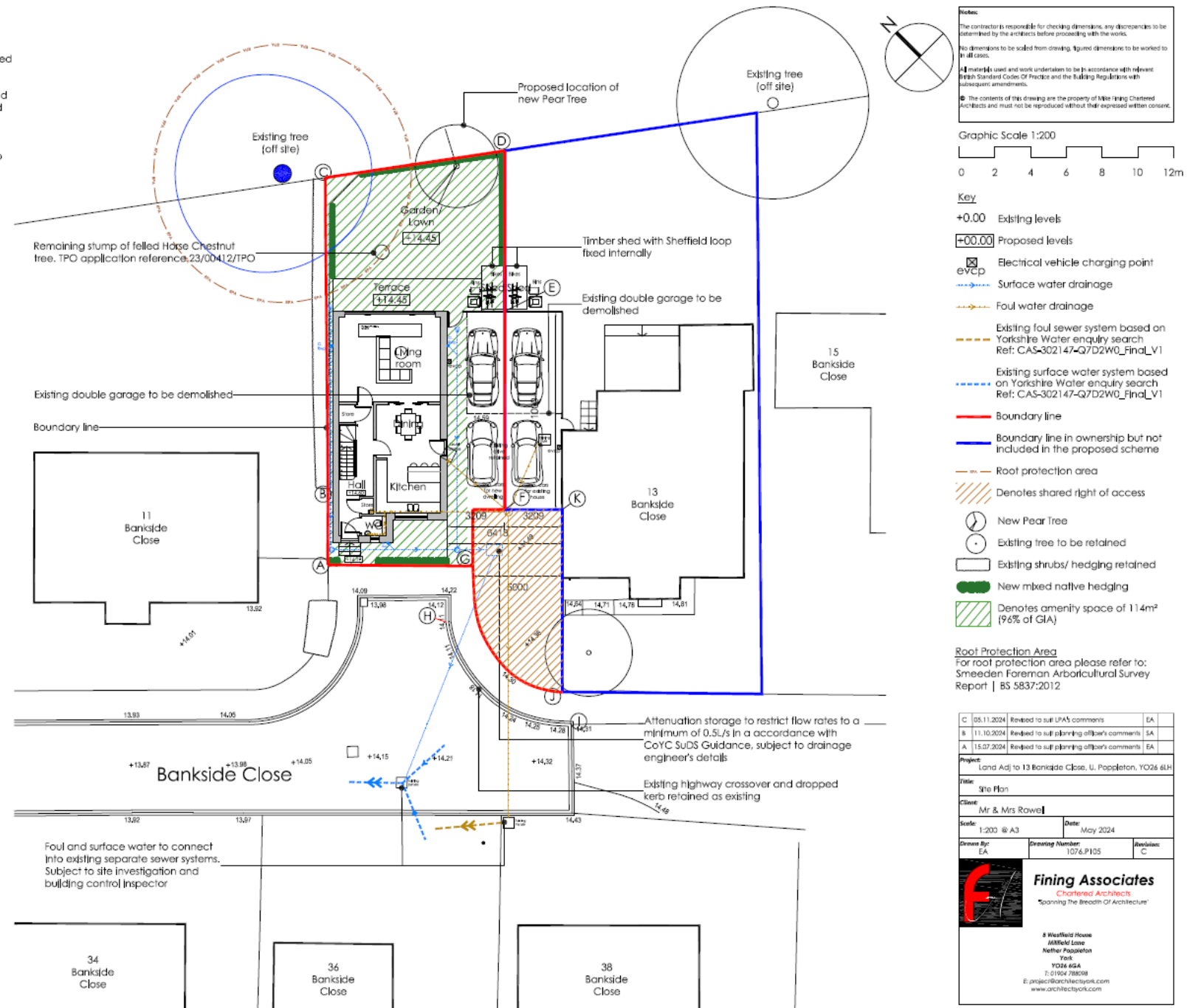
13 Bankside Close Upper Poppleton

Existing Site Plan

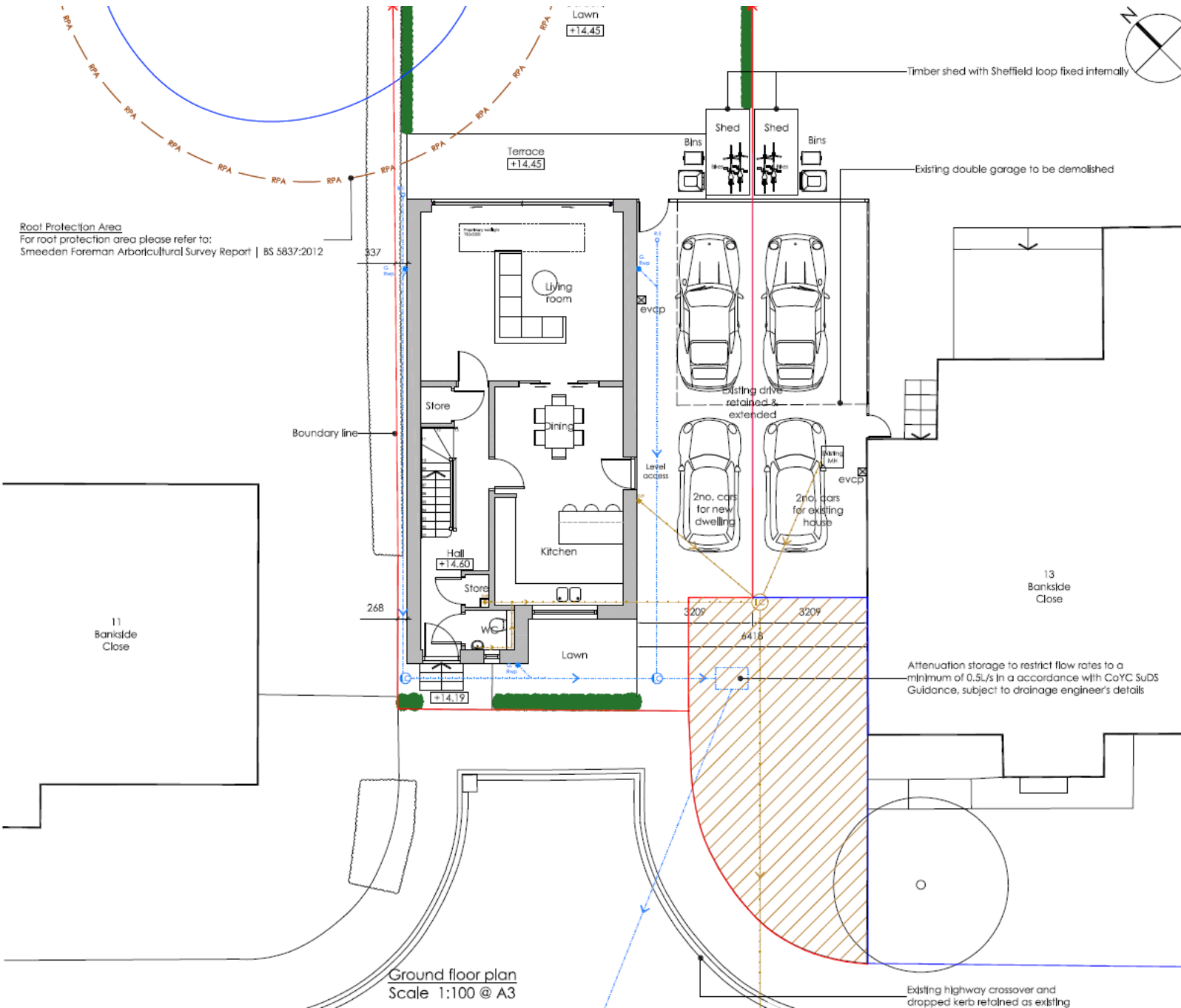


Boundary

- ☒ A-B Existing timber fence retained as existing
- ☒ B-C Existing timber fence and hedging retained as existing
- ☒ C-D Existing timber fencing to be retained, and new mixed native hedging to be planted within the site
- ☒ D-E New 1.8m high close boarded timber fence, and new mixed native hedging to be planted within the site
- ☒ E-F No physical boundary
- ☒ F-G No physical boundary
- ☒ G-A New 0.6m high mixed native hedging
- ☒ H-I Existing highway crossover and dropped kerb retained as existing
- ☒ I-K Boundaries remain as existing
- ☒ K-F No physical boundary

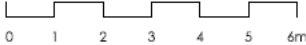


Ground Floor Plans



The contractor is responsible for checking dimensions, any discrepancies to be determined by the architect before proceeding with the works.
No dimensions to be scaled from drawing, figured dimensions to be worked to in all cases.
All materials used and work undertaken to be in accordance with relevant British Standard Codes of Practice and the Building Regulations with subsequent amendments.
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Graphic Scale 1:100



Schedule of areas (gla)

	m2 (gla)	ft2 (gla)
Ground floor	66.16	712.14
First floor	52.24	562.31
Total gla floor area	118.40	1274.45
Shed (only)	2.88	31.00
Site area	217.26	2338.56

D	08.04.2025	Dimensions to boundary added	EA
C	05.11.2024	Revised to suit LPA's comments	EA
B	11.10.2024	Revised to suit planning officer's comments	SA
A	15.07.2024	Revised to suit planning officer's comments	EA

Project:
Land Adj to 13 Bankside Close, U. Poppleton, YO26 6LH

Title:
Ground Floor Plan

Client:
Mr & Mrs Rowell

Scale:
1:100 @ A3

Date:
May 2024

Drawn By:
EA

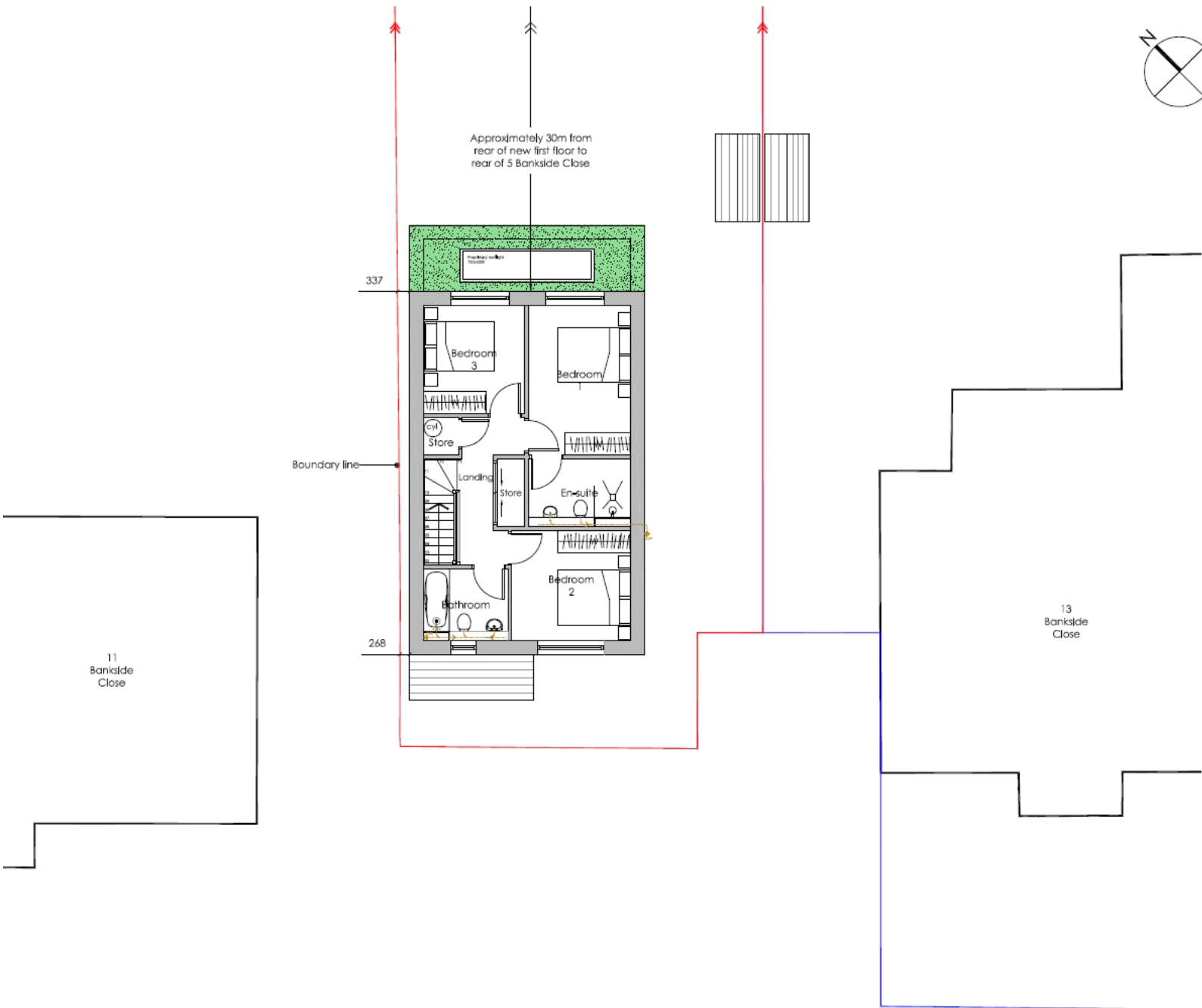
Drawing Number:
1076.P110

Revision:
D

Fining Associates
Chartered Architects
"Spanning the Broom of Architecture"

8 Westfield House
Millfield Lane
Ketter Poppleton
York
YO26 6GA
T: 01904 788098
E: project@architectsyork.com
www.architectsyork.com

First Floor Plans



Notes:

The contractor is responsible for checking dimensions, any discrepancies to be determined by the architect before proceeding with the works.

