



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, 27 September 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. **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 26 September 2007 at 5.00pm.

3. **Plans List**

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

a) **Hallfield Road, York (07/01855/FUL)** (Pages 4 - 9)

Erection of sculpture at junction of cycle path with Hallfield Road and James Street link road [*Heworth Ward*].

**b) Plot E Airfield Business Park, Whitley Road, (Pages 10 - 21)
Elvington, York (07/01606/FULM)**

Erection of 5 no. industrial units incorporating 1 no. single storey unit block and 1 no. four unit block with car parking/servicing courtyard and associated landscaping [*Wheldrake Ward*].

**c) The Coach House, Fulford Chase, York (Pages 22 - 27)
(07/01886/FUL)**

Single storey flat roof rear extension [*Fishergate Ward*].

4. Urgent Business

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

Democracy Officer:

Name: Jill Pickering

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

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 above

**EAST AREA PLANNING
SUB-COMMITTEE****SITE VISITS****WEDNESDAY 26 SEPTEMBER 2007**

TIME	OFFICER	SITE
10:15am	KO'C	Hallfield Road, York
10:45am	HS	Plot E, Airfield Business Park, Elvington

Could Members please contact Matthew Parkinson to arrange a lift or to obtain details of where to meet in relation to the first application at Hallfield Lane, Telephone: 552405.

About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন অর্ধাতে তথ্য জানানোর জন্য সব ধরনের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোঅবী সরবরাহ করা হবে। টেলিফোন নম্বর (01904) 551 550।

Yeteri kadar önceden haber verilmesi koşuluyla, bilgilerin terümesini hazırlatmak ya da bir tercüman bulmak için mümkün olan herşey yapılacaktır. Tel: (01904) 551 550

我們竭力使提供的資訊備有不同語言版本，在有充足時間提前通知的情況下會安排筆譯或口譯服務。電話 (01904) 551 550。

اگر مناسب وقت سے اطلاع دی جاتی ہے تو ہم معلومات کا ترجمہ مہیا کرنے کی پوری کوشش کریں گے۔ ٹیلی فون (01904) 551 550

Informacja może być dostępna w tłumaczeniu, jeśli dostaniemy zapotrzebowanie z wystarczającym wyprzedzeniem. Tel: (01904) 551 550

Holding the Executive to Account

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.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

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

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

COMMITTEE REPORT

Committee: East Area **Ward:** Heworth
Date: 27 September 2007 **Parish:** Heworth Planning Panel

Reference: 07/01855/FUL
Application at: Hallfield Road, York
For: Erection of sculpture at junction of cycle path with Hallfield Road and James Street link road
By: City Of York Council
Application Type: Full Application
Target Date: 28 September 2007

1.0 PROPOSAL

1.1 Erection of a community art sculpture by Ms Ailsa Magnus. The work is entitled Travelling Under Your Own Steam and, according to the sculptor, is a whimsical celebration of our desire to travel. It follows a wide-ranging public consultation exercise. The sculpture would be 1.2m long, 0.25m wide and 1.65m high. It would be made of cast iron on a brick plinth.

1.2 The artwork has been funded by s.106 contributions from developers in the Foss Islands area. The work was commissioned in response to the construction of the James Street Link Road, which involved altering the route of the existing Sustrans cycle track and the removal of the Hallfield Road bridge. The council generally encourages public art within development schemes and is facilitating delivery of the project.

1.3 A committee site visit is to take place because an objection has been received and the application is recommended for approval.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

Floodzone 2 Flood Zone 2 CONF

2.2 Policies:

CYGP1
Design

CGP15A
Development and Flood Risk

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections.

3.2 External

Heworth Planning Panel - Objection. Planning issues include: concern about maintenance. The proposal does little to enhance public amenity or enhance understanding of the area's heritage. The sculpture should have a clear relationship with the surrounding buildings. It should be sited closer to the entrance/exit to the cycle path rather than as proposed, which is in the middle of a pedestrian desire line between Hallfield Road and the James Street link.

Public Consultation - The consultation period expired on 14 September 2007. No response.

4.0 APPRAISAL

4.1 Key Issues

Visual appearance.

Public amenity.

Highway issues.

4.2 The Application Site

The sculpture would be located on the east side of Hallfield Road/James Street Link Road close to the Hallfield Road/Faber Street junction. The sculpture would occupy part of a narrow landscaped area between the link road and the new footpath/cycle path parallel to Faber Street. It would be entirely within the public highway boundary.

4.3 Visual Appearance

The quality of an individual piece of artwork is a matter of personal taste. Therefore, whilst the sculpture would be in a very prominent position, the details of its appearance are less of a material planning consideration than for other buildings or structures. Nevertheless, the scale and proportions of the sculpture are in keeping with the character of the surrounding area.

The sculpture would be located in a narrow landscaped strip between two existing public paths. Whilst no landscaping would have to be removed the relationship between the sculpture, landscaping and public paths is crucial to the success of the overall composition. Details of the overall arrangement should be required as a condition of approval.

The materials - brick and cast iron - are very durable and should require little maintenance. Nevertheless the metal may need to be re-coated annually. Preparatory products should be able to remove graffiti and the sculpture could be power-washed if necessary. Whilst the surface of the sculpture would appear rusty, this 'patina' is intended to be part of its appeal

4.4 Public Amenity

No doubt the work will attract a range of opinions and responses. However, it is intended to be of public benefit and to help create a visually stimulating local environment. It would be easily seen by cyclists, pedestrians and passing motorists

as well as nearby residents. But the sculpture would be at least 30m from the nearest dwellings and is unlikely to appear overbearing.

4.5 Highway Matters

The sculpture would be located close to the shared footpath/cycle path as it descends from Hallfield Road. The location would make use of a gap in the existing landscaping where a tree has died or been removed. Using this space should encourage pedestrians to use the footpath provided yet still leave enough space around the sculpture for pedestrians to approach it if desired. The council's highways officers have no objection to the proposal.

