



Notice of meeting of

East Area Planning Sub-Committee

To: Councillors Moore (Chair), Cregan (Vice-Chair), Douglas, Firth, Funnell, Hyman, King, Taylor, Vassie and Wiseman

Date: Thursday, 30 August 2007

Time: 2.00 pm

Venue: The Guildhall, York

AGENDA

1. Declarations of Interest

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

2. Minutes

(Pages 4 - 11)

To approve and sign the minutes of the meeting of the Sub-Committee held on 26 July 2007.

3. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Sub-Committee's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Wednesday 29 August 2007 at 5.00pm.

4. Plans List

To determine the following planning applications related to the East Area.

- a) **78 Penyghent Avenue, York (07/01603/FUL)** (Pages 12 - 17)
Conservatory to rear [*Heworth Ward*].
- b) **Acres House Farm, Naburn Lane, Fulford** (Pages 18 - 23)
(07/01646/GRG3)
Construction of vehicle access from Naburn Lane [*Wheldrake Ward*].
- c) **Bootham Junior School, Rawcliffe Lane, York** (Pages 24 - 27)
(07/01605/GRG3)
Construction of an outdoor play area [*Skelton, Rawcliffe and Clifton Without Ward*].

5. Urgent Business

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

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

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

Contact details are set out below.

Democracy Officer:

Name: Jill Pickering

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

**EAST AREA PLANNING
SUB-COMMITTEE****SITE VISITS****WEDNESDAY 29 AUGUST 2007**

TIME	OFFICER	SITE
10:15am	SL	78 Penyghent Avenue, York

Pool car will leave St Leonard's Place car park at 10:00am

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The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

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- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Minutes

MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	26 JULY 2007
PRESENT	COUNCILLORS MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, HYMAN, TAYLOR, WISEMAN AND PIERCE (SUB FOR CLLR KING)
APOLOGIES	COUNCILLOR KING

17. DECLARATIONS OF INTEREST

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

Councillor Moore stood down from the Committee for agenda item 4a) (Unit 4, Centurion Office Park, Tribune Way, York), under the provisions of the Planning Code of Good Practice, and spoke from the floor as a Ward Councillor and did not take place in the discussion or decision thereon. Councillor Cregan chaired this item.

18. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 28 June 2007 be approved and signed by the Chair as a correct record.

19. PUBLIC PARTICIPATION

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

20. PLANS LIST

Members considered a schedule of reports of the Assistant Director (Planning and Sustainable Development), relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views and advice of consultees and officers.

20a. Unit 4 Centurion Office Park, Tribune Way, York (07/01336/FULM)

Members considered a major full application, submitted by Keyland Gregory Ltd, for a two storey extension to existing office to provide office, laboratory and warehouse premises (1,773 sqm).

Officers updated that Clifton Without Parish Council and Clifton Moor Business Association had no objections to the application. Yorkshire Water Authority had no objections subject to the addition of four additional conditions relating to foul and surface water drainage, and proximity of the

development to the public sewer. Officers also referred to para. 1.2 of the Planning Officers report which stated that the proposed occupier of the premises ADVA were intending to relocate to this site but they confirmed that they were to retain their existing premises in addition to this development. Confirmation had also been received from the applicants that the fire escape staircase would be fenced and gated to prevent anti social behaviour.

Officers stated that the applicant had also been requested to provide a sustainability statement but that this had not been received. The applicant had indicated that as this was the fourth application for this site and a sustainability statement had now been requested for any of the earlier applications they did not feel it necessary for this application. Officers confirmed that an additional condition requiring submission of a Green Travel Plan was also proposed.

Members questioned the proposed 44 car parking spaces as opposed to the Local Plan stipulation of a maximum of 35 for this Unit. Officers confirmed that, as this was not the first application for this site and previous applications had been refused but not on parking grounds that it would now be inconsistent to refuse on parking grounds. Members also requested the addition of an informative to an approval requesting the applicants to contact the Councils Sustainability Officer and conditioning of the materials for the car park to secure the use of porous materials.

Representations were made on behalf of the applicant who confirmed that the Unit would provide additional space for ADVA to enable them to expand and undertake new contracts.

Councillor Moore stood down from the Committee and spoke from the floor as Ward Councillor. He expressed his support for the development, which would allow the business to expand, and stated that he felt any increase traffic to the site would be insignificant.

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

1. Prior to the development coming into use a travel plan shall be submitted to and agreed in writing by the Local Planning Authority. The site shall be occupied in accordance with the agreed travel plan.
2. Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 4 metres either side of the centre line of the sewer which crosses the site.
3. The site shall be developed with separate systems of drainage for foul and surface water on and off the site.
4. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of

any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.

- 5 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water discharge works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
- 6 Prior to development commencing details of the surface material for the car park and vehicular areas shall be submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved details and thereafter maintained.
- 7 Prior to commencement of the development details of the means of enclosure around the base of the fire escape shall be submitted to and approved in writing by the Local Planning Authority. The enclosure shall be constructed in accordance with the agreed details and thereafter maintained.