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0 1 2 3 4 5 6m

Schedule of areas (gla)

	m2 (gla)	ft2 (gla)
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A	15.07.2024	Revised to suit planning officer's comments	EA

Project:
Land Adj to 13 Bankside Close, U. Poppleton, YO26 6LH

Title:
First Floor Plan

Client:
Mr & Mrs Rowe

Scale:
1:100 @ A3

Date:
May 2024

Drawn By:
EA

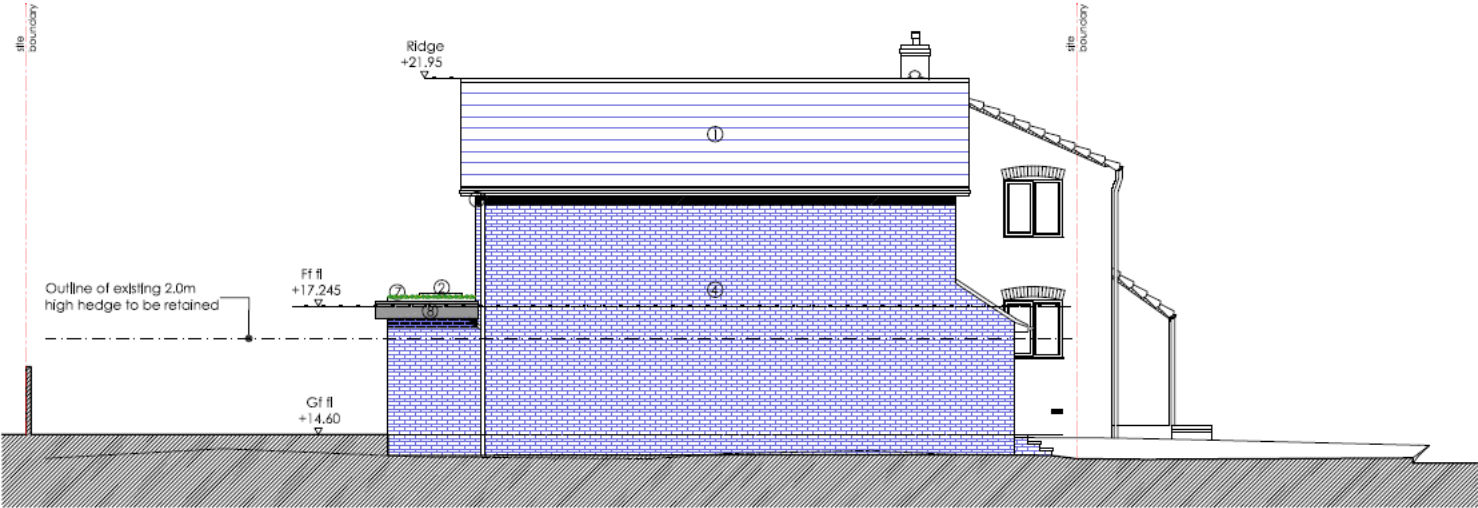
Drawing Number:
1076.P111

Revision:
C

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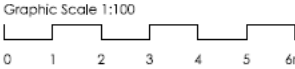
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Aldfield Lane
Aldfield Poppleton
York
YO26 6GA
T: 01904 786098
E: project@architectsyork.com
www.architectsyork.com

Proposed front and
NW side elevations

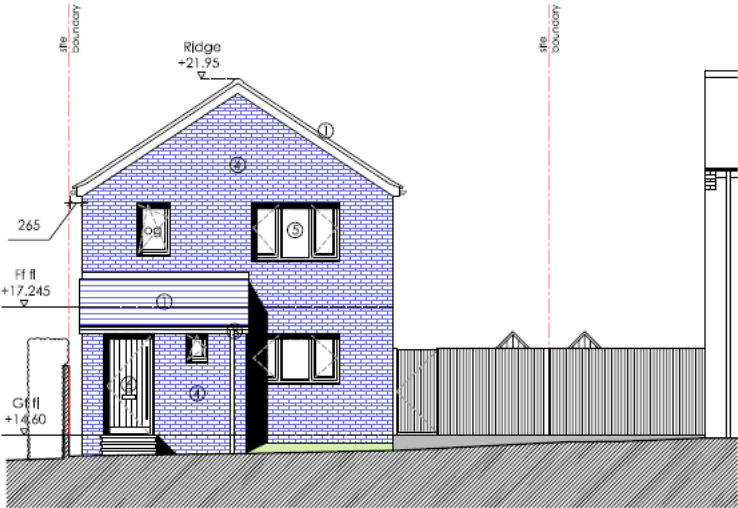


North west elevation (side)
Scale 1:100 @ A3


Notes:
The contractor is responsible for checking dimensions, any discrepancies to be determined by the architect before proceeding with the works.
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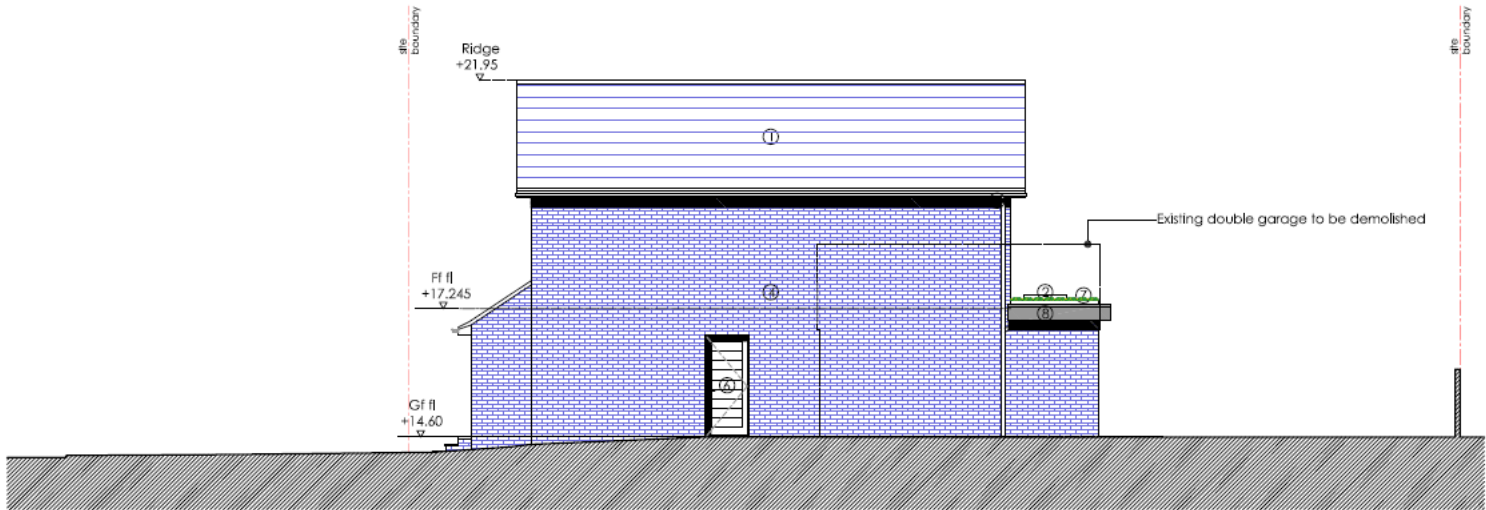
- Material schedule**
- ① Concrete roof tile
 - ② Proprietary rooflight
 - ③ Black UPVC rwp's and gutters
 - ④ Red brickwork
 - ⑤ uPVC windows and doors
 - ⑥ Composite high security external door
 - ⑦ Green roof system
 - ⑧ Concealed dark gray powder coated aluminium gutter system
 - og Obscured glazing



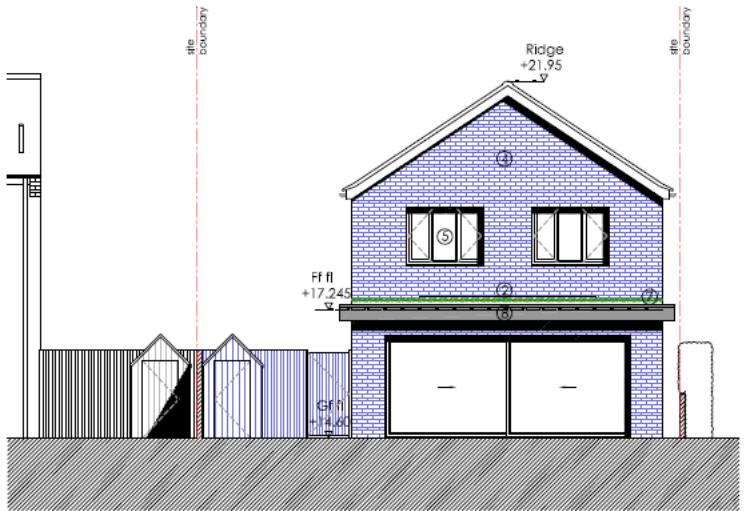
North west elevation (side)
Scale 1:100 @ A3

C	08.04.2025	Roof overhang reduced to 265mm total	EA
B	11.10.2024	Revised to suit planning officer's comments	SA
A	15.07.2024	Revised to suit planning officer's comments	EA
Project: Land Adj to 13 Bonicade Close, U. Pappleton, YO26 6LH			
Title: Elevations Sheet 1 of 2			
Client: Mr & Mrs Rowell			
Scale: 1:100 @ A3		Date: May 2024	
Drawn By: EA	Drawing Number: 1076.P120		Revision: C
			
<div>Finning Associates <i>Chartered Architects</i> "Spanning the Breadth of Architecture"</div>			
<div>8 Westfield House Mirkfield Lane Nether Poppleton York YO26 6SA T: 01904 788508 E: project@architectsyork.com www.architectsyork.com</div>			

Proposed rear and
SE side elevation

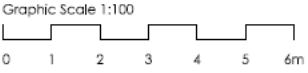


South east elevation (side)
Scale 1:100 @ A3



North east elevation (rear)
Scale 1:100 @ A3

Notes:
The contractor is responsible for checking dimensions, any discrepancies to be determined by the architect before proceeding with the works.
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Material schedule

- ① Concrete roof tile
- ② Proprietary rooflight
- ③ Black UPVC rws and gutters
- ④ Red brickwork
- ⑤ uPVC windows and doors
- ⑥ Composite high security external door
- ⑦ Green roof system
- ⑧ Concealed dark gray powder coated aluminium gutter system
- og Obscured glazing

C	08.04.2023	Roof overhang reduced to 285mm total	EA
B	11.10.2024	Revised to suit planning officer's comments	SA
A	15.07.2024	Revised to suit planning officer's comments	EA


Project: Land Adj to 13 Bonkade Close, U. Poppleton, YO26 6LH

Title: Elevations Sheet 2 of 2

Client: Mr & Mrs Rowel

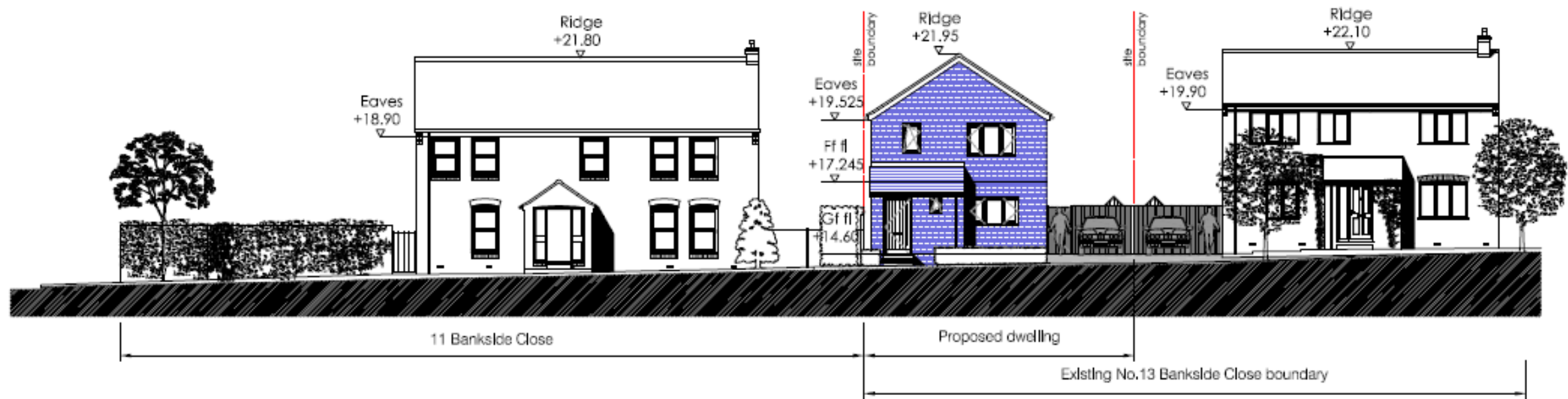
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Drawn By: EA **Drawing Number:** 1076.P121 **Revision:** C