5.0 CONCLUSION

5.1 Whilst the detailed design is a matter of personal taste the scale and character are in keeping with the character of the surrounding area. There are no highway objections to the proposal, which accords with policy GP1 of the City of York Local Plan Deposit Draft.

As the OS Maps have not been updated to reflect the recently built James Street link road a supplementary plan is attached to this application for information. Details of the exact location for the siting of the sculpture will be detailed by Officers at the meeting.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall not be carried otherwise than in complete accordance with the approved plans and other submitted details or as may otherwise be agreed in writing by the Local Planning Authority.

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

3 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a landscaping scheme, including hard and soft landscaping, in the vicinity of the proposed sculpture. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

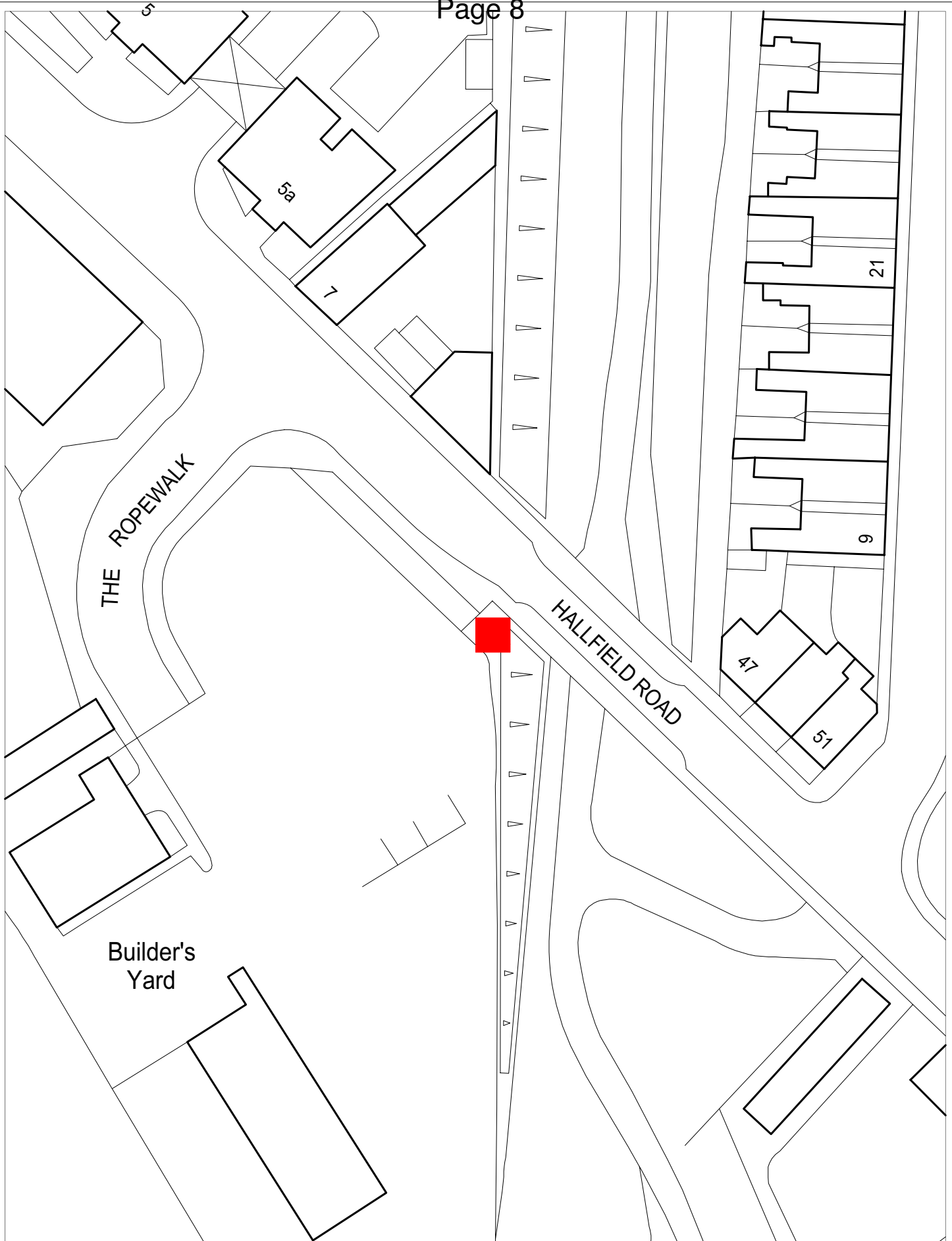
Reason: In the interests of visual amenity.

7.0 INFORMATIVES: Notes to Applicant

1. 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 visual appearance, public amenity and highway safety. As such the proposal complies with policy GP1 of the City of York Local Plan Deposit Draft.

Contact details:

Author: Kevin O'Connell Development Control Officer
Tel No: 01904 552830



CITY OF
YORK
COUNCIL

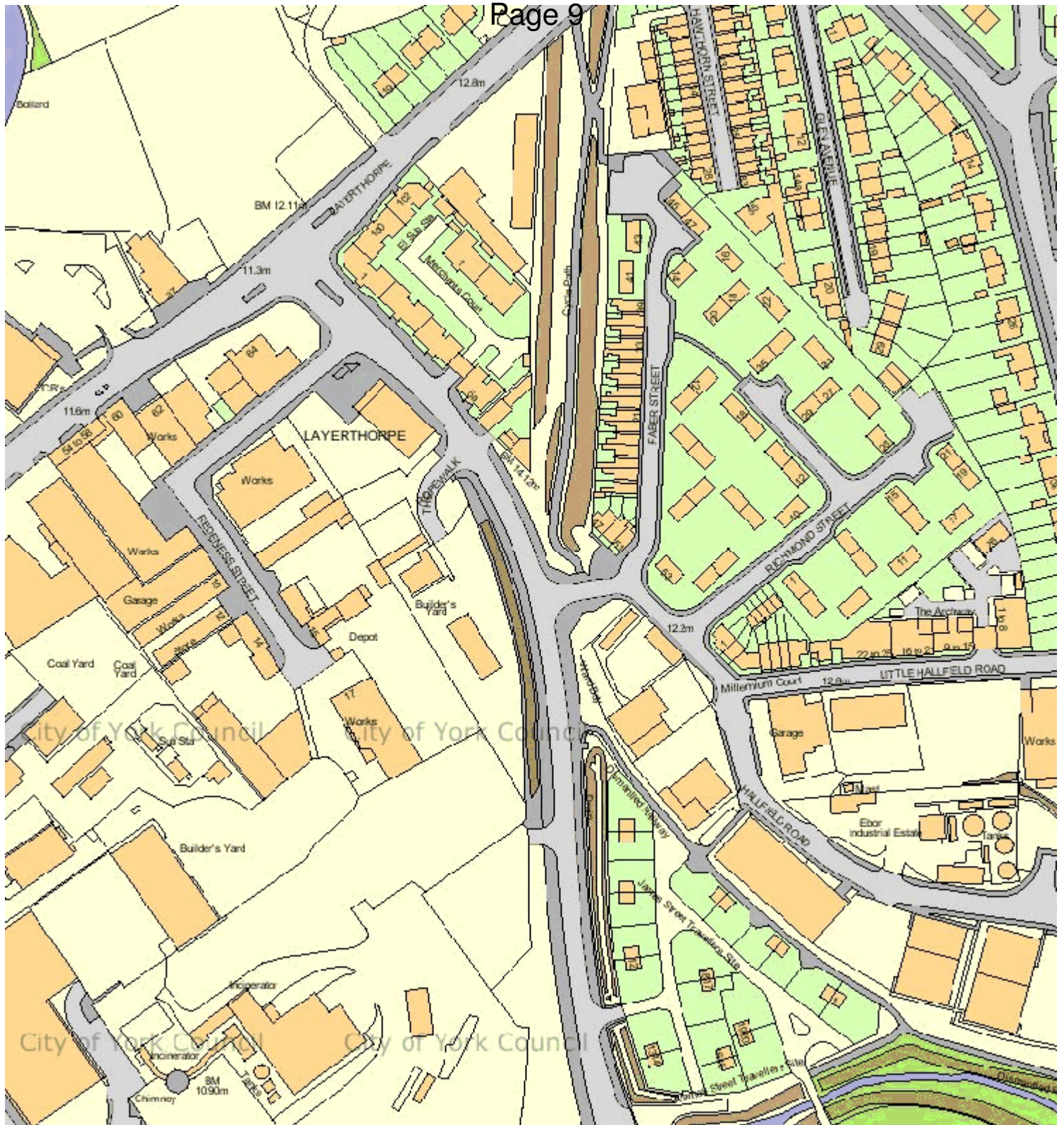
HALLFIELD ROAD - 07/1855/FUL

SCALE 1:500
Originating Group

DRAWN BY PSL
Project

DATE 13/9/2007
Drawing No.





COMMITTEE REPORT

Committee: East Area **Ward:** Wheldrake
Date: 27 September 2007 **Parish:** Elvington Parish Council

Reference: 07/01606/FULM
Application at: Plot E Airfield Business Park Whitley Road Elvington York
For: Erection of 5no. industrial units incorporating 1no. single storey unit block and 1no. four unit block with car parking/servicing courtyard and associated landscaping,
By: W.M. Birch And Sons Ltd
Application Type: Major Full Application (13 weeks)
Target Date: 5 October 2007

1.0 PROPOSAL

1.1 The proposal is for the erection of 5 two storey industrial units on a piece of land at the Elvington Airfield Industrial Estate. The site in question is known as Plot E and is the area of land immediately adjacent to the entrance to the Yorkshire Air Museum.

1.2 The site is within an existing employment site identified within the City of York Deposit Draft Local Plan incorporating the 4th set of changes, approved April 2005.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

2.2 Policies:

CYGP4A
Sustainability

CYNE1
Trees, woodlands, hedgerows

CYT5
Traffic and pedestrian safety

CYE3A
Standard Employment Allocations

CYGP1
Design

3.0 CONSULTATIONS

3.1 INTERNAL.

3.2 Network Management.

There are no highway objections to the principle of this proposed development, however, it is noticed that the development will entail the "stopping up" of two areas of public highway and the diversion of an existing highway drain within the site.

Applicant in discussion with the Highways Authority to discuss this further and revised plans and confirmation of details are awaited. Subject to these details being agreed, no objections. Amended details received 13th Sept following discussion with highway officers and an update on this will be provided at the planning committee.

3.4 EPU.

The environmental protection unit have no objections to this application. A site visit revealed that the area has not been used for a number of years, but has been military land in the past. As a result of this information it is felt necessary to place the 5 point contaminated land condition on this application so that the Council can be informed of the actual historical use of the site and determine further if any contamination is present.

3.5 Archaeology.

Watching brief on all groundworks required. The site lies within the boundaries of the WWII airfield at Elvington, and in an area which has produced extensive crop mark evidence for a late prehistoric / Roman British landscape. This development may reveal features and deposits which must be recorded through a watching brief.

3.6 Landscape Officer.

The recently completed development on the opposite side of the road (plot A ref 02/3100) through much negotiating at the time has ensured the successful protection and retention of trees on and neighbouring the site, resulting in a large development footprint and adequate space around existing trees. The same standard will be expected of this plot. Those few trees that do exist are the only aesthetically redeeming features of the business park.

The species, numbers and stock sizes shown on the Landscape proposals are fine but the locations of some of the trees are incompatible with the proposed highway drain diversion, which requires a 3m easement either side of the proposed drain. Therefore the tree locations need revising to suit. Within these revisions the Council would like to see an Oak planted towards the apex of Whitley Road and Halifax Way, 3m from the edge of the pavement.