Informative: The Council would advise that contact is made with the Sustainability Officer, Kristina Peat (01904 551 666), in order to receive guidance on increasing the sustainability of the development.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would utilise an existing employment site and not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the character and appearance of the area. As such the proposal complies with Policies GP1 and E3a of the City of York Draft Local Plan.

20b. Ikon and Diva Night Club, Stirling Road, York (07/01233/FUL)

Members considered a full application, submitted by Henry Boot Developments, for alterations to existing elevations including new store entrance lobby and reconfiguration of existing car park to include service vehicle access.

Officers updated that Clifton Without Parish Council and the Clifton Moor Business Association had raised no objections to the application. Officers also requested that Condition 7 should ensure that proposed lighting should be “dark sky compliant”.

Members raised concerns regarding the bend adjacent to the site and road safety issues and the need for appropriate signage to warn drivers. Officers confirmed that Highways had raised no objections to the proposals. Members also referred to problems with cardboard/recycling storage in vehicle loading areas, which should be retained for loading. Officers confirmed that details of the means of enclosure were included as

a condition, which required approval in writing by the Local Planning Authority before the development commenced.

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

1. Details of all means of enclosure to the secure loading area shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.
2. Unloading and loading of delivery vehicles shall only be carried out in the secure loading area marked on the approved plans.
3. No outdoor storage of waste, refuse, recycling or other outdoor storage of goods shall be carried on other than in the secure loading area shown on the approved plans.

Amended Condition 7: Prior to the development commencing details of external lighting including details of the level of illumination shall be submitted to and approved in writing by the Local Planning Authority. These details shall reflect "Dark Skies" lighting principles. Once approved the development hereby permitted shall be carried out in full accordance with the details submitted unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would utilise an existing employment site and not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the character and appearance of the area. As such the proposal complies with Policies GP1 and E3a of the City of York Draft Local Plan.

20c. The Garth, Southfields Road, Strensall, York (07/01322/FUL)

Members considered a full application, submitted by Mr and Mrs Thompson, for the erection of a new dwelling and detached garage together with the erection of a new detached garaged to existing dwelling (resubmission).

Officers confirmed that this application was a resubmission of an earlier application, which had been refused. Following Officers discussions with the applicant this application had been submitted which was smaller, lower, better sited and had less impact on existing trees. It was confirmed that the main concerns now appeared to be drainage. Strensall Parish Council had raised serious concerns to the application, in particular on drainage grounds, as there was strong local opposition. Details of their emailed concerns were circulated at the meeting. Officers confirmed that both

Yorkshire Water and the Foss Internal Drainage Board had been consulted and that neither had objections to the application subject to the imposition of conditions. The conditions related to the need for separate foul and surface water drainage and the surface water from both The Garth and the new dwelling being joined together.

In answer to Members questions Officers confirmed that the trees on the site were not visible from public areas so would probably not be considered for Tree Preservation Orders. They also confirmed that Yorkshire Water had felt that the proposed dwelling would make a negligible difference to the foul water flows from the site therefore Officers stated that drainage would be insufficient reason to refuse permission. Also in answer to questions Officers confirmed that rainwater harvesting was proposed as part of the application.

Representations, in objection to the application, were received from a neighbour who stated that he felt that the proposal did not meet the previous reasons for refusal. He felt that it was an overdevelopment of a small plot, which would be out of proportion with adjacent properties. He also confirmed that the comments received from the Parish Council and Cllr Kirk summed up his objections to the scheme.

Representation, relating to drainage issues on the site, were received from a neighbour, who circulated photographs of his property, which showed flooding adjacent to Burn Cottage. He referred to numerous problems he had experienced over a number of years from the back up of effluent from the sewer, which regularly affected his property. He stated that any additional development would he felt exacerbate flooding in the area.

Representations, in support of the application were received from the applicant who confirmed that following refusal of an earlier application he had tried to overcome these reasons and amended the scheme to alleviate the objections. He confirmed that the present scheme included water harvesting, a water flow attenuation system and the reuse of both kitchen and bathwater, which meant that no surface water would enter the drainage system from either The Garth of the new property.

Members expressed concerns that it appeared that the Authority was receiving conflicting advice in relation to drainage and flooding in the vicinity of the site. The Chair confirmed with Officers that, if approval were granted, that any development would not commence until the drainage conditions had been discharged. If approval was granted he requested the addition of two conditions one to condition construction hours and the second for a management scheme for construction vehicle access to the site.

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

1. The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

2. The development hereby approved shall not commence until details of rainwater harvesting have been submitted to the local planning authority and approved in writing. The works shall be carried out in accordance with the approved details.
3. The development hereby approved shall not commence until a management for the control of traffic during construction has been submitted to the local planning authority and approved in writing. The management plan shall be implemented in full to the satisfaction of the local planning authority.

Notes to the Applicant: a. 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".

b. 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.

c. 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.

d. 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.

e. There shall be no bonfires on the site.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance with particular reference to housing provision, sustainability, drainage, impact on trees, neighbour amenity, impact on the conservation area, scale and appearance, open space and highway issues. The application complies with policies GP1, GP4a, GP10, H4a, H5a, T4, NE1 and L1 of the City of York Local Plan Deposit Draft.

