



## 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, 13 March 2008
- Time:** 2.00 pm
- Venue:** The Guildhall, York

### A G E N D A

**Site Visits for this meeting will commence at 10.00am on Wednesday 12 March 2008 at Union Terrace Car Park.**

**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 - 27)

To approve and sign minutes of meetings of the Sub-Committee held on 10 and 24 January and 7 February 2008.

**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 12 March 2008 at 5.00pm.

#### **4. Plans List**

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

**a) Elvington Water Treatment Works, Kexby (Pages 28 - 35)  
Lane, Elvington, York (07/02915/FUL)**

Erection of 50m high environmental monitoring mast and associated guy ropes for a temporary period of 18 months [*Wheldrake Ward*] **[Site Visit]**.

**b) 11 Grange Close, Skelton, York YO30 1YR (Pages 36 - 45)  
(08/00077/FUL)**

Erection of detached two storey dwelling to side and a double garage (resubmission) [*Skelton, Rawcliffe and Clifton Without Ward*] **[Site Visit]**.

**c) The Walled Garden Store, Fulford Cross, York (Pages 46 - 51)  
(07/02876/GRG3)**

Redevelop existing walled garden, works to include erection of polytunnel, various structures, storage compound and formation of vehicular access with new gates [*Fishergate Ward*] **[Site Visit]**.

**d) 10 Greycliffe Drive, York YO30 6NA (Pages 52 - 56)  
(08/00051/FUL)**

Single storey pitched roof extension to side and rear after demolition of existing conservatory and garage [*Clifton Ward*].

#### **5. Urgent Business**

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

Democracy Officer:

Name: Jill Pickering

- Telephone – (01904) 552061
- E-mail – [jill.pickering@york.gov.uk](mailto: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 set out above.

**EAST AREA PLANNING  
SUB-COMMITTEE****SITE VISITS****WEDNESDAY 12 MARCH 2008**

<b>TIME</b>	<b>SITE</b>	
10:00 am	Meet coach at Union Terrace Car Park.	
10:20 am	1 Grange Close, Skelton	(4b)
11:00 am	Elvington Water Treatment Works	(4a)
11:45 am	The Pupil Support Centre, Danesgate	(4c)

## 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.

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## **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.

City of York Council

Committee Minutes

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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	10 JANUARY 2008
PRESENT	COUNCILLORS MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, HYMAN, TAYLOR, VASSIE, WISEMAN AND PIERCE (SUBSTITUTE)
APOLOGIES	COUNCILLOR KING

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**73. DECLARATIONS OF INTEREST**

Members were asked to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

**74. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during consideration of the Annexes to agenda item 7 (Enforcement Cases Update) on the grounds that they contain information, if disclosed to the public would reveal that the Authority proposes to give, under any enactment a notice under or by virtue of which requirements are imposed on a person, or that the Authority proposes to make an order or directive under any enactment as exempt under Paragraph 6 of Schedule 12A Section 100A of the Local Government (Access to Information) (Variation) Order 2006.

**75. MINUTES**

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 13 December 2007 be approved as a correct record and signed by the Chair.

**76. PUBLIC PARTICIPATION**

It was reported that nobody had registered to speak under the Council's Public Participation Scheme, on general issues within the remit of the Sub-Committee.

**77. 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.

**77a Brooklands, Outgang Lane, Osbaldwick, York YO19 5UP  
(07/02801/FULM)**

Members considered a major full application, submitted by York College, for the change of use of former coachworks to educational training facility (Use D1).

Officers reported receipt of an objection in relation to car parking from BSE Filters. They requested clear demarcation of the car parking spaces and were unclear how the spaces had been allocated. Officers confirmed that Condition 3 required amendment with the deletion of “within three calendar months” in the third line and its replacement with “prior to the building being first occupied”. It was also proposed to remove Condition 4 which related to the surfacing of all areas to be used by vehicles as this had already been implemented. Officers requested the addition of an informative to cover the drainage of the car parking area. In relation to sustainability it was reported that Policy GP4a of the Draft Local Plan had been complied with. It was reported that Osbaldwick Parish Council had no objections to the development.