This application shows the retention of the third Pine (T3); this is unrealistic given the proximity of the proposed building. Nonetheless, in this instance the Council are happy to concede this, because the Ash is retained and a considerable number of new trees are introduced. Unit 4 should be reduced in width by 2-3m to allow the full root protection area for Pine T4.

It would be more appropriate to manage the existing regenerated vegetation immediately under the protected pine trees, rather than introduce new planting because of the difficulty in cultivating and planting over the rooting zone; the

competition for water, plus the shade cast by the trees is not conducive to establishing and maintaining new Heather plants.

It would also benefit the trees and the environment to utilise porous construction for the parking bays (in line with sustainable development principles).

Amended plans to address the above received 14th Sept. An update will be provided at the Committee meeting. Subject to the details in these plans, condition LAND1 and tree protection conditions are recommended.

3.7 City Development.

The site is Plot E of the designated Elvington Airfield Business Park. It is proposed that the proposed business units be used for B1, B2, B8 uses. It is allocated in the local plan as a standard employment site restricted to B2 and B8 uses. It is a schedule 2 employment site which restricts the use of B1. Therefore there is no policy objection to B2 and B8 uses as this is allocated within the local plan. However, due to problems maintaining the supply of B2 and B8, the site is restricted to this use class, therefore B1 is not permitted.

If the application is for B2 and B8 use alone, there would be no policy objection.

3.8 EXTERNAL

3.9 Elvington Parish Council.
No objections.

3.10 Third Parties.

5 letters of objection received making the following observations.

- Support any objections or suggestions the Yorkshire Air Museum make to this or any future development proposals in the area.
- Against any building or commercial development being built within one mile of the Museum premises.
- Developers are showing a complete disregard for all the Yorkshire Air Museum stands for. It is a memorial to all those who served and gave their lives during WWII and serves as a reminder to visitors how much is owed to these people. It would be sacrilege to destroy this memorial by imposing these commercial buildings on such a sensitive site. There must be less sensitive sites.
- Previous objections still stand. Would be extremely unhappy about any development with access via Whitley Road due to its proximity to the Air Museum entrance. Would not enhance the entrance and having two entrances close to each other, one used by commercial traffic would cause traffic problems.

4.0 APPRAISAL

4.0 APPRAISAL

4.1 KEY ISSUES.

- local plan allocation.
- employment creation.

- visual impact of the development.
- protected trees.
- highway implications.

4.2 Local Plan allocation / employment creation.

The comments of the City Development Officer at paragraph 3.7 of this report are especially relevant to this application. The site is allocated as an employment site in the local plan and therefore the principle of a development of this sort here is acceptable. By virtue of this allocation the Council have accepted that this site is suitable for an employment use and therefore there can be no objection in principle to industrial units being erected here.

4.3 However the Elvington Airfield Business Park has been allocated only for a B2 (General Industrial) or B8 (Storage and warehousing) use and the applicant has applied not only for this, but also for B1 (Business).

4.4 Due to the constraints placed on the availability of greenfield development sites around York by the existing Green Belt and the effects this has on land values , it is particularly important to ensure that land currently or previously designated for employment uses in Schedule 2 of the local plan are safeguarded for their identified land use. It will be difficult to replace land designated for employment use if this is developed for other uses and therefore any use outside the B1, B2 or B8 classification is not acceptable on an allocated employment site.

4.5 Further to this, some allocated sites are further restricted to just B2 and B8 use and Elvington Airfield Business Park falls within this category. High land values in the City make it difficult to maintain a supply of land suitable for B2/B8 uses and therefore some sites must be maintained in order to encourage such uses.

4.6 However, since this site was allocated for B2 and B8 use (first done in the 3rd set of changes and re-imposed in the 4th set of changes) the Use Classes Order has been amended by the Use Classes (Amendment) Order 2005 and further amended by The Town and Country Planning Act Use Classes Order 2006. There are now three sub-sections to the B1 use and these are as follows:

- a) Offices, other than a use within Class A2 (Financial Services).
- b) Research and development of products or processes.
- c) Light industry.

4.7 Parts b and c are very similar in their classification and generally can be considered together. They offer similar industrial / manufacturing uses to the types one would generally associate with classes B2 and B8 and which the restrictive policy is seeking to achieve. Therefore, providing that the use of the buildings can be controlled to include only parts b and c of Use Class B1, the spirit of what policy E3b of the draft City of York Local Plan is seeking to control can be achieved. Officers are of the view that a suitable condition can be worded that restricts use to those covered by classes B1 (parts b and c) and classes B2 and B8. The applicant has expressed his agreement to this restriction.

Visual Impact / Impact on the Air Museum.

4.8 This is the third application for development of this type on this site in the last two years, the previous two having being withdrawn. In both cases there were a significant number of objections to the development, mostly from the Yorkshire Air Museum and its trustees. The main concerns rested around the impact the development will have on the Museum, both in terms of its setting and appearance and matters of highway safety. This application has been amended significantly as a result of these objections and discussions with the Air Museum. The main changes are to the layout of the units and to the access point into the site. Previously access was to be off Whitley Road via an entrance immediately adjacent to the Air Museum entrance. The layout of the units were concentrated as a long curve of buildings along the eastern boundary following the line of Halifax Way (the main road through the business park) with a single unit on the southern boundary. In this application, the entrance has been moved to off Halifax Way so that no traffic visiting this site will go down Whitley Road towards the entrance to the Air Museum. The layout has consequently been amended to reflect this with a block of four units now shown adjacent to the southern boundary and a single unit towards the northern end of the site.

4.9 Whilst issues over site layout, access and highway safety are important material considerations, the site is allocated in the draft local plan as an employment site and therefore the principle has already been established through the due local plan process. There is therefore an agreed expectancy on behalf of the Council that this site should come forward as an employment site and that industrial units will be erected on this site. Given this allocation, officers do not raise any objections to the proposed use of the site.