20d. Burton Green School, Burton Green, York (07/01247/GRG3)

Members considered a general regulations (Reg 3) application, submitted by Sally Taylor, for an extension to existing security fencing at Burton Green School.

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

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity. The proposed development is of a scale and design appropriate to the character and appearance of the locality and will meet a recognised need. As such the proposal complies with Policy GP1 of the City of York Local Plan Deposit Draft.

CLLR R MOORE, Chair

The meeting started at 2.00 pm and finished at 3.30 pm.

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COMMITTEE REPORT

Committee:	East Area	Ward:	Heworth
Date:	30 August 2007	Parish:	Heworth Planning Panel

Reference: 07/01603/FUL
Application at: 78 Penyghent Avenue York YO31 0QJ
For: Conservatory to Rear
By: Mr. A. Mountain
Application Type: Full Application
Target Date: 3 September 2007

1.0 PROPOSAL

1.1 This application seeks Planning Permission to erect a conservatory to the rear. The projection is approximately 3.3 metres and the width approximately 3.3 metres. The maximum height is approximately 3 metres. The conservatory would consist of a small dwarf brick wall with U.P.V.C frames and a solid brick wall towards the shared boundary of No 80. The roof will be polycarbonate, therefore making the conservatory traditional by design. Access will be provided via patio doors from the main house.

1.2 There has been a small rear extension to the detached garage, granted permission under Building Regulations in 1979 - no other relevant property history.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

Schools St. Aelred's RC Primary 0223

2.2 Policies:

CYH7
Residential extensions

CYGP1
Design

3.0 CONSULTATIONS

3.1 Internal

3.11 Highway Regulation - No objections

3.2 External

3.2.1 Heworth Planning Panel - No objections

3.2.2 Neighbour Response - Objection Letters:

80 Penyghent Avenue (neighbours on shared boundary) have written two letters with concerns regarding:

Loss of light and air

Problems of flooding / discharge of drain water

Loss of privacy / over looking

Existing / Proposed noise

Covenants attached to the original development dating back to 1944

Visual impact

(Visited property 19.07.07)

302 Fifth Avenue (rear) concerns regarding:

Problems of flooding

Destroy large amount of land

Mitchell's Solicitors - legal objection by 80 Penyghent Avenue

Covenants attached to the original development dating back to 1944 on issues of additional development

Copy of HM Land Registry Report

4.0 APPRAISAL

4.1 Relevant Local Policies And Key issue(s): Effect upon neighbouring property and the street scene

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

4.3 Draft Local Plan Policy CYH7 states that planning permission will be granted for residential extensions where: (a) the design and materials are sympathetic to the main dwelling and the locality of the development.

4.4 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that (1.22) conservatories should be sited at the side or rear of the dwelling. They should have pitched roofs. Issues of privacy for neighbours and users is important, and obscure glazing should be considered for windows that face neighbours property, solid sides can be used or a permanent fence or wall constructed to the boundary.

4.5 This property is a detached dwelling located in a residential area. The dwelling has a good-sized rear garden and a detached garage to the side elevation.

The property along with four other dwellings situated to the side and rear of the application site were built at a later date than the traditional semi- detached properties that dominate this area.

4.6 The main planning issues raised by this application are whether the proposed development would have a detrimental impact on the residential amenities of nearby properties and the visual appearance and amenities of the surrounding area.

4.7 Effect upon the Street Scene - The conservatory would be in keeping with the character, design and external appearance of the existing property and the surrounding area. The building material to be used would blend in with the existing property.

4.8 Effect upon the Neighbouring Properties (particular reference to 80 Penyghent Avenue & 307 Fifth Avenue)

Visited property 19.07.07 at request of the residents - the proposal was viewed from their property whilst conducting a site visit.

80 Penyghent Avenue (neighbours on shared boundary) have written two letters with concerns regarding:

Loss of light and air - Consideration has been given to the possibility of the loss of light. Because of the ample separation between the properties and the relatively modest projection of the extension, it is considered that the proposal is satisfactory and would not impact significantly on light into the primary windows.

Problems of flooding / discharge of drain water - A letter has been submitted by the agent confirming that any surface water from the conservatory will discharge into the existing main drains, therefore it is unlikely that the proposed development will add to the existing problem of garden flooding.

Loss of privacy, over looking & visual impact - The proposed conservatory will be built adjacent to the boundary and the proposed plans show a solid brick wall . There is sufficient boundary treatment and the roof will be pitched away from the neighbours There is a gap of approximately 6 metres between the host property and the adjacent detached property, therefore it is not considered that the proposed conservatory will have a detrimental impact on the neighbours at No 80.

Existing / Proposed noise - It is not considered that the normal domestic use of the conservatory would be likely to significantly increase noise levels to the extent that planning permission could be refused.

A legal covenant that was put on the original title deeds of the property in 1944 relating to alterations to the property impacting on the adjoining neighbours light and air at the time of the completion of the development.

This covenant is a legal issue and is not directly relevant to the consideration of the application. The granting of planning permission would not override any legal covenant that may exist in relation to the property.