Representations in support of the application were made on behalf of York College, the applicants, she stated that the change of use was important for the future development of York College. This was a temporary change of use for construction training for local young people. She confirmed that sustainability had been considered and maximised, materials would be sourced locally, they were to operate a Green Travel Plan, encourage car sharing, cycling and public transport. There would be significant education and employment benefits as the facility would provide local skilled labour.

Members questioned the siting of the objectors premises, change of use statement, the number of staff and expressed concerns regarding insufficient car parking. Members agreed that there was a need for this facility and for all those trained in construction to be trained on sustainability issues.

**RESOLVED:** That the application be approved, subject to the conditions listed in the report with the exception of Condition 4 and the following amended condition 3 and informative.

3. Prior to the development coming into use full details shall be submitted to and agreed in writing by the Local Planning Authority of the car, cycle, motorcycle and disabled parking and turning on the site. The facilities so approved shall be provided prior to the buildings being first occupied and thereafter maintained free of any obstruction that would prevent their intended use.

Informative: The applicant is reminded that all areas used by vehicles should be surfaced, sealed and positively drained within 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 the loss of employment land, sustainability, parking standards and highway safety, environmental protection and Flood Risk. As such the proposal complies with Policies E3b, GP4a, T4, GP15a, GP3 and GP11 of the City of York Local Plan Deposit Draft.

Action Required

Issue the decision notice and include on the weekly planning JB decision list within the agreed timescales.

**77b The Estate Office, Monks Cross Drive, Huntington, York YO32 9GZ (07/02606/FULM)**

Members considered a major full application, submitted by Smith and Ball, for the construction of a new three storey office after removal of existing single storey office.

Officers updated that Condition 14 required the addition of “prior to the development commencing” after “the Local Planning Authority” in the second line. They also confirmed that sections of Policy GP4a relating to sustainability were not applicable to this application. Officers also confirmed that this application would have no adverse impact on existing city centre sites.

Members questioned whether replacement trees were proposed, the occupancy of the building, the number of car/cycle parking spaces, and possible future highway problems on the surrounding roads and the lack of highway objections.

RESOLVED: That the application be approved, subject to the conditions listed in the report and the amendment of Condition 14 as follows.

14. Details of how the following measures are to be incorporated into the building shall be submitted to, and approved in writing, by the Local Planning Authority and the approved details implemented on site before the building hereby approved in first brought into use.

- measures to reduce solar gain
- means of ventilation and heating
- use of recycled materials in construction
- measures to make efficient use of water (including rainwater harvesting)
- use of low or zero carbon energy sources
- details of refuse and recycling storage

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 employment development, sequential approach to development, design and external appearance, landscaping, sustainability, highway safety and environmental protection. As such the proposal complies with Policies SP8, GP1, GP3, GP4A, GP9, T4, E4, SP7a and NE1 of the City of York Local Plan Deposit Draft.

Action Required

Issue the decision notice and include on the weekly planning decision list within the agreed timescales. JB

**78. CLIFTON HOSPITAL: OUTSTANDING SECTION 106 IN RELATION TO MANAGEMENT OF THE LANDSCAPE**

Members received a report which detailed progress made on the outstanding Section 106 agreement in relation to Clifton Hospital. This report followed up progress made on the main conditions of the agreement since a report to the Sub-Committee on 13 September 2007.

The Countryside Officer confirmed that there had been little additional progress on site. He stated that Persimmons had been provided with a further copy of the management plan, work on the sewage works site was to commence on 14 January 2008 and that a further meeting was to take place with Persimmons in January in an effort to expedite works.

Members expressed concern with the lack of progress and stated that they wanted the works to be concluded at an early date.