4.10 The main issue is therefore the details of the scheme and ensuring that any development respects its setting next to an important leisure and tourism use and that it doesn't materially harm or hinder the museums objectives, appearance or future, or that of the area.

4.11 The area in question is classified as 'Plot E' within the allocated Elvington Airfield Business Park area and remains the only undeveloped area within this allocation. It is also the most sensitive given its position next to the air museum and at the most northerly end of the site closest to Elvington Lane. It will be the first site one sees when turning into the Business Park onto Halifax Way from Elvington Lane.

4.12 The position of the site is such that there is bound to be some visual impact from any scheme of this kind, however modest it may be. The key issue is to minimize this as much as possible. The most sensitive part of the site is the northern end closest to Elvington Lane and close to the junction of Halifax Way and Whitley Road. Many of the objectors to the previous schemes expressed concerns about the impact of the development on the setting of the entrance to the Air Museum which will put visitors off visiting the attraction. Whilst officers didn't necessarily concur with this view it is agreed that this area is important visually and any proposed development should maintain some openness close to the junction of Whitley Road and Halifax Way, both in terms of basic good design practices and so as to maintain a degree of visual separation between the Air Museum and this site.

4.13 At the moment the site is a largely overgrown, somewhat derelict looking site which is not particularly well maintained. A small storage type building stands close

to the southern boundary and this is to be demolished as part of this proposal. The proposed four unit block will occupy the footprint of this storage building although it is acknowledged that the proposed buildings are significantly larger. Other existing industrial style buildings already built on other parts of the business park are clearly visible just beyond this sites southern boundary and to a large extent these frame this site visually when looking from Elvington Lane. This is a material consideration when considering the visual impact of this proposed development.

4.14 The layout has been altered significantly from that previously submitted (see para. 4.8 above) and the majority of the development is now concentrated towards the southern flank of the site immediately north of the industrial buildings that occupy Buccaneer Court. The side elevation of building U3 of Buccaneer Court is clearly visible from Elvington Lane and is seen in conjunction with the Air Museum when driving down Halifax Way. Therefore officers consider that given the existing arrangement of units and consequential views of them, the visual impact of the 4 unit block is not materially any more harmful and the relationship of industrial units to the air museum buildings remains largely the same at that point.

4.15 Unit 5 stands on its own towards the northern end of the site and because of this, will be more visually conspicuous. It is of a similar design and height to units 1-4 but given its position, will be more visible from both Elvington Lane and will be seen more in conjunction with the air museum entrance than units 1-4 and this needs to be considered carefully. It is of standard industrial unit design and is approx. 8 metres high. Part of the first scheme showed the side elevation of one of the units immediately adjacent to the junction of Whitley Road and Halifax Way and this would have dominated the views of the air museum to an unacceptable degree. It was made clear to the applicants that this relationship should be preserved as much as possible so that there is some substantial demarcation between the two sites. Although this revised scheme has altered the layout so it is the more expansive rear elevation (approx. 17 metres in width) that is the more visible, unit 5 has been moved southwards so as to produce a gap of approx. 13 metres between Whitley Road and the building at its most visible point close to the junction with Halifax Way. This reduces to between 5 and 7 metres when measured to the side towards Whitley Road and the Air Museum entrance.

4.16 Whilst acknowledging that such a development will be more visually intrusive (in a built form) than the existing largely empty ground, the site is currently overgrown and not well maintained and therefore even in this form does not offer a particularly attractive entrance to either the industrial site or the air museum. The proposed space between the road and Unit 5 is reasonable and therefore helps to ensure that Unit 5 does not appear unduly dominating at this important juxtaposition between the Air Museum road entrance and the industrial site. It is proposed to plant 8 trees in the area between Whitley Road and the unit, three of which are shown to be heavy duty and including Oak. Grass will be laid as ground cover. This will help to significantly soften the environs around Unit 5. Officers are also of the opinion that a traditional post and rail fence defining this boundary will also help to demarcate the two sites and together with the tree cover should enhance this northern part of the site and result in an appropriate degree of visual separation between the two sites.

4.17 Protected trees.

The landscape architects comments are at para. 3.4 of this report. There are several protected trees within the site. These are 2 Pines in the south east corner and an ash on the eastern boundary about half way up. These will be retained and protected by fencing. A further young pine is growing close to the southern boundary close to the mature protected pines but given the close proximity of Unit 4 to this building, it is unrealistic to keep it. However, the Council's landscape architect has raised no objection to losing this tree given the high amount of new planting which is proposed elsewhere within the site. An unprotected silver birch close to the western boundary with the air museum is not considered worthy of retention due to the presence of a soft decay pocket close to an old pruning wound low down on the trunk. However, it is vital that the scheme respects these trees and also the number of plant species which have been identified as successfully re-colonising the site. The scheme largely does this successfully and no objections have been raised to this, subject to the receipt of amended plans making the alterations as suggested by the Landscape architect.

Highways.

4.18 The Highway Network Management comments are at Para. 3.2 of this report. The most concern expressed by objectors in the previous applications were over highway safety given that the entrance to the application site is off Whitley Road, the same road from which access to the Air Museum is taken. This has now been altered so that access is off Halifax Way (the main road through the Business Park) and therefore no vehicles visiting this site will now go down Whitley Road towards the Air Museum. An entrance off Whitley Road into this site was clearly envisaged when previous infrastructure work was done because one has been left in place adjacent to the air museum entrance. This consequently needs to be stopped off. Officers are awaiting details of this, the diversion of a drain which runs across the site and some amendments to the visibility splays at the junction of Halifax Way and Whitley Road but subject to these, there are no highway objections to the proposal, subject to conditions. It is hoped that the moving of the entrance to Halifax Way has also overcome many of the main concerns of the previous objectors.

Sustainability.