Mitchell's Solicitors - legal objection by 80 Penyghent Avenue

Covenants attached to the original development dating back to 1944 on issues of additional development

Copy of HM Land Registry Report

The letter relates to the covenant on original development - please see previous paragraph for comments.

302 Fifth Avenue (rear) concerns regarding:

Problems of flooding - As stated above, rainwater will discharge to the mains drains and it is not considered that the conservatory will exacerbate any existing problems of garden flooding due to excessive rainwater

4.9 Assessment Of Neighbour Objections- There is an approx 2 metre high timber boarded fence defining all boundaries with small gaps between which offer limited views through. The distance is acceptable from the surrounding properties. The extension would be out of public view and seen only from the upper floors of neighbouring dwellings hence, there would be no overlooking affect upon the adjoining properties and adequate daylight would be maintained towards the principle rooms of the nearby properties.

5.0 CONCLUSION

The development will be effectively unseen from public areas and the design and materials are considered acceptable. The rear garden is well screened and it is not considered that the development will appear overbearing or give rise to any unreasonable loss of amenity to adjoining residents as a result of unreasonable overshadowing or loss of light.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 VISQ1 Matching materials

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

Portal Application Approved Plans Floor and Elevations

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

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

7.0 INFORMATIVES:

Notes to Applicant

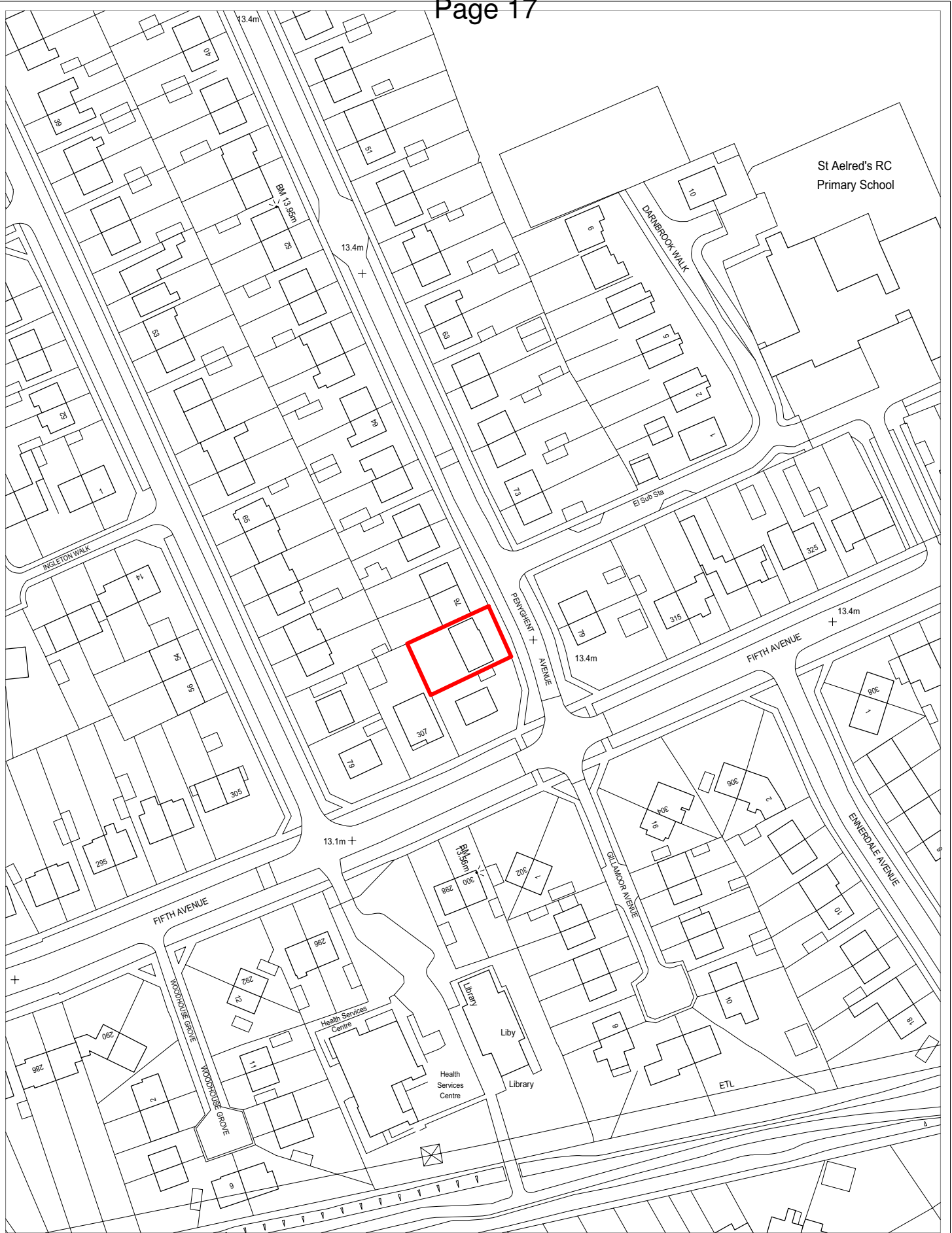
1. REASON FOR APPROVAL

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

Contact details:

Author: Sharon Lickers Development Control Assistant

Tel No: 01904 551359



CITY OF
YORK
COUNCIL

78 PENYGHENT AVENUE - 07/01603/FUL

SCALE 1:1250
Originating Group

DRAWN BY PSL
Project

DATE 16/8/2007
Drawing No.