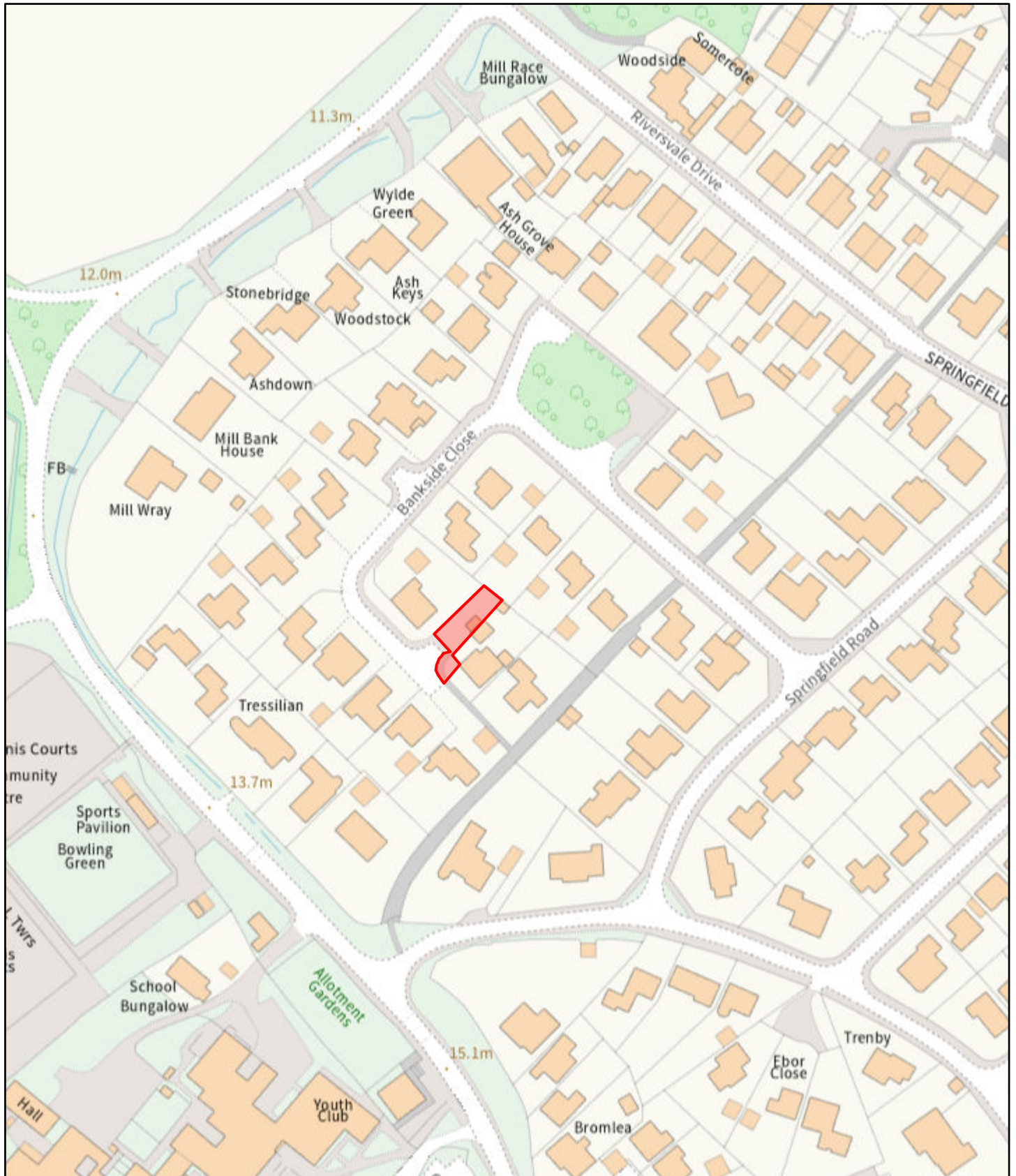


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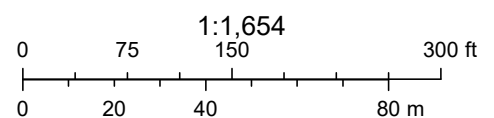
8 Westfield House
Mickle Lane
Kether Poppleton
York
YO26 6GA
T: 01904 788508
E: project@architectsyork.com
www.architectsyork.com



Street scene elevation - Bankside Close
Scale 1:200 @ A3



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COMMITTEE REPORT

Date: 24 April 2025 **Ward:** Rawcliffe And Clifton Without

Team: West Area **Parish:** Clifton Without Parish Council

Reference: 25/00110/FULM

Application at: Mitrefinch House Green Lane Industrial Estate Road York YO30 5YY

For: Change of use from industrial storage/distribution building (use class B8) to sports and recreation facility including a wellness centre (use class E) with associated external alterations

By: Mr Ben Warn

Application Type: Major Full Application

Target Date: 28 April 2025

Recommendation: Approve

1.0 PROPOSAL

1.1 Mitrefinch House, Green Lane Clifton comprises a 1,889sqm warehouse unit (Use Class B8) with ancillary offices which are presently vacant situated within the Green Lane Industrial Estate, Clifton. Planning permission is sought for change of use to a sports and recreation facility including a wellness centre with associated external alterations comprising provision of additional emergency exits.

Relevant Planning History:

1.2 13/01271/FUL Partial Change of Use (Use Class B1) to Cross Fit Gym – Refused 02/07/2013

2.0 POLICY CONTEXT

2.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

Development Plan

The City of York Local Plan (2018) Adopted February 2025

The below policies are considered most relevant to this application and carry full weight:

HW3 – Built Sports Facilities

D1 – Place Making

ENV2 – Managing Environmental Quality

T1 – Sustainable Access

CC2 – Sustainable Design and Construction of New Development

3.0 CONSULTATIONS

INTERNAL

Public Protection

3.1 Raise no objection in principle but raise concerns in respect of the potential of impact from noise from plant on residential amenity together with noise from construction operations. Any permission should be conditioned to require submission and prior approval of details of audible plant, details of odour mitigation in respect of the proposed cafe use and a Construction Environmental Management Plan (CEMP). Any permission should also seek detail of an electric vehicle charging strategy and remediation of contaminated land.

Highway Network Management

3.2 No comment received.

Strategic Planning Policy

3.3 Policy EC2 ‘Loss of employment land’ is not considered relevant as the proposal is to change from one employment use to another. Policy HW3 ‘Built sports facilities’ should be considered in relation to the scheme. Part C of policy CC2 requires that proposals for non-residential changes of use achieve BREEAM Non-Domestic and Fit-out “excellent” as a minimum.

Economic Development

3.4 Support the increase in employment resulting from the proposal.

EXTERNAL

Clifton (Without) Parish Council

3.5 Support the proposal but would like to see provision of covered cycle parking and the provision of a landscaped boundary to the adjacent highway.

4.0 REPRESENTATIONS

4.1 Two letters of support have been received.

5.0 APPRAISAL

Key Issues

5.1. The key issues are as follows:

- Employment Land
- Provision of Built Sports Facilities
- Highways and Access
- Residential Amenity
- Visual Amenity
- Sustainable design and Construction

EMPLOYMENT LAND

5.2 The premises have previously been used for the storage and distribution of timber items used in the building industry such as floor section and roofing members including the associated office functions. The back-office functions were relocated some time ago and in recent times the site has had no permanent staff with access dependent upon demand for the products stored. Policy EC2: Loss of employment land of the Local Plan is not considered relevant to consideration of this proposal. The supporting text to the policy makes clear that it applies to all employment generating uses, not just office or industrial uses. The proposal is to change from one employment use to another with the result being an increase in employment from 0 employees to 8 FT and 8PT employees; there is therefore no loss in employment land.

PROVISION OF BUILT SPORTS FACILITIES

5.3 Policy HW3 of the Local Plan indicates that development which enables residents to enjoy and make use of built sports facilities will be supported. Development will be particularly supported where a deficiency in current provision has been identified and where it is well located, accessible to all and when suitable infrastructure exists or can be created to manage and maintain the facility. The proposal envisages conversion of the former warehouse space into a mix of Padel and Pickleball Courts. In addition, there would be a sauna, cafe, equipment shop and a fitness studio. On the upper floor of the former offices would be a creche and treatment rooms. It is envisaged that the two elements of the proposal would be operated independently and would be capable of being accessed separately.

5.4 The proposal makes provision for the development of padel and pickleball which are relatively new and growing sports with at present little overall provision and no purpose-built indoor provision in the York area. One of the letters of support

highlights the current lack of provision and the need to provide for the rapidly increasing number of pickle ball teams in the locality. The proposal together with the recently approved outdoor padel courts in Clifton Moor to the northwest would help in meeting the unmet need. The proposal therefore complies with the requirements of Policy HW3 of the Local Plan.

HIGHWAYS AND ACCESS

5.5 Policy T1 of the Local Plan indicates that development will be supported where it minimises the need to travel and provides safe, suitable and attractive access for all transport users to and within it. That may be achieved by means of providing safe and appropriate links to local services and facilities, the surrounding walking, cycling and public transport networks and that these integrate into the overall development. At the same time sufficient convenient, secure and covered cycle storage should be provided ideally in the curtilage of the new buildings.

5.6 The proposal is in close proximity to residential areas of Rawcliffe and Clifton Moor. Two bus routes serve Green Lane (nos.19 and 20) both with broadly hourly daytime services with destinations including the city centre, Skelton, Rawcliffe, Huntington and Monks Cross. More frequent services are found on Green Lane about 550-600m from the site serving Clifton Moor, city centre and Osbaldwick. Green Lane has an off-road cycle path which links to the city's wider cycle network. Twenty two cycle parking spaces would be provided adjacent to the building entrance. Forty visitor car parking spaces would be provided, 3 of which would be accessible (adjacent to the entrance) with a further 7 staff parking spaces towards the southern boundary of the site. The previous proposal for a crossfit gym within part of the building was refused planning permission on the grounds of insufficient car parking. The current proposal envisages the provision of a significant number of on-site parking spaces which would facilitate an intensive use of the padel/pickleball courts. The existing pedestrian and vehicular access points to Green Lane would be utilised.

5.7 The site is considered to be sustainably located with sufficient vehicle and cycle parking provision to comply with the Authority's standards. The proposal therefore complies with Policy T1 of the Local Plan.

RESIDENTIAL AMENITY

5.8 Policy ENV2 of the Local Plan states that development will be permitted where it does not unacceptably harm the amenities of existing and future occupants on the site and in neighbouring communities. Proposals for uses likely to have an environmental impact in respect of adverse noise and vibration, and air quality must demonstrate how these matters have been considered.

5.9 The application site lies within the small Green Lane Industrial Estate which lies at the southeastern periphery of the wider Clifton Moor Estate. Residential property within Clifton Moor lies to the northwest beyond Green Lane. That is however, largely sheltered by a belt of mature landscaping along the roadside. Other premises in storage and distribution use lie directly to the west and south west with residential property beyond.

5.10 Public Protection have raised concerns in respect of the potential need for remediation of contaminated land. However, no extensions are proposed with only modest external alterations to provide the required emergency exit configuration and also to enable separate entrances to be provided for the wellness centre and the sports/recreation facility. Internal refurbishment works are proposed to enable the proposed uses to be fitted out, however works of a similar nature and extent could be undertaken in conjunction with a warehousing use without the involvement of planning control. Concern has also been expressed in respect of potential harm to residential amenity through noise from roof and wall mounted plant associated with the proposed uses and the need for odour mitigation in respect of the ancillary cafe use.

5.11 The distance to nearby residential uses combined with the degree of mature landscape planting along the north side of Green Lane will provide a high degree of mitigation. Background noise arising from traffic along Green Lane and also activities in respect of neighbouring units provide a further degree of mitigation. However, notwithstanding the degree of mitigation the proposed wellness centre does have potential for items of external plant that would generate significant amounts of noise during quieter parts of the day. It would therefore be reasonable to condition any planning permission to require submission and prior approval of details of any audible plant. It would similarly be reasonable to condition any permission in respect of details of odour mitigation for the ancillary café use.

5.12 Public Protection also request conditions in respect of a Construction Environmental Management Plan and associated restrictions on construction times. The proposed works are however largely internal to the building and the site sits within a discrete area of employment uses away from residential property. Such requirements are therefore felt to be unreasonable.

5.13 Subject to any planning permission being conditioned accordingly the proposal would be compliant with Policy ENV2 of the Local Plan.

VISUAL AMENITY

5.14 Clifton Without Parish Council have raised the possibility of a landscaped hedge boundary for the site. Local Plan policy D1 states that proposals will be supported where they improve poor existing urban environments, D2 states that proposals will be encouraged and supported where they include landscape details

and planting proposals that make a positive contribution to the character of streets and spaces. Whilst it would enhance the form and character of the wider street scene there are no landscape proposals within the application scheme. The impact on the existing urban environment and the character of the street would be neutral.

SUSTAINABLE DESIGN AND CONSTRUCTION

5.15 Part C of policy CC2 requires that proposals for non-residential changes of use need to achieve BREEAM Non-Domestic refurbishment and Fit out 'excellent' as a minimum. Members will be updated on this issue at the meeting.

PUBLIC SECTOR EQUALITIES DUTY

5.16 Section 149 of the Equality Act 2010 contains the Public Sector Equality Duty (PSED) which requires public authorities, when exercising their functions, to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- c) Foster good relations between persons who share relevant protected characteristic and persons who do not share it.

5.17 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to the characteristic.
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.18 The PSED does not specify a particular substantive outcome but ensures that the decision made has been taken with "due regard" to its equality implications. Officers have given due regard to the equality implications of the proposals in making this recommendation. There is no indication or evidence (including from consultation on this application) that any equality matters are raised that would outweigh the material planning considerations.

6.0 CONCLUSION

6.1 The proposal would not result in the loss of employment land and would provide an additional sport and leisure facility in a suburban location with reasonable bus and cycle access. The proposal would not harm residential amenity and is considered to comply with the relevant policies of the Local Plan.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Refs: 2433 PL 106 Proposed Site Plan
2433 PL 107 (A) Proposed Ground Floor Plan
2433 PL 108 (A) Proposed First Floor Plan
2433 PL 109 (A) Proposed Elevations
2433 PL 100 Site Location Plan

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

3 Details of all machinery, plant and equipment to be installed in or located on the premises, which is audible outside of the premises, shall be submitted to the local planning authority for approval. These details shall include average sound levels (LAeq), octave band noise levels and any proposed noise mitigation measures. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed the representative LA90 1 hour during the hours of 07:00 to 23:00 or representative LA90 15 minutes during the hours of 23:00 to 07:00 at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 2014+ A1 2019, associated inclusive of any acoustic feature corrections with tonal, impulsive, distinctive or intermittent characteristics.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area and to secure compliance with Policy ENV 2 of the York Local Plan.