4.19 The location of the site has poor public transport links and so there is an historic reliance on the private car to access this site. However, it is allocated as an industrial park in the Local Plan and has therefore been identified as a suitable location for such a use. It may also provide local employment opportunities so reducing potential travel times for employees. This is the penultimate phase of the development with only the smaller plot E to be developed close to the Air Museum. There is a standard BREEAM assessment test for speculative industrial buildings (where no end user has been identified) and the applicant is aware of this and at the time of writing this report is undergoing this in order to assess compliance with this rating. They are committed to making the development as sustainable as possible within the BREEAM rating system.

5.0 CONCLUSION

5.1 This resubmission addresses many of the concerns expressed over the previous schemes, in particular the position of the access point. This alteration has

subsequently resulted in a significant change in the layout of the site and this has resulted in Unit 5 standing in some isolation towards the northern end of the site in relatively close proximity to the air museum entrance. However, there is a substantial distance between the road and the nearest unit and the level of mature tree planting proposed in this area, together with a post and rail fence boundary treatment leads officers to conclude that this will not materially affect this relationship with the air museum. To some degree it will enhance it.

5.2 The proposed uses are in accordance with the allocated use of the site as proposed in the draft Local Plan.

5.3 Subject to the comments of Highway Network Management and the Landscape Architect on revised plans, officers raise no objections to this revised proposal.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME1 Development start within five years

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

Job no: 3708, drawing no's

- L(0) 001
- L(0) 003 Rev C
- L(0)004 Rev B
- L(0)006 Rev B
- 1714/1H

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

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

3 VISQ8 Samples of exterior materials to be app

4 The use of the buildings hereby permitted shall be restricted to uses within Classes B1 (sub sections b and c), B2 and B8 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 or as in any further amended order.

Reason. In order to comply with the draft local plan allocation for this site and no other use is considered appropriate in land use planning terms or in terms of traffic generation.

5 Notwithstanding the information contained on the approved plans, the height

of the approved development shall not exceed 8 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

6 DRAIN1 Drainage details to be agreed

7 Unless otherwise approved 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 drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul water discharges take place until proper provision has been made for their disposal.

8 LAND1 IN New Landscape details

9 All trees shown to be retained and those subject to a tree preservation order (TPO) shall be protected during the development of the site by the following measures: -

Prior to commencement on site of demolition, site preparation, building or other development operations, including the importing of materials and any excavations, protective fencing to BS5837:2005 shall be erected around all existing trees shown to be retained. Prior to commencement, the protective fencing line shall be shown on a plan and agreed with the local authority and subsequently adhered to at all times during development to create exclusion zones.

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

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

10 The northern boundary of the site with Whitley Road shall be defined by a wooden post and rail fence in a scheme to be agreed in writing by the Local Planning Authority. Details of this and any other proposed means of enclosure to the site boundaries 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 brought into use.

Reason: In the interests of the visual amenities of the area.

11 A desk study shall be undertaken in order to identify any potentially contaminative uses which have or are currently occurring on the site. This shall include a site description and a site walkover and shall be submitted to and approved by the local planning authority prior to development of the site. Informative: This should, where possible date back to 1800

Dependant on the finding of the desk study, a site investigation shall be undertaken based upon the findings of the desk study. The investigation shall be carried out in accordance with BS10175: Investigation of potentially contaminated land: code of practice. The results of the investigation shall be submitted to and approved by the local planning authority in writing prior to any development commencing on the site.

A risk-based remedial strategy shall be developed based on the findings of the site investigation. The remedial strategy shall be submitted to and approved by the local planning authority in writing. The approved strategy shall be fully implemented prior to any development commencing on site. Informative: The remedial strategy shall have due regard for UK adopted policy on risk assessment and shall be developed in full consultation with the appropriate regulator(s).

A validation report shall be submitted to and approved by the local planning authority, detailing sample locations and contaminant concentrations prior to any development commencing on site.

Any contamination detected during site works that has not been considered within the remedial strategy shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with the local planning authority and fully implemented prior to any further development of the site.

Reason: To protect human health and the wider environment.

12 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside of the site boundary when in use, shall be submitted to the local planning authority for approval. These details shall include maximum sound levels (L_{Amax}(f)) and average sound levels (L_{Aeq}), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. 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.