9, St Leonards Place, York, YO1 2ET
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City of York Council LA 1000 20818

COMMITTEE REPORT

Committee: East Area
Date: 30 August 2007

Ward: Wheldrake
Parish: Naburn Parish Council

Reference: 07/01646/GRG3
Application at: Acres House Farm Naburn Lane Fulford York YO19 4RE
For: Construction of vehicle access from Naburn Lane
By: City Of York Council
Application Type: Full Application
Target Date: 7 September 2007

1.0 PROPOSAL

1.1 Application relates to Grade 2 agricultural land on east side of Naburn Lane (B1222), opposite the Naburn Treatment Works. It falls within the York Green Belt. The proposal involves the creation of a vehicular access and access road from the highway, through a gap in the existing hedgerow and then runs north parallel to the road at the back of hedgerow and then eastwards along the line of a former farm access. Passing points are proposed along the roadway at 150m intervals. The roadway would be created having a stone aggregate surface layer.

1.2 It would provide a private vehicular access to two properties, Acres Farm and Acres Bungalow. Access is currently gained through the neighbouring Naburn Lodge Farm, located to the south, which has a vehicular access from Naburn Lane further to the south than that proposed. The new access is proposed because the City of York Council sold Naburn Lodge Farm in 2003, with a covenant on the sale transfer that required a new access to be constructed for Acres Farm and Bungalow within 5 years. The siting of the junction of the access road and Naburn Lane has been determined by visibility requirements and because there is a gap at this point in the existing hedge, though part of the hedge is to be removed to create the access.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYNE1
Trees, woodlands, hedgerows

CYGB1
Development within the Green Belt

CYGP14
Agricultural land

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - Visibility at the proposed access is within guidelines. No objections.

Planning & Design (Ecology) - No problems in principal, as the proposals use an existing gap plus the hedge did not appear to fulfil the criteria for protection within the Hedgerow Regulations. Request conditions to ensure hedge's protection and to improve remaining hedge.

3.2 External

Naburn Parish Council - Object:

- Would take up valuable farming land, fences would need to be installed along the whole of the access road for future security;
- Would mean more vehicles entering and exiting a dangerous part of B1222 Naburn Lane, which already has heavy traffic accesses;
- Existing road is far from perfect, but more sense to develop it rather than install a road surface down length/width of field.

No response to site notice.

4.0 APPRAISAL

4.1 Key issues:

- impact on Green Belt;
- loss of agricultural land;
- affect on hedgerow;
- highway safety implications.

4.2 Policy Context: The relevant City of York Draft Local Plan policies are set out in section 2.2. In addition, national advice contained in Planning Policy Guidance Note 2: Green Belts and Planning Policy Statement 9: Biodiversity and Geological Conservation is relevant. In particular, PPG2 provides advice on the carrying out of engineering operations and change of use of land in the Green Belt. Such works are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. In addition, the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt, which are detrimental by reason of their siting, materials or design.

4.3 As set out in section 1.2, the access road is required following a land sale agreement between the Council and the buyer of the neighbouring Naburn Lodge Farm, which leaves Acres Farm and Acres Bungalow landlocked. The access road

would reuse part of a former field access (a grassed non-cultivated strip) running from Naburn Lane eastwards to the properties with an existing gateway from Naburn Lane opposite the new treatment works entrance. Exiting out at this point would require less roadway to be constructed, but would not allow adequate visibility at the junction with Naburn Lane to be safe in highway terms.

4.4 It is considered that the works would not constitute inappropriate development in the Green Belt as they would not prejudice the purpose of including the land in the green belt nor its general openness, providing no fencing or lighting is installed. However, the visual amenity of the Green Belt would be affected due to the extent of roadway to be created. To a degree this would be screened by the hedgerow and additional planting could be required to further lessen the impact, as well as to compensate for any loss via the creation of the access itself. Also, a stone aggregate surface is proposed to match similar tracks in the area, details of which could be controlled through condition. Further details are also required of the roadway edging restraint and drainage to ensure that its width is kept to a minimum.

4.5 The roadway is shown as being located 2m from the existing hedge line and 3.2m wide (5m at entrance and for passing points), but to avoid damage to the hedge's root structure, the construction would need to be positioned at a minimum of 2.5m. This would mean that the roadway would be located further into the agricultural field and the loss of grade 2 agricultural land, which is included in the definition of the best and most versatile agricultural land. As mentioned above, the Council's land sale agreement prevents the use of the current access road through Naburn Lodge Farm after July 2008 and the former field access entrance is unacceptable for use on a permanent basis due to poor visibility. Therefore, it is considered that very special circumstances have been demonstrated as required by Local Plan Policy GP14, which concerns the loss of the best and most versatile agricultural land. Furthermore, in relation to the size of the field as a total, the extent of land lost to the roadway would not result in a significant loss of the best and most versatile agricultural land,

4.6 In highway safety terms, the creation of the junction with Naburn Lane at the point proposed would provide adequate visibility along this relatively fast road and would mean that it would not be opposite any of the entrances to the treatment works. As a result, Highway Network Management raise no objections to the proposal.