4 There shall be adequate facilities for the treatment and extraction of cooking odours. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval. Once approved it shall be installed in accordance with the approved details and fully

operational before the proposed use first opens and shall be appropriately maintained and serviced thereafter in accordance with manufacturer guidelines.

Note: It is recommended that the applicant refers to the updated Guidance produced by EMAQ in September 2018 titled "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (September 2018)" for further advice on how to comply with this condition. The applicant shall provide information on the location and level of the proposed extraction discharge, the proximity of receptors, size of kitchen or number of covers, and the types of food proposed. A risk assessment in accordance with APPENDIX 3 of the EMAQ guidance shall then be undertaken to determine the level of odour control required. Details should then be provided on the location and size/capacity of any proposed methods of odour control, such as filters, electrostatic precipitation, carbon filters, ultraviolet light/ozone treatment, or odour neutraliser, and include details on the predicted air flow rates in m³/s throughout the extraction system.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area and to secure compliance with Policy ENV2 of the Local Plan.

5 A strategy for the provision of Electric Vehicle charging facilities on the site shall be submitted to and approved in writing by the local planning authority prior to fitting out works and shall be implemented in accordance with the approved details prior to first use of the development hereby permitted.

Charging facilities shall meet minimum requirements as laid out in CYC's Low Emission Planning Guidance:

- A minimum of 5% of the total parking provision on a site to include active EV charge points. The points shall satisfy the minimum requirements as set out in Approved Document S: Infrastructure for the charging of electric vehicles (2021)
- Charging points to be located in a prominent position on the site and to be for the exclusive use of zero emission capable vehicles. Parking bay marking and signage shall reflect this.
- The EV charging strategy shall confirm that the charge point(s) will be serviced and maintained in line with the manufacturer's recommendations for a minimum period of 10 years. It should also address charge point fault resolution.

Reason To ensure provision of EV charging facilities in line with the National Planning Policy Framework (NPPF) and CYC's Low Emission Planning Guidance

6 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved

remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7 Prior to the first use of the development details of the cycle parking areas including type of stand and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall be retained and shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours and to secure compliance with Policy T1 of the Local Plan.

8 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles and cycles have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety and to secure compliance with Policy T1 of the Local Plan.

8.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

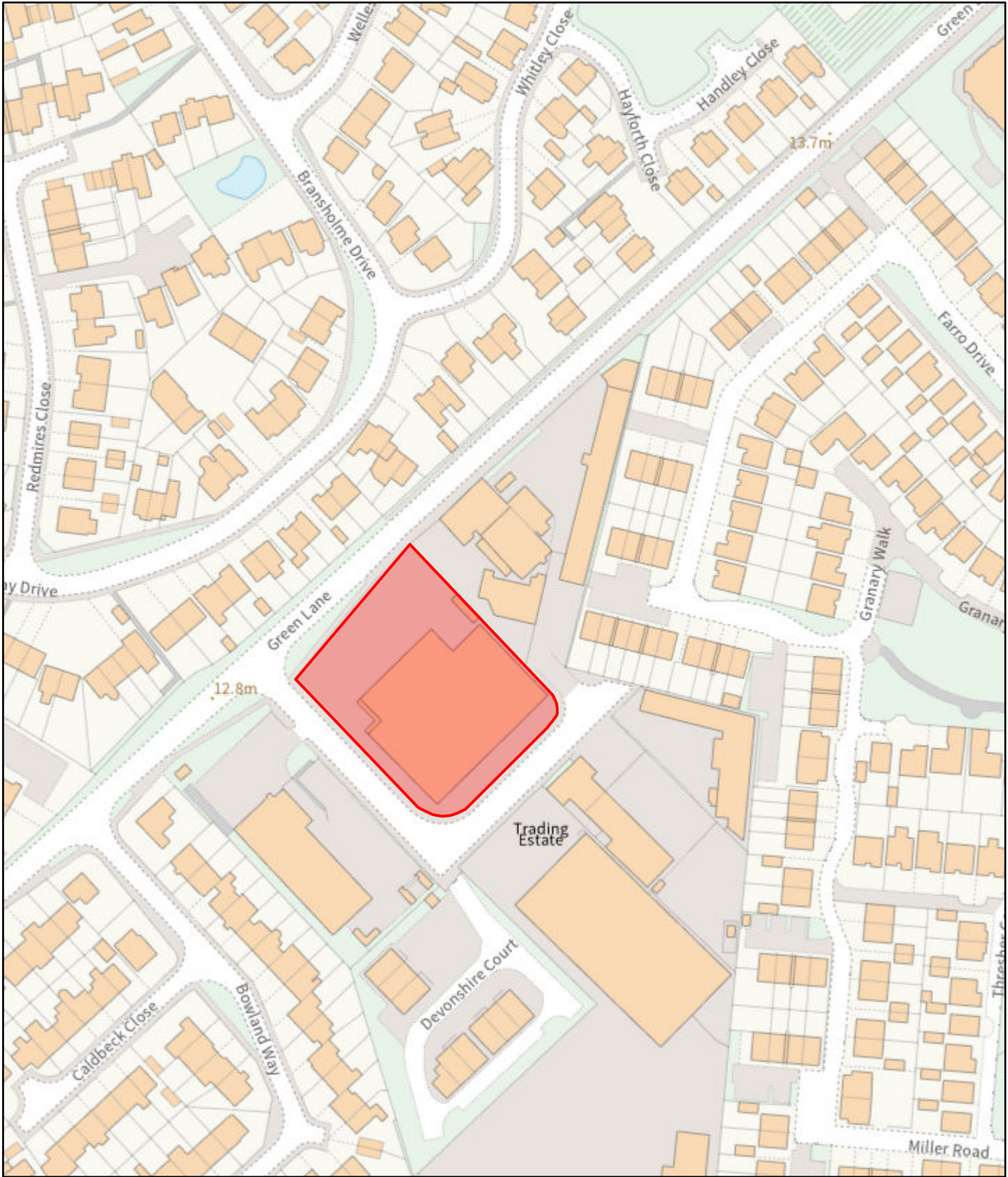
In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 39) and having taken account of all relevant national guidance and local policies including imposition of appropriate planning conditions, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

Contact details:

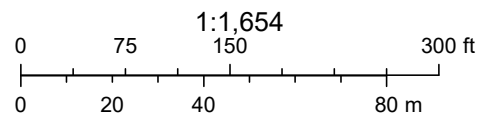
Case Officer: Erik Matthews

Tel No: 01904 551416

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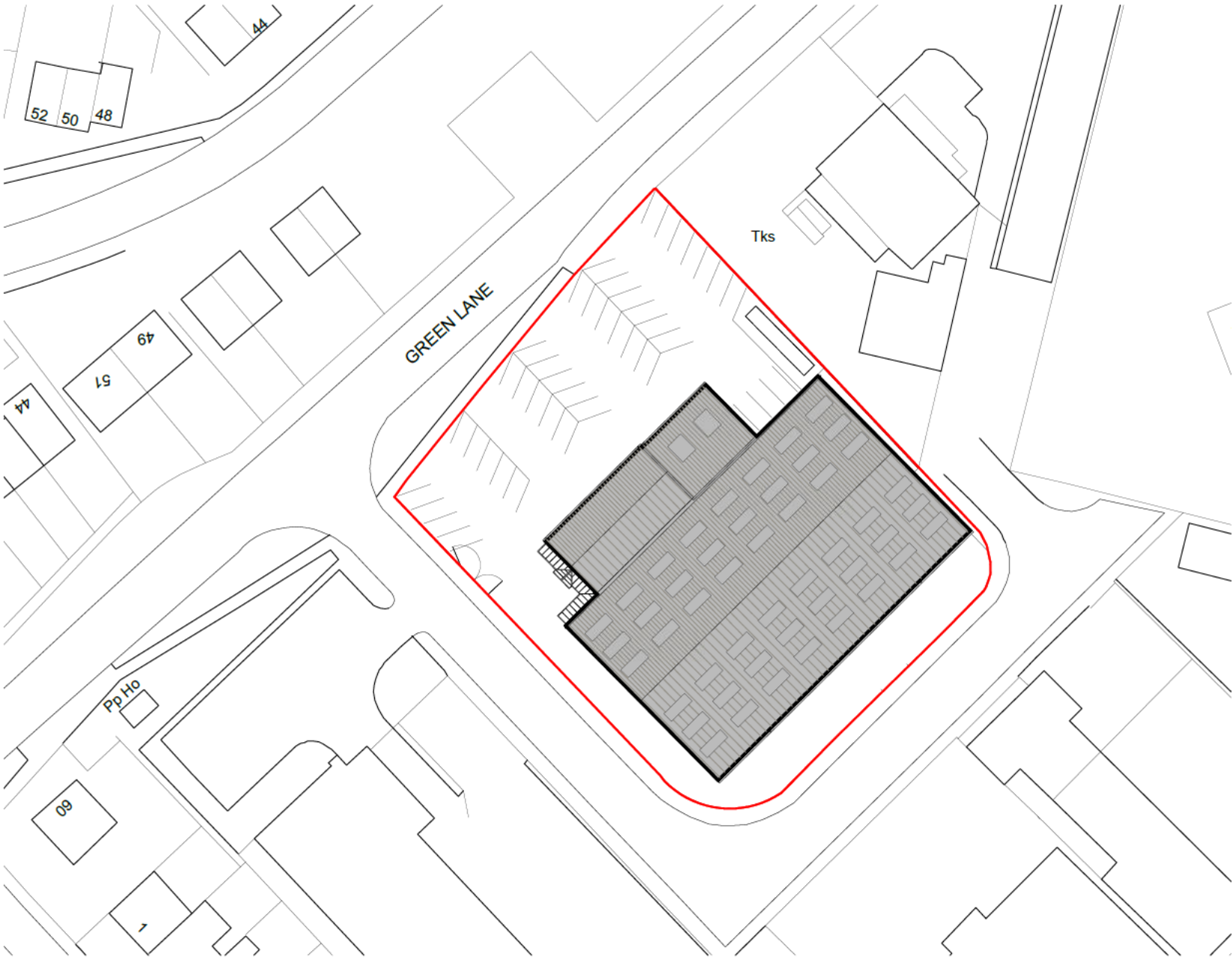


Planning Committee B

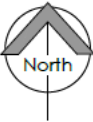
25/00110/FULM

Mitrefinch House Green Lane Industrial Estate Road

Existing Site Plan



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EXISTING SITE PLAN
Scale 1:500

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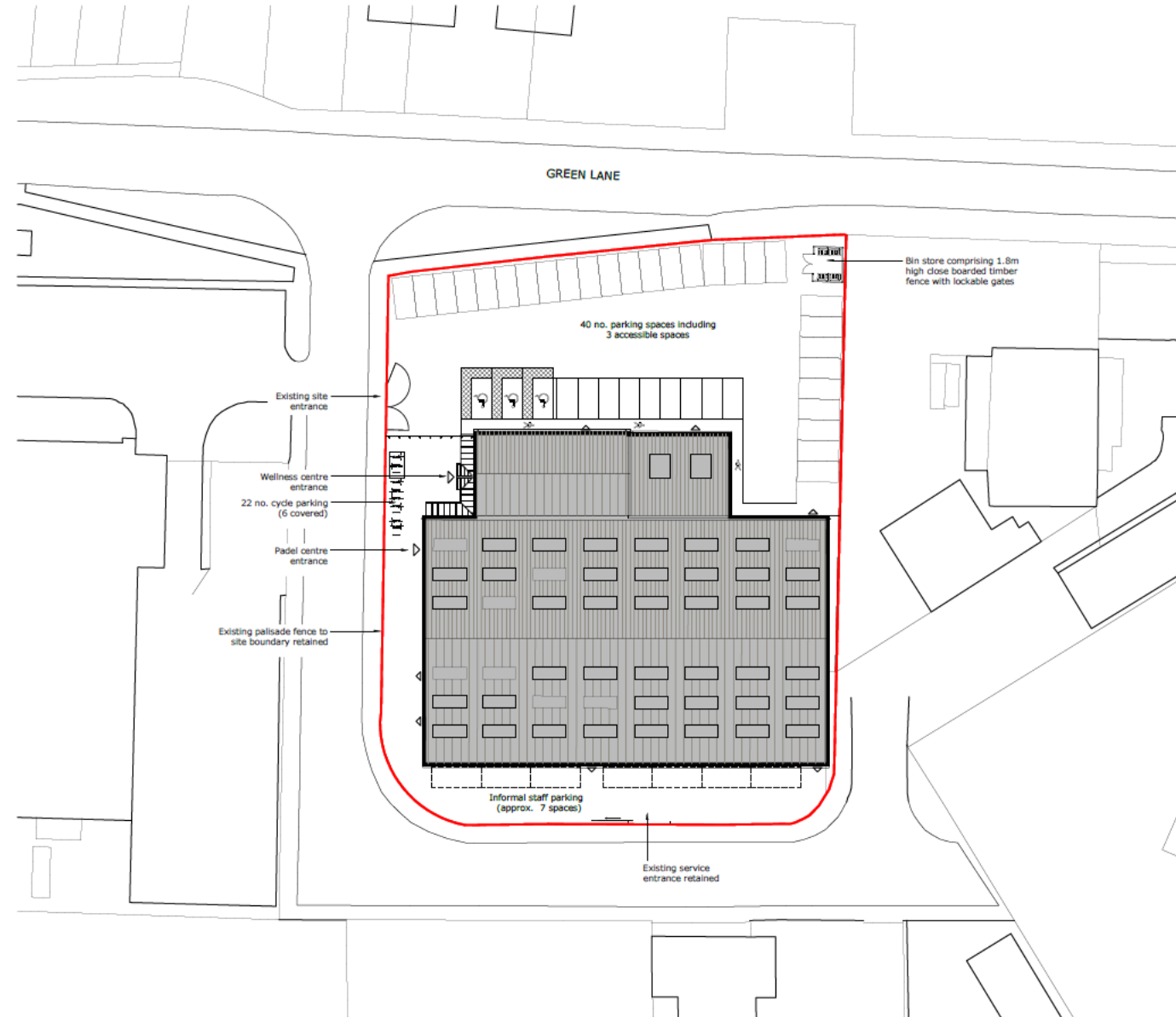
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PLANNING