Reason: To protect the amenity of the local residents

13 ARCH2 Watching brief required

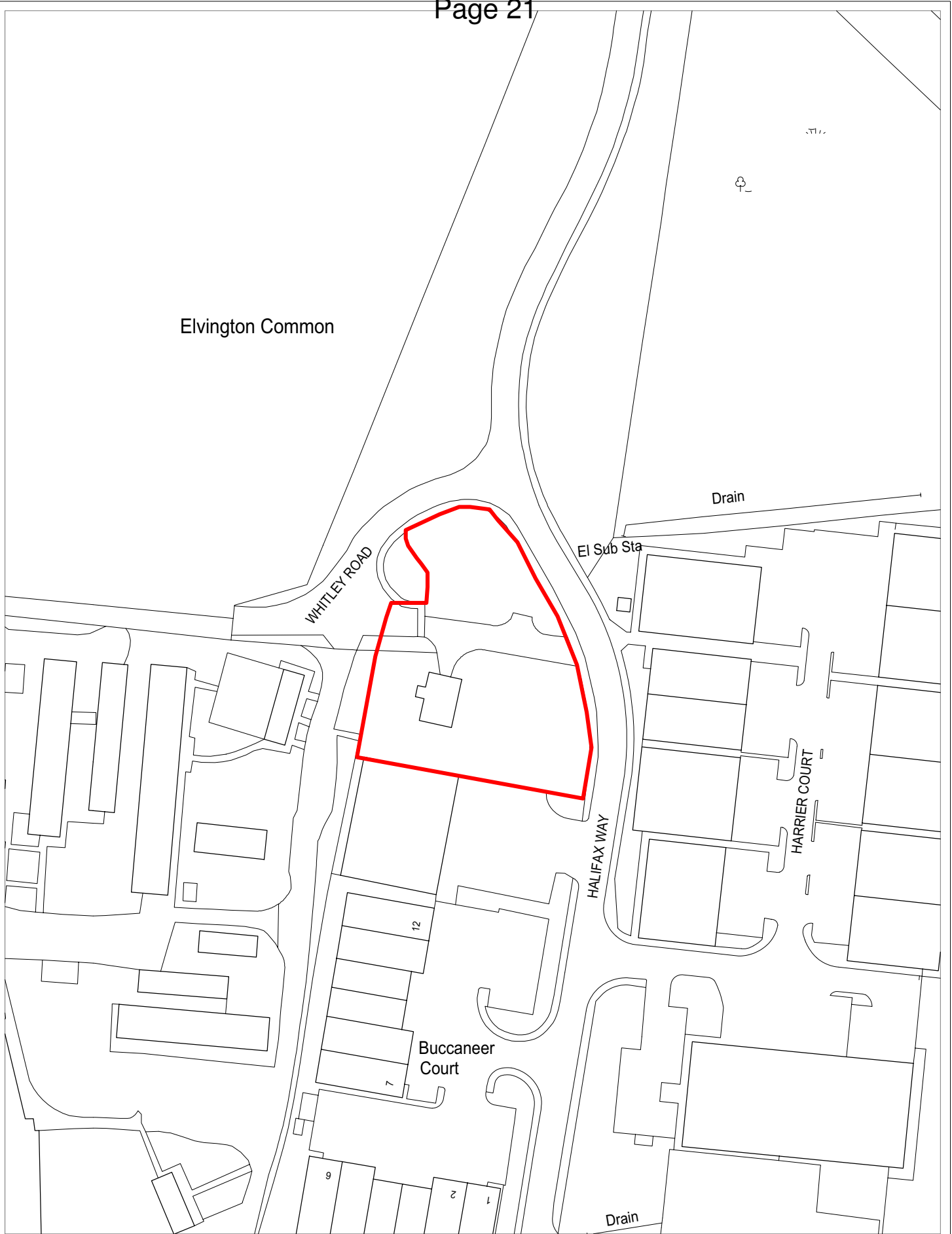
**7.0 INFORMATIVES:
Notes to Applicant**

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 allocated industrial land, highway safety, ecology, protected trees, design and appearance and sustainability. As such the proposal complies with Policies E3a, E3a.2, GP1, GP4A and NE1 of the City of York Draft Local Plan incorporating the 4th set changes approved April 2005.

Contact details:

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



CITY OF
YORK
COUNCIL

ELVINGTON AIRFIELD - 07/1606/FULM



SCALE 1:1250

DRAWN BY PSL

DATE 13/9/2007

Originating Group

Project

Drawing No.

COMMITTEE REPORT

Committee: East Area **Ward:** Fishergate
Date: 27 September 2007 **Parish:** Fishergate Planning Panel

Reference: 07/01886/FUL
Application at: The Coach House Fulford Chase York YO10 4QP
For: Single storey flat roof rear extension
By: John Harrington
Application Type: Full Application
Target Date: 2 October 2007

1.0 PROPOSAL

1.1 It is proposed to erect a single storey extension to the side of the Coach House, a single storey outbuilding on the site of the former Gimcrack Public House redevelopment site and which itself has planning permission for its conversion into a house. The extension is to the northern elevation projecting towards the boundary with 292 Fulford Road.

1.2 The site is within the Fulford Road Conservation area.

1.3 The application is before the Committee at the request of the local member. The reason given for this request is that the proposal is a significant departure from the scheme approved for this development. The retention of the Coach House in as near its original form as possible was a key aspect of the approval.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Fulford Road 0039

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYHE2
Development in historic locations

CYHE3
Conservation Areas

CYH7
Residential extensions

3.0 CONSULTATIONS

3.1 INTERNAL

3.2 Environment, Conservation and Sustainable Development.

The building was the coach house and stable block to the former Gimcrack Hotel. The whole site is within the Fulford Road conservation area and the buildings face the main road close to a busy junction. Although the buildings are unlisted they are mentioned as being of historic importance having been associated with the former cavalry barracks on Fulford Road.

The site has recently been the subject of residential development and the former coach house has been converted into a dwelling. The coach house frontage has a strong symmetrical elevation and there is an outstanding enforcement case relating to the windows. It is noted that the new proposals would incorporate the agreed window type to remedy the enforcement issue. The other sides of the building are not organised to a formal architectural design. The proposed sun-room would be on the north side of the property back from the frontage by 5m. Its footprint is small in relation to the overall footprint of the house and it would be below eaves height - which is important as the building has a pronounced eaves detail. The extension would be clad in horizontal timber boarding to distinguish itself from the existing building.

As the building is already well set back from the road and has a mature tree in front of it, it is not considered that the size scale and design approach would not harm the conservation area. The areas of concern relate to details only. These include

- the top hung windows would be architecturally unsympathetic to both the existing coach house and the modern extension. Suggest that these are simple casements and that they are reduced in size.
- the eaves detail appears uncharacteristically deep - this should not be noticeable to retain the simplicity of the extension
- It is not clear how much higher the existing garage wall (adj WC) would have to be as the two drawings show no increase in height. Bricks must match.
- Shrub planting should take place behind the line of the front façade.

Revised plans were submitted to address the above and the top hung windows have been revised in line with the above comments. The plans haven't adequately addressed the other points however and the Council's Conservation officer has been in touch with the applicant over this. Further amended plans have been promised and if these are amended in line with the comments above then there should be no objections. An update will be provided at the Committee meeting.

3.3 EXTERNAL

3.4 Fishergate Planning Panel

Object. This is a recently approved development and it was a condition of approval that the original buildings are unchanged.