5.0 CONCLUSION

5.1 The proposal would result in the construction of a new vehicular access with Naburn Lane and a long roadway across grade 2 agricultural land that is designated Green Belt. This is to allow access to two properties, landlocked as a result of a Council land sale of a neighbouring property.

5.2 However, the proposal would not prejudice the purposes of including the land in the Green Belt nor its general openness. The impact of the proposals on the visual amenities of the Green Belt could be lessened by conditions to require further hedge planting, details of the surface finish and of the roadway edging and drainage. The loss of grade 2 agricultural land would be limited in relation to the field and very

special circumstances have been demonstrated. The roadway needs to be positioned 2.5m from the base of the hedge to protect the hedge. There are no objections on highway safety grounds.

5.3 In light of the above, the application is recommended for approval.

6.0 RECOMMENDATION: Approve

1 TIMEL2 Development start within 3 yrs (LBC/CAC)

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

Drawing no. HE/DEC/07010/151-102 'Proposed Access onto B1222' dated July 2007 and received 13 July 2007;

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

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

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, details of the materials to be used for the surface/running layer, including colour, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: In the interests of protecting the visual amenities of the Green Belt.

4 Prior to the commencement of the development, large scale details of the edge restraint and drainage details for the roadway, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of protecting the visual amenities of the Green Belt.

5 No lighting or means of enclosure shall be installed in connection with or as a result of the roadway at any time.

Reason: In the interests of preserving the visual amenities of the Green Belt.

6 The access road, including edge restraint, shall be constructed a minimum of 2.5m from the base of the hedge along Naburn Lane and along the northern boundary of the field.

Reason: To avoid damage to the hedge's root structure and to allow the hedge to grow without interfering with the use of the access road.

7 Before the commencement of and during engineering operations, adequate measures shall be taken to protect the existing hedgerow adjacent to Naburn Lane and along the northern field boundary. This means of protection shall be agreed in writing with the Local Planning Authority and shall be implemented prior to the storage of materials or the commencement of engineering works.

Reason: The existing planting is considered to make a significant contribution to the amenities of this area.

8 Native hedgerow shall be planted to fill gaps in the full length of the remaining hedge along Naburn Lane, to the following specification: Staggered, double row, 60 to 90 cm high plants, 30cm spacing between plants. Composed of 60% hawthorn, 20% blackthorn and the remaining percentage made up of the following: Dog Rose, Dogwood, Hazel, Field Maple, Holly, Guelder Rose.

The hedging shall be planted before the end of the next tree planting season (November-March) following the completion of the development in a location suitable for the growth of the hedge/trees.

Any new hedging that within a period of five years from the completion of the development dies, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of enhancing the landscape and wildlife value of the hedge and to protect the visual amenities of the Green Belt.