PROJECT	PADEL BALL CENTRE, GREEN LANE, YORK		
TITLE	EXISTING SITE PLAN		
DATE	24/03/2022	BY	PL 101
REVISION	100 / AM	DATE	JANUARY 2022
SCALE	1:500		
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Proposed Site Plan

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PROPOSED SITE PLAN
Scale 1:500

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PLANNING

PROJECT: PADEL BALL CENTRE, GREEN LANE, YORK

TITLE: PROPOSED SITE PLAN

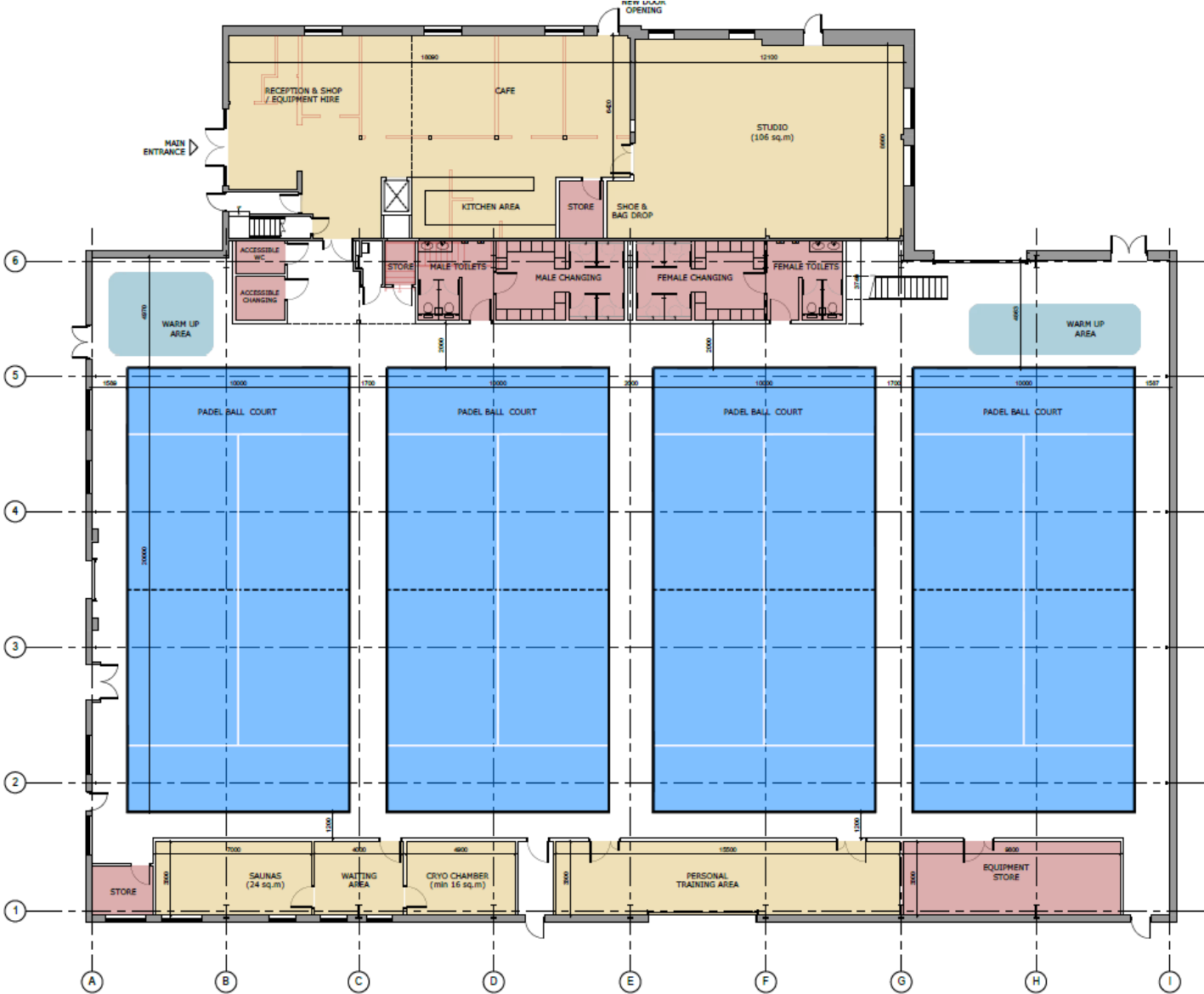
DRAWING NO: 2423 PL 106

DESIGNED BY: NJ / AH DATE: JANUARY 2023

SCALE: 1:500

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No. 111-112, Green Lane, York YO26 6AA

Ground
Floor Plans



INTERNAL PARTITIONS
REMOVED

PROPOSED GROUND FLOOR PLAN
Scale 1:200

Rev	Description	Date	By
1	Initial Design	01/01/2022	EH
2	Revised Design	01/01/2022	EH

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PLANNING

PROJECT: PADEL BALL CENTRE, GREEN LANE, YORK

TITLE: PROPOSED GROUND FLOOR PLAN

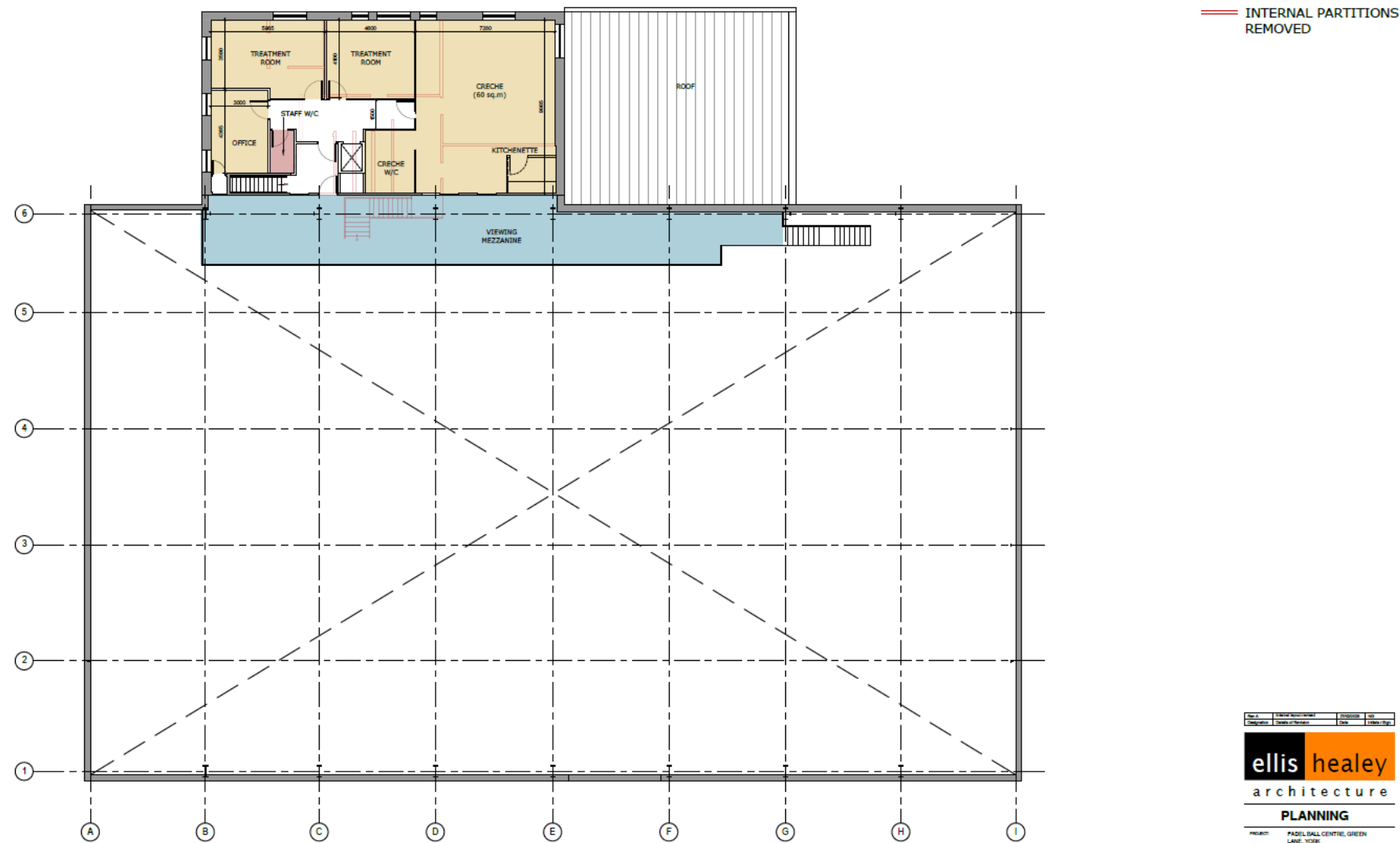
DRAWING NO: 2433 PL 107 (A)

REVISIONS: N/A / A/A DATE: JANUARY 2022

SCALE: 1:200

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First Floor Plans



PROPOSED FIRST FLOOR PLAN
Scale 1:200

Rev	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000
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PLANNING

PROJECT: PADL BALL CENTRE, GREEN LANE, YORK

TITLE: PROPOSED FIRST FLOOR PLAN

DRAWN BY: 2423 PL 108 (A)

ENGINEER: NQ / AU DATE: JANUARY 2023

SCALE: 1:200

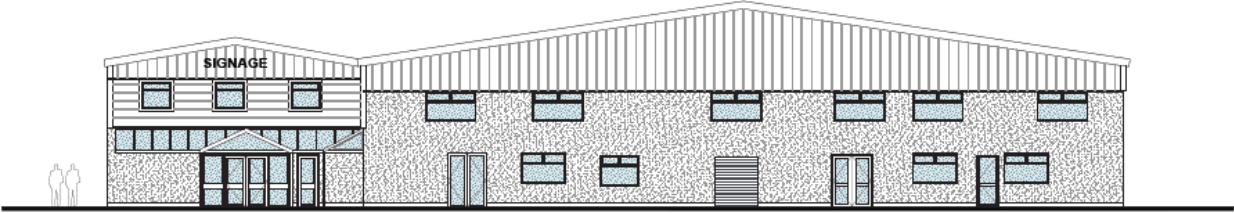
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Proposed
elevations



NORTH WEST ELEVATION

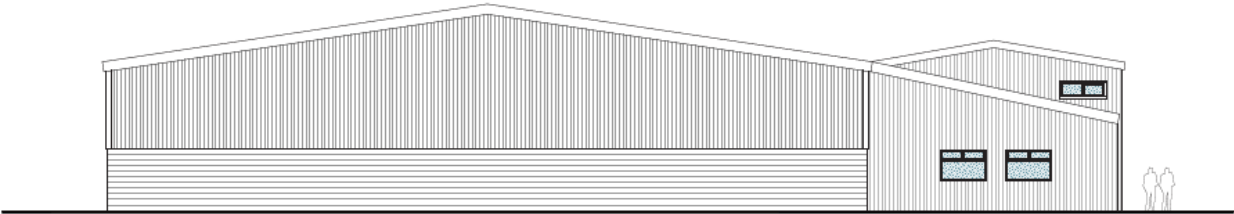
New door opening to provide fire
escape exit - door with glazing
panel to match existing



SOUTH WEST ELEVATION (as existing)



SOUTH EAST ELEVATION (as existing)



NORTH EAST ELEVATION (as existing)

PROPOSED ELEVATIONS
Scale 1:200

All elevations are to be verified by the contractor on site prior
to work commencing.
Only work to screen elevations.
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and subject to separate signage/
advertisement applications

Rev A	Updated to reflect current information	2023/02/01	101
Designer	Check of Revision	Date	Scale 1:200
ellis healey architecture			
PLANNING			
PROJECT: PADEL BALL CENTRE, GREEN LANE, YORK			
TITLE: PROPOSED ELEVATIONS			
DRAWING NO: 2423 PL 100 (A)			
BY: D. HEDDERLEY	NO: / A4	DATE: JANUARY 2023	
SCALE: 1:200			
This is a preliminary drawing and should not be used for construction purposes without the prior written consent of Ellis Healey Architecture.			

COMMITTEE REPORT

Date: 24 April 2025 **Ward:** Dringhouses And Woodthorpe

Team: West Area **Parish:** Dringhouses/Woodthorpe Planning Panel

Reference: 24/02209/GRG3

Application at: Honeysuckle House Herdsman Road York

For: Installation of 27no. Air Source Heat Pumps (ASHP)

By: City Of York Council

Application Type: General Regulations (Reg3)

Target Date: 3 March 2025

Recommendation: Approve under General Regs 3 Council Dev

1.0 PROPOSAL

1.1. This application seeks consent for the installation of 27no. Air Source Heat Pumps (ASHP) at Honeysuckle House.

1.2. Honeysuckle House is a council-owned apartment block located within Dringhouses. It comprises of 27no. flats which are spread over two floors, with some outdoor landscaping surrounding the building. The original planning application for the building was approved in 1989 for the “erection of two storey building to form sheltered housing comprising 27 flats”. The building comprises largely of brick and concrete tiles, includes a car parking area at the entrance and is visually prominent from Herdsman Road, Wain’s Road and Wain’s Grove.