3.5 Neighbours / Third parties.

1 letter of objection received from the neighbour at 292 Fulford Road. Offers the following comments:

- i) Further loss of privacy by the adding of french windows overlooking garden and property. Extension will bring these windows nearer to the shared boundary.
- ii) Existing boundary hedge roots have been eaten away by the construction of the footings for the garage and bin store, the remaining trench between the hedge and the footings and the loss of part of the original fence. Just the remainder of the hedge will be left, which in winter sheds its leaves leaving a clear view from the new windows into garden and vice versa.
- iii) This property has never been overlooked on this side and the building has never been a dwelling.

4.0 APPRAISAL

4.1 KEY ISSUES.

- impact on the Conservation area and the character of the building.
- neighbour amenity.

4.2 Impact on the Conservation area and the character of the building.

The proposal has been considered against PPG15 (Planning and the Historic Environment) and draft local plan policy HE3 (Conservation areas). This states that external alterations / extensions to buildings in the Conservation area will only be permitted where there is no adverse effect on the character and appearance of the area.

4.3 The detailed comments of the Design and Conservation officer are at para. 3.2 of this report and these largely address this issue. The comments of both the Local Councillor and the Fishergate Planning Panel are noted but the fact that the building was converted as it stood in the original scheme does not preclude it from being altered or extended in the future. The Council have approved its conversion into a house, originally with no extensions proposed. The key issue therefore is not simply to ensure the preservation of the original building at all costs but assess whether any proposed extensions or alterations preserve or enhances the setting and appearance of the building and in its wider context, the Conservation area. If the proposal achieves this then there should be no justification for refusing planning permission.

4.4 The extension is modest in size and set back from the front and side of the building. Only glimpses of it will be visible from public views from Fulford Road. As stated by the Council's Conservation architect, the use of modern materials (horizontal timber cladding) is not necessarily a source of objection as it helps to distinguish it from the original building. Providing the extension and materials do not dominate the original building and the development remains subordinate to it, then officers raise no objections. Given the modest size and scale of the proposal and its position off the side of the building then officers raise no objections to the principle or the basic design and appearance of the extension.

4.5 Officers still have some concerns over the more specific details of the proposal such as eaves and soffit details and the applicant is addressing these following on

from consultation with Council officers. Subject to these being amended to the satisfaction of the Conservation architect, no objections are raised to the extension with regard to its impact on the appearance or historic relevance of the building or the Fulford Road Conservation area.

Neighbour amenity.

4.6 The neighbour objection is from the occupier of the only neighbouring property at 292 Fulford Road. The proposed sun room and patio area will be immediately adjacent to this boundary and the doors from the sun room will open towards this boundary. The objectors comments about the fragmented boundary (gaps in the existing hedge) are acknowledged as correct.

4.7 In the recently approved scheme (07/00199/FUL) the internal layout of the building was amended from that originally approved to show the two rooms on the side of the building facing the neighbour as principal rooms (Kitchen and sitting room). If this application was to be refused the layout shown under 07/00199/FUL will still be relevant and can be implemented. Therefore consideration must be given to the extent of the harm that the introduction of a sun room extension on this side of the building will bring in comparison to that shown in the extant planning permission.

4.8 The building is only single storey and therefore any outlook from ground floor windows will not afford the extent of views over a neighbouring house or garden that a two storey building would do. Whilst acknowledging that the extension will bring the proposed sun-room window some 2 metres closer to No. 292 than the existing arrangement would do, the distance between the Coach House building and the side wall of No.292 is approx. 14 metres with an east-west orientation. 14 metres is significantly above normal and accepted side to side relationships. Whilst acknowledging the concerns over the over-looking of the side garden area of No.292 from the proposed sun-room and patio, this area does not appear to be used as a principle sitting area, this being concentrated to the rear of the house.

4.9 However the concerns of the objector are noted about the shared boundary and given that the 2 rooms on that side of the building are principle habitable rooms (together with proposed patio) and that the boundary hedge is fragmented and bare at this point, these concerns do have some validity and some additional boundary treatment can be justified. Privacy works both ways and the applicant has acknowledged that the current boundary arrangement results in some loss of privacy for both sides. It is the applicants intention to improve and re-impose the planting on this boundary to the benefit of both parties. However, in order for the Council to retain control over this issue the imposition of a condition pertaining to the need to agree boundary treatment at this sensitive point is recommended.

5.0 CONCLUSION

5.1 Subject to the receipt of detailed plans of eaves and wall details, officers raise no objection to the proposal and will not harm the Conservation area. The extension is modest in size and will not be visually imposing from Fulford Road. It is set well back from the road with a mature tree in front of it.

5.2 The proposal is not expected to result in material harm to the living conditions or amenity of the neighbour at 292 Fulford Road subject to improvements to the boundary treatment in the area around the proposed patio and sun room.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 PLANS1 Approved plans

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of all external materials, including brickwork, roof materials, joinery and rainwater goods, to be used on the extension shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All windows and doors should be of timber construction and the existing rainwater pipes should be reused or replaced with cast-iron pipes where necessary. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance given the historic importance of the building and its location in the Fulford Road Conservation Area.

4 Details of boundary treatment on the northern boundary with no. 292 Fulford Road shall be submitted to and approved in writing by the Local Planning Authority and shall be provided on site before the dwelling as a whole is first occupied.

Reason: In the interests of the residential amenity and privacy of neighbours and future occupants of the dwelling.

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 visual amenity, the Fulford Road conservation area, protected trees and residential amenity. As such the proposal complies with Policies H9 and E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies HE2, HE3, H7 and T13 of the City of York Local Plan Deposit Draft.

Contact details:

Author: Matthew Parkinson Development Control Officer

Tel No: 01904 552405



CITY OF
YORK
COUNCIL

THE COACH HOUSE, FULFORD ROAD - 07/01886

SCALE 1:1250
Originating Group

DRAWN BY PSL
Project

DATE 13/9/2007
Drawing No.