7.0 INFORMATIVES:

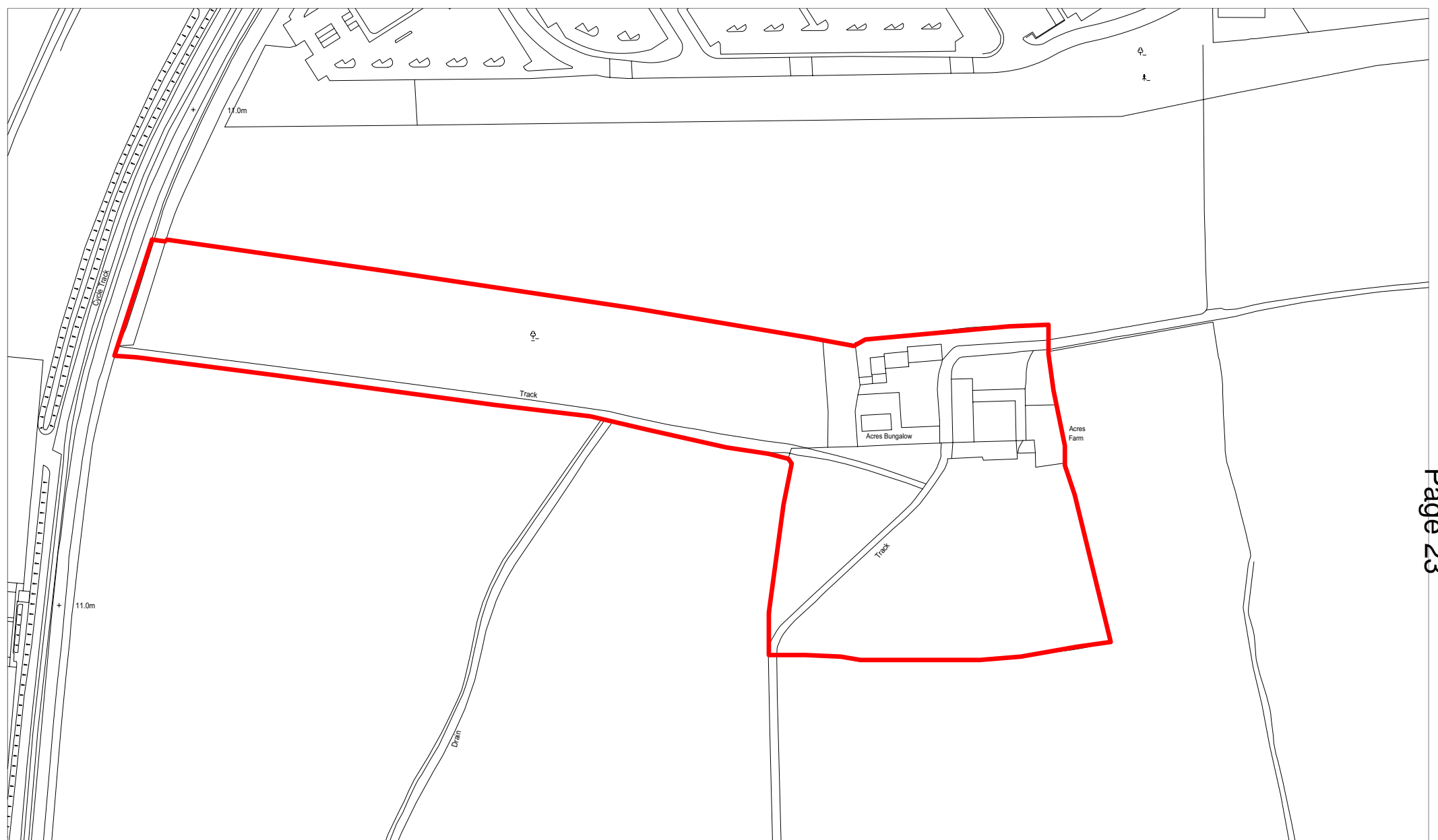
Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the purpose and openness of the Green Belt, agricultural land, hedgerow and highway safety. As such the proposal complies with Planning Policy Guidance Note 2 : Green Belts, Planning Policy Statement 9: Biodiversity and Geological Conservation and Policies GP1, GP14, NE1, GB1 of the City of York Draft Local Plan.

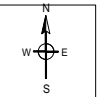
Contact details:

Author: Hannah Blackburn Development Control Officer
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ACRES HOUSE FARM, NABURN LANE, FULFORD - 07/01646/GRG3



SCALE: 1:2500	DRAWN BY: PSL	DATE 16/8/2007
Originating Group:	Project	Drawing No.

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COMMITTEE REPORT

Committee: East Area **Ward:** Skelton, Rawcliffe, Clifton
Without
Date: 30 August 2007 **Parish:** Clifton Without Parish Council

Reference: 07/01605/GRG3
Application at: Bootham Junior School Rawcliffe Lane York YO30 6NP
For: Construction of an outdoor play area
By: Bootham School
Application Type: Full Application
Target Date: 31 August 2007

1.0 PROPOSAL

This application is a full application for the creation of an outdoor play area within the grounds of Bootham School. Bootham School is located on the east side of Rawcliffe Lane. The play area is to be sited adjacent to the main school building and adjacent to Rawcliffe Lane.

The proposal is to enclose an area of land, measuring approximately 20 metres in length and an average depth of 8 metres, with a 1 metre high fence and to construct the following wood constructed items :-

- Star shaped seating
- Ball stop planter (3 metres wide)
- Small woodland bench (1.8 metres wide)
- Square table (1.2m by 1.2m)
- Bespoke planter seating (1.7m by 3.3m)
- 2 hanging frames (1.2 m by 1.2m)
- Outdoor shelter on decking base (3.6m by 2.4m standing an average of 2.25 metres high)
- Sail shade (3.8m by 3.2 m by 2.7m high with extended poles (1.8m high)

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

2.2 Policies:

CYGP1
Design

3.0 CONSULTATIONS

3.1 Internal
Highway Network Management
No objections

Environmental Protection Unit

No objections to the application. It is recommended that the applicant be informed of the legislation governing their activities during construction. Also ask for confirmation that the outdoor shelter is not to be used as an outdoor classroom.

3.2 External
Parish Council
No objections

3.3 Publicity

The application was advertised by means of a site notice on the 17th July 2007 and by neighbour notification. The date for responses to notifications has expired

4.0 APPRAISAL

4.1 Key Issues

- Design
- Impact on residential amenity

4.2 Planning Policies

Policy GP1 of the Local Plan Deposit Draft states that development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate building materials. Proposals will also be expected to ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.3 Design

The school is a modern structure set in well landscaped grounds. A mature hedge delineates the front boundary of the site to Rawcliffe Lane. The proposed play area is to be sited behind the hedge between the school building and the road. The visible elements of the proposed structures from the road will be the sail shade and the roof of the outdoor shelter. These elements of the scheme have been designed so that they are appropriate to the semi rural feel of the site and the design of the school building. The details of the scheme are considered to comply with the requirements of policy GP1 of the local plan.