2.0 POLICY CONTEXT

2.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

CITY OF YORK LOCAL PLAN

2.2. The Local Plan was adopted on 27 February 2025. The policies from the plan carry full weight in the determination of all planning applications. Policies relevant to the determination of this application are:

D1 Placemaking
D11 Extensions and Alterations to Existing Buildings
CC1 Renewable and low carbon energy generation and storage
ENV2 Managing Environmental Quality

3.0 CONSULTATIONS

Public Protection

3.1 Concerned about the noise from the air source heat pumps impacting on the amenity of nearby residents. Advise that the applicant commission a noise assessment to ensure L90 background levels are not exceeded at nearby surrounding properties when all units are running at full capacity at the same time.

3.2 Following receipt of the noise report, further comments that it demonstrates that during the daytime the representative L90 background noise levels at the nearest receptors will not be exceeded. The L90 background noise levels during the nighttime period will generally not be exceeded. However on Sunday 9 March into Monday 10 March the L90 background noise levels did fall significantly and so the L90 on that night was constantly exceeded. These were still relatively low noise levels and internal levels within the flats should be barely perceptible. Planning condition suggested.

Woodthorpe and Dringhouses Planning Panel

3.3 Appreciate the green credentials of heat pumps but question the noise factor created by the 27 pumps, especially for those tenants on the ground floor.

4.0 REPRESENTATIONS

4.1. One representation received making the following comments:

- Not sure scheme is financially viable to the Council.
- Question whether the ASHPs will serve the flats and/or communal areas.
- Concern about noise pollution from units.
- Concern about the aesthetics of the units on the outside of the building.

5.0 APPRAISAL

Key Issues

- The principle of the development
- Visual amenity
- Environmental quality and noise

The Principle Of The Development

5.1. Local Plan policy CC1 supports the development of renewable and low carbon energy developments. Development will be permitted where impacts on relevant considerations, including noise, are demonstrated to be acceptable.

5.2. The 27no. Air Source Heat Pumps (ASHP) will provide hot water and thermal heating for each apartment. In principle the proposal will meet the requirements of the Local Plan with respect to increasing energy efficiency and promoting low carbon/renewable energy generation.

Visual Amenity

5.3. There are a significant number of ASHPs being proposed around or near the perimeter of the building. The drawings illustrate the locations for the proposed 27no. air source heat pumps around the block. Each ASHP will serve one apartment unit. Generally, they will tend to be clustered in groups of 2, 3 or 4 around or close to the perimeter of the building, depending on their distance from the apartment windows. All will be located at ground level, either freestanding or mounted against the building, with any pre-insulated pipework to be hidden underground or within the external walls of the building.

5.4. At the west elevation of the apartment block facing Wain's Road, a total of 10no. ASHPs are proposed. They would be situated adjacent to the boundary hedge. At the north elevation of the apartment block, 4no. ASHPs will face Herdsman Road, with a cluster of 4no. adjacent to the main entrance of Honeysuckle House. A group of 3no. and then 2no. ASHPS are proposed at the south elevations within the outside garden area up against the external wall, as well as 4no. facing directly onto Wain's Grove. There will be no ASHPs facing towards the east elevation.

5.5. Where possible, they are located in more visually discreet locations where they are less visible from the road. The ASHPs facing Wain's Road adjacent to the hedge would not result in adverse visual harm, with the existing hedge providing sufficient visual screening. Other ASHPs would be situated within the garden areas away from the main public vantage points. Whilst the ASHPs would be more visually noticeable at the south and north elevations, this would not result in such a level of visual harm to the street scene that should warrant a refusal of the application. Therefore, the scheme is considered to comply with policy D1 of the Local Plan, which seeks to protect local environments and D11 which states that proposals to alter or add to existing buildings will be supported where the design responds positively to its immediate architectural context, local character and history in terms of the use of materials, detailing, scale, proportion, landscape and space between buildings.

Environmental Quality and Noise

5.6. Local Plan policy ENV2 states that development will be permitted where it does not unacceptably harm the amenities of existing and future occupants and neighbouring communities in terms of noise pollution . The Noise Impact Assessment concluded that the estimated noise impact from the proposed plant installations would be below background noise levels during the daytime, however during the night time background noise levels were exceeded one night during the survey period. The Public Protection Officer advised that noise levels within the flats should be barely perceptible and as such it is considered that there would not be unacceptable harm. Further noise protection planning conditions would not be reasonable or necessary.

6.0 CONCLUSION

6.1 The proposed works would provide low carbon heating for the apartments and would not result in unacceptable harm to residential or visual amenity. The scheme is considered to comply with policies D1, ENV2, D11 and CC1 of the Local Plan.

7.0 RECOMMENDATION: Approve under General Regs 3 Council Dev

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Proposed GF Area A Heating Design Intent: YC2401 HH-APP-XX-00-DR-M-602 T1
 Proposed GF Area B Heating Design Intent: YC2401 HH-APP-XX-00-DR-M-603 T1
 Site Location Plan: YC2401-APS-XX-XX-DR-B-001 T1
 Block Plan: YC2401-APP-XX-XX-DR-B-000101 T1

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

8.0 INFORMATIVES:

Notes to Applicant

1. POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 39) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

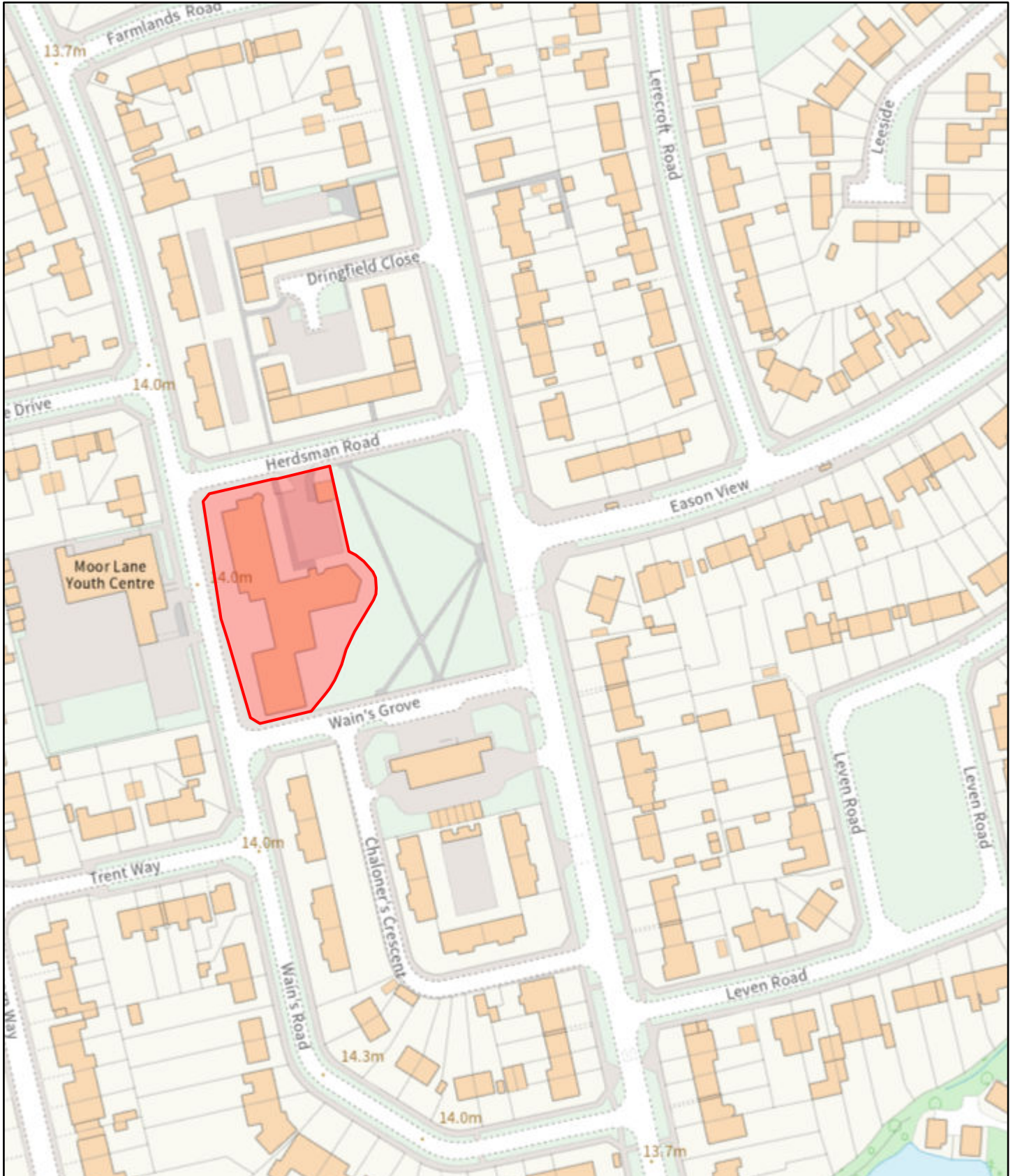
- Advised the applicant to commission a noise assessment in order to address concerns on residential amenity highlighted during the consultation period.

Contact details:

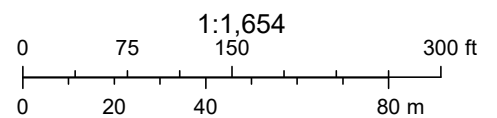
Case Officer: Sam Francis

Tel No: 01904 554414

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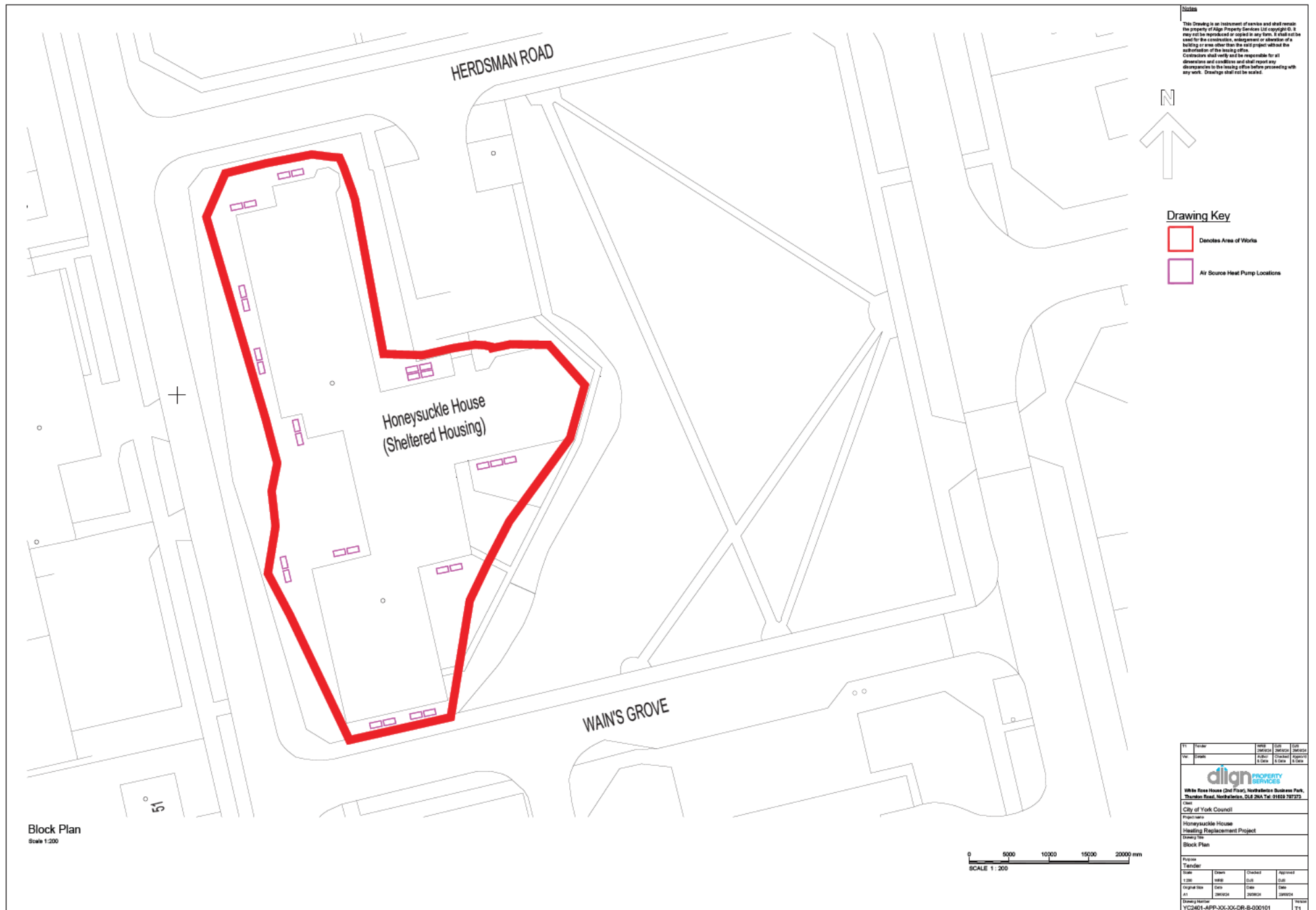


Planning Committee B

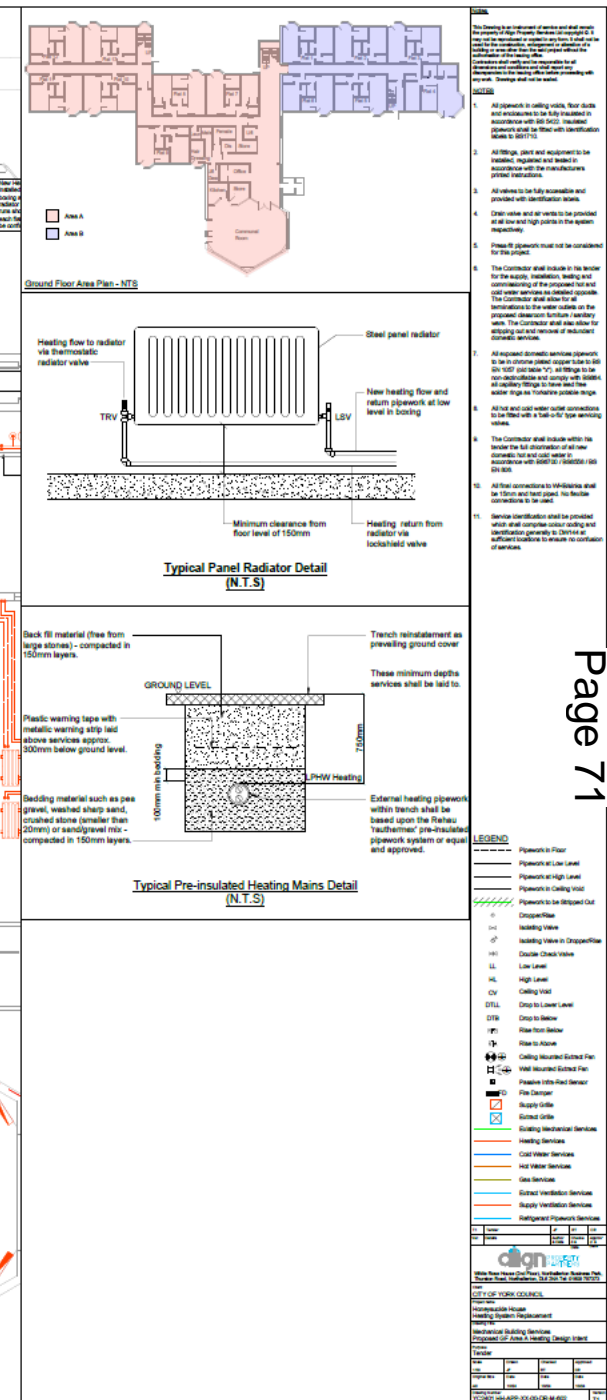
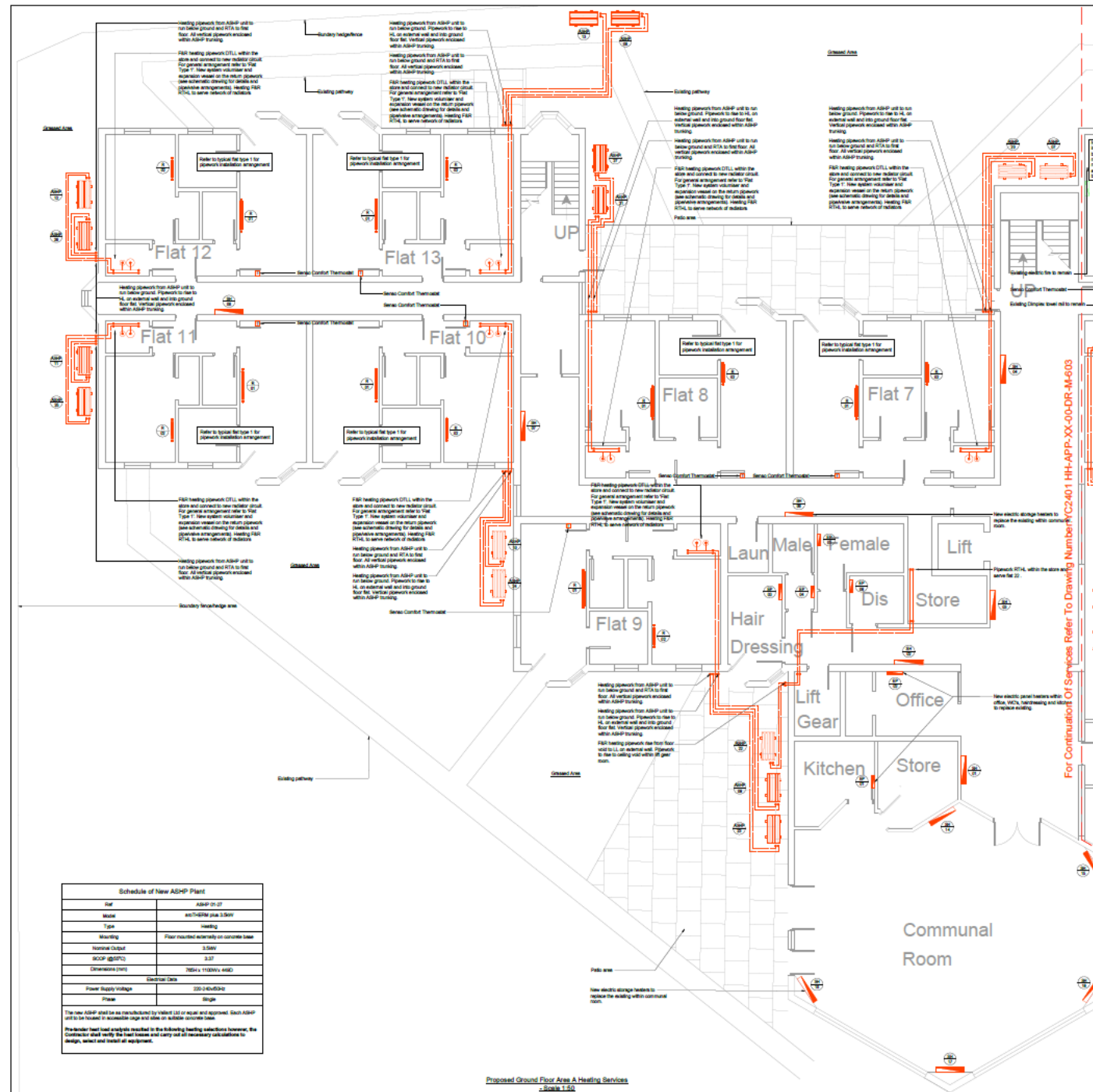
24/02209/GRG3

Honeysuckle House Herdsman Road

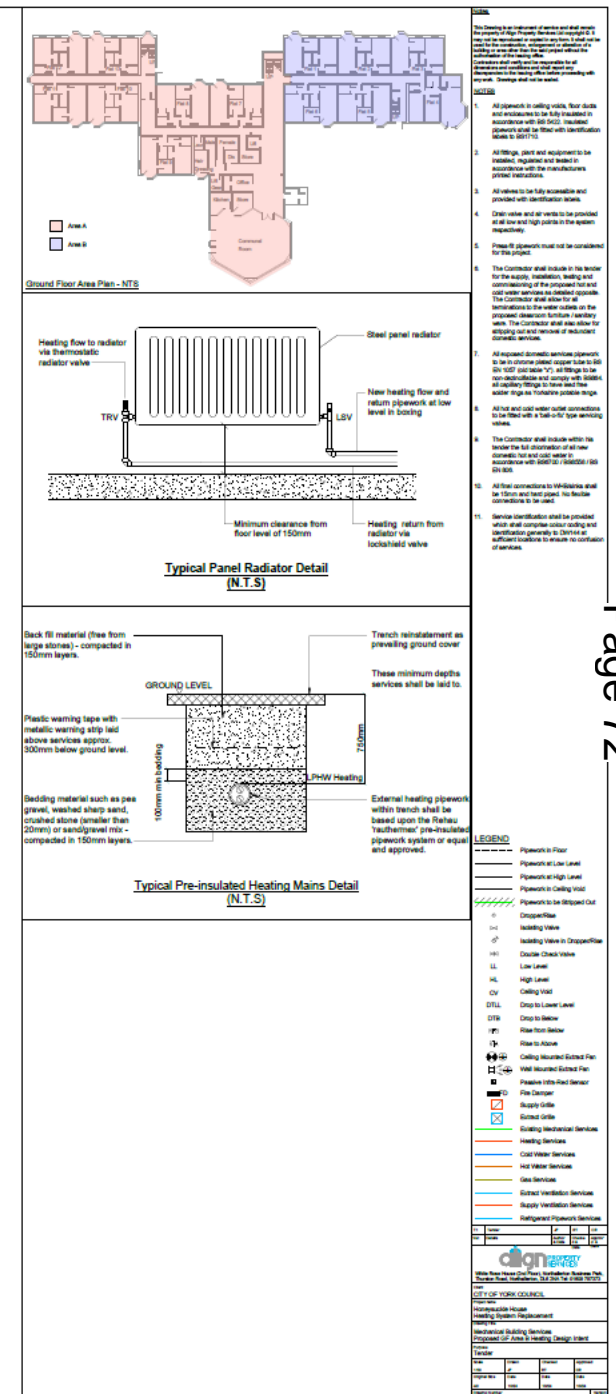
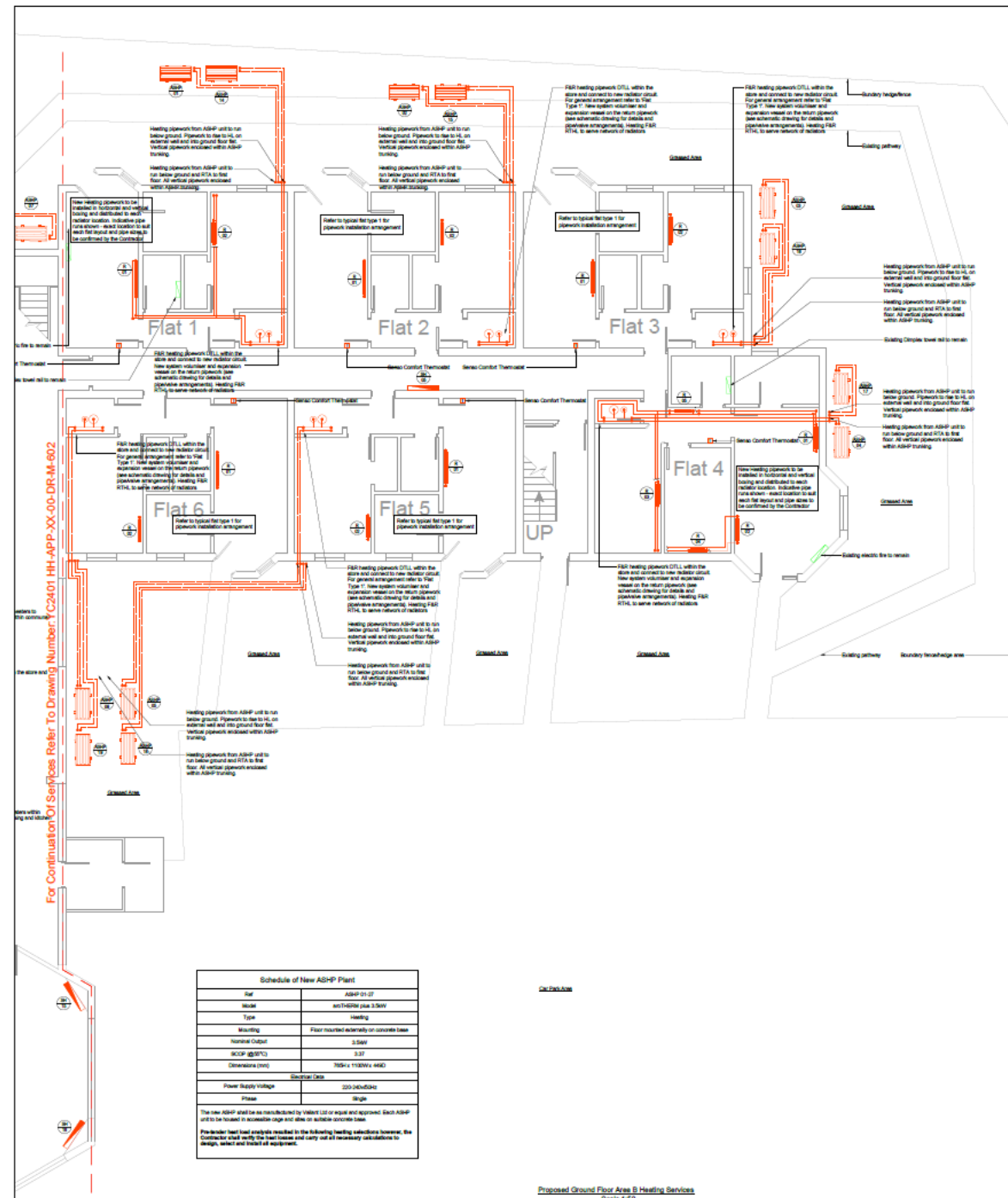
Site Plan with Heat Pumps



Proposed Detail Plan (part)



Proposed Detail Plan (part)





Planning Committee B

24 April 2025

Planning Appeal Performance and Decisions

- 1 This report informs Members of planning appeal decisions determined by the Planning Inspectorate between 1 October and 31 December 2024. Appendix A is a list of the appeals decided, a summary of each decision is provided in appendix B and a list of outstanding planning appeals in appendix C.
- 2 Appeal statistics are collated by the Planning Inspectorate (PINs) on a quarterly and annual basis. The Government use the statistical returns as one of a number of measures to assess the performance of local planning authorities. To assess the quality of decisions, this is based on the total number of decisions made by the Local Planning Authorities that are subsequently overturned at appeal. The threshold whereby a Local Planning Authority is eligible for designation as under-performing is 10% of the Authority's total number of decisions on major, non-major and "county-matter" (generally minerals and waste proposals) applications made during the assessment period being overturned at appeal.
- 3 Table 1 shows results of planning appeals decided by the Planning Inspectorate for the quarter for all types of planning appeals such as those against the refusal of planning permission, listed building applications and lawful development certificates. In the corresponding quarter the Planning Inspectorate allowed 28% of appeals determined in England. Appeals against conditions of approval do not form part of the PINs statistics but when received are used in tables 1 and 2 for information.

Table 1: CYC Planning Appeals Last Quarter Performance

	01/10/24 to 31/12/24
Allowed	1
Split decision	-
Dismissed	3
Total Decided	4
% Allowed	25%

- 4 There were no appeal decisions received during the quarter relating to applications for “major” development.
- 5 For the 12 months period 1 January 2024 to 31 December 2024, 27% of CYC appeals decided were allowed. In England, for the most recent return, 28% of appeals were allowed.