4.4 Residential Amenity

The closest properties to the site are those on the opposite side of Rawcliffe Road. These properties are set back from the road frontage and are set within well landscaped plots. The area adjacent to the new play area is already used for outdoor play. The addition of the new play area will not, in officer's view, cause any disturbance to adjacent residents.

5.0 CONCLUSION

It is considered that the proposed play area would be of an appropriate design in relation to the surrounding buildings and residential properties. It is also considered that the proposal will not detrimentally impact on the amenity of neighbouring

residents. Therefore the play area would be in compliance with Policy GP1 of the draft local plan.

6.0 RECOMMENDATION:

1 TIME2 Development start within three years

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

layout plan and fencing detail dated 6th July 2007
play scheme elevation plans dated 6th July 2007

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

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

7.0 INFORMATIVES:

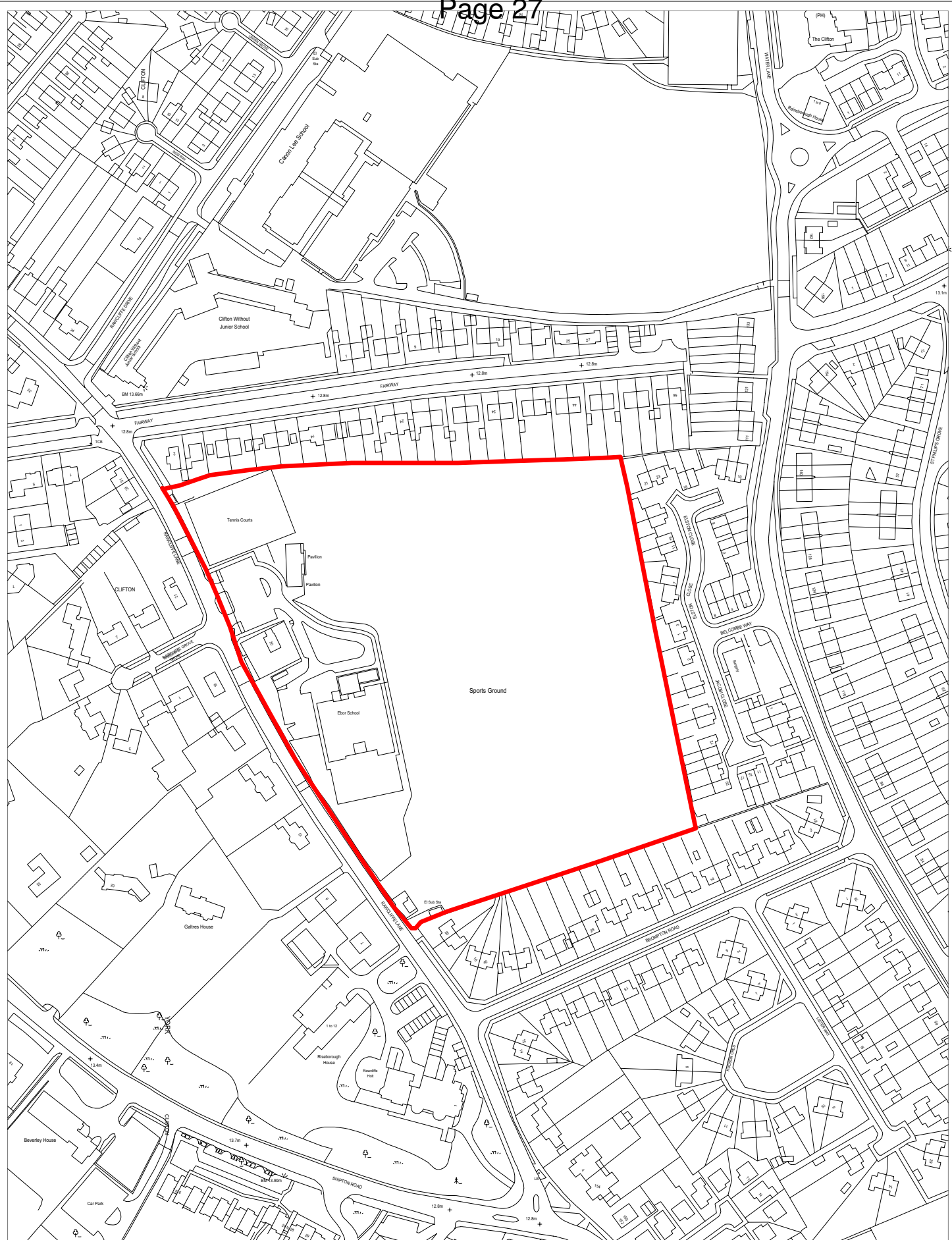
Notes to Applicant

1. REASON FOR APPROVAL

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

Contact details:

Author: Diane Cragg Development Control Officer (Mon/Tues)
Tel No: 01904 551657



BOOTHAM JUNIOR SCHOOL, RAWCLIFFE LANE - 07/01605/GRG3

SCALE 1:2500	DRAWN BY PSL	DATE 17/8/2007
Originating Group	Project	Drawing No.