Table 2: CYC Planning Appeals 12-month Performance

	01/01/24 to 31/12/24	01/01/23 to 31/12/23
Allowed	11	24
Dismissed	28	39
Split decision	2	1
Total Decided	41	64
% Allowed	27%	37%

- 6 The latest available figures from the Department of Levelling Up Housing and Communities (the assessment criteria set out in paragraph 2 above) show that, over the 2-year rolling assessment period, 0.9% of the total CYC decisions made in respect of non-major applications and 2.5% of total decisions made in respect of major applications were overturned at appeal. The comparison figures for England are 1.0% and 2.7% respectively. There were no appeals in respect of “county-matter” applications during the period.
- 7 None of the appeals determined followed a decision to refuse permission made by the Planning Committees.
- 8 The list of outstanding appeals is attached at Appendix C. There are 25 appeals of all types awaiting determination.

Consultation

- 9 This is an information report for Members and therefore no consultation has taken place regarding its content.

Council Plan

- 10 The report is relevant to the “A health generating city, for children and adults,” “A fair, thriving, green economy for all,” Sustainable accessible transport for all,” “Increasing the supply of affordable good quality housing” and “Cutting carbon, enhancing the environment” city priorities of the Council Plan 2023-2027.

Implications

- 11 Financial – There are no financial implications directly arising from the report.
- 12 Human Resources – There are no Human Resources implications directly involved within this report and the recommendations within it other than the need to allocate officer time towards the provision of the information.
- 13 Legal – There are no known legal implications associated with this report or the recommendations within it.
- 14 There are no known Equalities, Property, Crime & Disorder or other implications associated with the recommendations within this report.

Risk Management

- 15 In compliance with the Council's risk management strategy, there are no known risks associated with the recommendations of this report.

Recommendation

- 16 That Members note the content of this report.

Reason

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

Contact Details

Author:

Gareth Arnold
Development Manager,
Development Management

Chief Officer Responsible for the report:

Becky Eades
Head of Planning and Development
Services

**Report
Approved**



Date 10.04.2025

Specialist Implications Officer(s) None.

All ☐ Y

Wards Affected:

For further information please contact the author of the report.

Appendices

Appendix A – Planning Appeals decided between 1 October and 31 December 2024

Appendix B - Summaries of Planning Appeals decided between 1 October and 31 December 2024

Appendix C - Planning Appeals Outstanding at 10 April 2025

Appendix A
Appeals Decided 1 October to 31 December 2024

Ward	Appn number	Appeal number	Proposal	Address	Date decided	Decision
Holgate	24/00011/FUL	APP/C2741/W/24/3347577	Change of use of 12-14 Acomb Road from commercial premises to Large House in Multiple Occupation (sui generis), dormer to rear and associated alterations to fenestration	12 Acomb Road York YO24 4EW	09/12/24	Appeal Dismissed
Osballdwick And Derwent	24/00697/FUL	APP/C2741/D/24/3347585	Single storey side and rear extension after removal of garage and rear projections	24 Nursery Gardens Osballdwick York YO10 3QL	20/12/24	Appeal Dismissed
	24/00496/FUL	APP/C2741/W/24/3349410	Single storey side/rear extensions, porch to front and conversion of garage to habitable space	52 Moat Field Osballdwick York YO10 3PT	19/12/24	Appeal Dismissed
Rural West York	24/00314/FUL	APP/C2741/W/24/3344312	Laying of internal access track to accommodate 5no. caravan pitches	York Wheatlands Caravan Site Land At Wheatlands Northfield Lane Upper Poppleton York	01/10/24	Appeal Allowed

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Appendix B

Appeals summaries between 01/10/24 and 31/12/24

Date report run: 10-Apr-2025

Case number	Appeal by	Description	Address	Outcome
24/00025/REF	A King	Change of use of 12-14 Acomb Road from commercial premises to Large House in Multiple Occupation (sui generis), dormer to rear and associated alterations to fenestration	12 Acomb RoadYorkYO24 4EW	Appeal Dismissed

Notes

Permission was sought for a change of use from commercial use on the ground floor and 1no. flat above to an 11 bedroom HMO. The scheme was refused on 4 grounds - loss of employment premises; impact on the streetscene by virtue of a rear dormer and proposed bin storage; harm to the amenity of neighbouring residents and future occupants; and insufficient car and cycle parking. The appellant put forward revisions A and B which although submitted to officers at application stage, did not form part of the formal officer assessment. The Inspector determined the appeal on all three schemes put forward by the appellant. In determining the appeal, the Inspector agreed with the LPA decision with regard to a lack of justification for the loss of employment use, that the intensification of the use would give rise to unacceptable harm to neighbour amenity by virtue of additional comings and goings. In terms of character and appearance, the Inspector considered that the proposed dormer would appear harmful and would reinforce the intense nature of the proposed use. It was also noted that whilst Revisions A and B refined the scale and design of the dormer, the presence of any form of roof extension would appear incongruous in this section of the terrace. Similarly external bin storage along the frontage of the building would be harmful to appearance. The proposed internal store accessed from the front of the building was deemed to be more suitable, however the garage style door would appear harmful. In assessing the lack of car parking, the Inspector concluded that the nature of the use is such that parking is not always required, and / or could be provided and that in this instance no evidence had been put forward by the Council that the area could not support additional car parking from the proposed use. The Inspector also concluded that harm to the amenity of future occupants was only in respect of limited outside amenity space only.

Case number	Appeal by	Description	Address	Outcome
24/00031/REF	Miss Carole Sells	Single storey side/rear extensions, porch to front and conversion of garage to habitable space	52 Moat Field OsballdwickYorkYO10 3PT	Appeal Dismissed

Notes

The application property is a semi-detached dwelling, located within a residential street in Osballdwick. The proposal was for a single-storey side and rear extension, a porch to front and the conversion of the attached garage to a habitable space. The LPA refused the application on the grounds of visual amenity, in that the side and rear extension was not set back from the front building line. More significant would be the loss of adequate storage for cycles and refuse bins and that there was no acceptable alternative provision within the front domestic curtilage. The Inspector was not able to give the emerging Local Plan full weight, though did consider it was a material consideration. He agreed that the proposal conflicted with Policies D4 and D11 of the emerging Local Plan and the Extensions and Alterations SPD (2012) He stated that the proposed bin store would be an incongruous feature within the street-scene. He also stated that proposed front porch would be an unsympathetic addition to the property, would not be in keeping and would result in the loss of the existing arched brick detail.

Case number	Appeal by	Description	Address	Outcome
24/00027/REF	Mr Joseph Fletcher	Single storey side and rear extension after removal of garage and rear projections	24 Nursery Gardens OsballdwickYorkYO10 3QL	Appeal Dismissed

Notes

This appeal related to an application for a side and rear wrap around extension to a bungalow in Osballdwick. The bungalow is on a corner plot with minimal garden to the rear. The proposed extension developed close to the rear boundary. The application was refused for a number of reasons; harm to character of property and streetscene as a result of its design; overlooking and loss of privacy of the rear neighbour; loss of private amenity space and loss of adequate off-street parking impacting highway safety. The inspector agreed with this assessment and all 4 reasons for refusal were upheld. The appeal was therefore dismissed.

Case number	Appeal by	Description	Address	Outcome
24/00022/REF	Mr And Mrs S Otley	Laying of internal access track to accommodate 5no. caravan pitches	York Wheatlands Caravan Site Land At Wheatlands Northfield Lane Upper Poppleton York	Appeal Allowed
Notes <p>The application site comprises a Caravan Club Exempted Caravan and Tent camp site accessed from Northfield Lane Upper Poppleton lying within the Green Belt. The site has had problems with surface water drainage leading to vehicles being bogged down and the operator not being able to take bookings for the 90 days allowed. The proposal sought permission for the construction of a metalled access , internal access road and five pitches. There was a process of negotiation in terms of alternatives including a netpave type material and/or a form of underdrainage. The appellant would not consider under drainage and had tried netpave before but without success. The application was therefore refused. The Inspector considered whether taking account of the heavily landscaped characteristics of the site boundary the proposal would harm the openness of the Green Belt. Taking account of those characteristics he felt that it would not and allowed the appeal.</p>				

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Appendix C

Outstanding Appeals

Ward	Appeal number	Proposal	Address	Date appeal lodged
Clifton	APP/C2741/W/24/3356835	Change of use from dwelling house (use Class C3) to a flexible C3 to C4 House in Multiple Occupation (use Class C3 C4)	302 Burton Stone LaneYorkYO30 6HA	04/12/24
	APP/C2741/X/24/3353168	Development of 1 metre tall high timber gates	The Sleeping Bear4 Government House RoadYorkYO30 6LU	04/10/24
	APP/C2741/W/25/3359830	Conversion of detached garage to self-contained annexe living accommodation	85 Crombie AvenueYorkYO30 6DW	30/01/25
	APP/C2741/X/25/3362223	Certificate of lawfulness for use as House in Multiple Occupation (Use Class C4) for up to 4 occupants	29 Ratcliffe StreetYorkYO30 6EN	12/03/25
Dringhouses And Woodthorpe	APP/C2741/W/25/3359704	Single storey side/rear extension, erection of detached double garage to rear, solar panels to side roofslope and landscaping/fenestration alterations following demolition of existing garage	1 Cherry LaneYorkYO24 1QH	28/01/25

Guildhall	APP/C2741/X/25/3359451	Certificate of lawfulness for use as short term holiday let	40 Milton StreetYorkYO10 3EP	23/01/25
	APP/C2741/Y/25/3362687	External alterations to include display of 2no. pictorial signs to existing hanging gibbets, halo illuminated lettering, door plaque, external display board, window vinyl, and menu board	Keystones4 MonkgateYorkYO31 7PE	20/03/25
	APP/C2741/H/25/3362686	Display of 2no. pictorial signs to existing hanging gibbets, halo illuminated lettering, door plaque, external display board, window vinyl, and menu board	Keystones4 MonkgateYorkYO31 7PE	20/03/25
Heworth	APP/C2741/X/22/3303954	Certificate of lawfulness for use of building as a dwelling within Use Class C3	20B Asquith AvenueYorkYO31 0PZ	26/07/22
Heworth Without	APP/C2741/W/24/3357811	Change of use of detached garage (use Class C3) to a hair salon (use Class E), and associated external alterations including render to front and side elevations, grey tiling, bifold doors and 2 roof lights	34 Elmpark WayYorkYO31 1DT	18/12/24
	APP/C2741/W/25/3359807	Change of use from small House in Multiple Occupation (use class C4) to a large House in Multiple Occupation (Sui Generis)	153 Bad Bargain LaneYorkYO31 0PF	30/01/25

Holgate	APP/C2741/D/24/3357295	Two storey side and rear extension following demolition of existing garage	12 Glebe AvenueYorkYO26 5HJ	11/12/24
	APP/C2741/Y/24/3356526	External alterations including repairs to window frames and replacement of existing timber sashes with double glazed heritage timber sashes	Holgate Homes139 Holgate RoadYorkYO24 4DF	30/11/24
	APP/C2741/W/25/3362935	Conversion of former public house to form 6no. apartments (Use Class C3) with associated access, parking and bike stores and external alterations including dormer and the insertion of rooflights following demolition of outbuildings, canopy and external staircase	The Jubilee Balfour StreetYorkYO26 4YU	24/03/25
Hull Road	APP/C2741/X/24/3353406	Certificate of Lawfulness for use as a House in Multiple Occupation	60 Yarburgh WayYorkYO10 5HG	09/10/24
	APP/C2741/W/25/3361130	Conversion of detached garage to form 1no. flat with associated external alterations	191 Tang Hall LaneYorkYO10 3RJ	21/02/25
Huntington/New Earswick	APP/C2741/D/25/3359275	Hip to gable front roof extension, replacement roof tiles, and external wall insulation comprising render to all elevations	2 Green WayHuntingtonYorkYO32 9QE	20/01/25

	APP/C2741/D/25/3363477	Single storey side extension after removal of garage	26 Ferguson WayHuntingtonYorkYO32 9YG	03/04/25
Micklegate				
	APP/C2741/Y/25/3358889	External works to include render and insulation to gable wall - retrospective	7 St Martins LaneYorkYO1 6LN	14/01/25
Osballdwick And Derwent	APP/C2741/W/25/3362064	Erection of a Battery Energy Storage System with associated infrastructure, site levelling works, access, landscaping and ancillary works.	Land Lying To The North West of Murton Way York	10/03/25
Rawcliffe And Clifton Without	APP/C2741/D/24/3356543	First floor side extension with external staircase and external balcony platform area at first floor	20 Manor LaneYorkYO30 5TX	02/12/24
	APP/C2741/W/25/3362125	Removal of condition 3 of permitted application 18/01122/FUL to allow the former outbuilding to be used as an independent dwelling	55 Morehall CloseYorkYO30 4WA	11/03/25
Rural West York	APP/C2741/X/24/3343593	Certificate of lawfulness for proposed development of an outbuilding to rear and an in-ground swimming pool	The Old Vicarage Main Street Askham RichardYorkYO23 3PT	01/05/24
	APP/C2741/W/25/3360455	Variation of conditions 2 and 4 of permitted application 16/00093/FUL to allow the siting of one shepherds hut, construct drive-over waste point, erect replacement	Caravan Site Cherry Tree Cottage Millfield Lane Nether PoppletonYorkYO26 6NX	11/02/25

		information hut and relocate gate, fence and CDP point.		
	APP/C2741/W/25/3360696	Erection of 1no. dwelling and garden following demolition of existing agricultural barn	Agricultural Building East Of Mullingar Farm And North of Low Moor Lane	14/02/25

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