- RESOLVED:
- i) That the Sub-Committee note with concern the lack of progress made with regard to the completion of the Section 106 agreement on this site.
  - ii) That a report back to the Sub-Committee be made in April 2008 when Members hope to see that all outstanding works have been completed.

REASON: To update Members on progress with the Section 106 Agreement conditioned as part of the planning application for the Clifton Hospital site.

Action Required

Officers to report back to the Sub-Committee in April 2008 on progress with the outstanding elements of the Section 106 Agreement on this site. JB

**79. ENFORCEMENT CASES UPDATE**

Members considered a report, which provided them with a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by this Sub-Committee.

RESOLVED: That the reports be noted.

REASON: To update Members on the number of outstanding enforcement cases within the Sub-Committee area.

R MOORE, Chair

[The meeting started at 2.00 pm and finished at 3.33 pm].

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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	24 JANUARY 2008
PRESENT	COUNCILLORS MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, HYMAN, PIERCE (AS SUBSTITUTE FOR KING), TAYLOR, VASSIE AND WISEMAN
APOLOGIES	COUNCILLOR KING

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**80. INSPECTION OF SITES**

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
Land Lying to the South of Centurion Office Park, Tribune Way, York	Councillors Moore, Douglas, Hyman and Wiseman	As objections have been raised to the proposal and the application has been recommended for approval.
Land Adjacent to Derwent County Junior and Infant School, Osbaldwick Lane, York	Councillors Moore, Douglas, Hyman, Pierce and Wiseman	As objections have been raised to the proposal and the application has been recommended for approval. Also to allow Members to consider the relationship of the scheme to surrounding development and the impact on the existing public footpath.

**81. 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 Sub-Committee for agenda item 4a (Land Lying to the South of Centurion Office Park, Tribune Way, York) under the provisions of the Planning Code of Good Practice, as he had been involved with previous applications on the site. He addressed the Sub-Committee from the floor, then left the room and took no further part in the discussion or decision on the item.

Councillor Pierce declared a personal prejudicial interest in agenda item 4b (Land Adjacent to Derwent County Junior and Infant School, Osbaldwick Lane, York) as he had objected to the original proposals. He addressed the Sub-Committee from the floor and then took no further part in the discussion or decision on the item.

**82. MINUTES**

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 19 December 2007 be approved as a correct record and signed by the Chair.

**83. PUBLIC PARTICIPATION**

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

**84. 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.

**84a Land Lying to the South of Centurion Office Park, Tribune Way, York (07/02783/OUTM)**

Members considered a major outline application, submitted by Keyland Gregory Ltd., for the erection of a care home (C2 use) with a pedestrian link to Hornbeam Close (resubmission).

Representations were received in objection to the application, from a neighbouring resident, and in support of the application, from the applicant's agent. Representations were also received from Councillor Moore, Ward Councillor for Skelton, Rawcliffe and Clifton Without, to suggest that, if Members wished to have the pedestrian access gate removed from the plans, the application be delegated for officer approval on receipt of revised plans.

Some Members expressed the view that locating a care home on a business park would result in a poor quality environment for its residents. Concerns were also expressed regarding the proposed pedestrian access from Hornbeam Close and that it would encourage parking on nearby residential streets. It was suggested that this access could be controlled via a management plan, which could be reviewed periodically in consultation with local residents. Members also requested the addition of a condition to restrict the height of the building.

RESOLVED: That the application be approved, subject to the conditions listed in the report, with the following amended and additional conditions:

(i) Amended Condition 16

The pedestrian only access route from the care home to Hornbeam Close shall be fitted with a security gate in order to control access to the site. Full details of the security gate shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The gate shall be fitted in accordance with the approved details and thereafter maintained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To restrict access into and out of the site to members of staff, visitors and occupants of the care home.

(ii) Additional Condition

The pedestrian access onto Hornbeam Close shall be used only for its intended purpose of providing residents of the care home with access into and out of the site. Prior to the first occupation of the care home a management plan shall be submitted to and approved in writing by the Local Planning Authority which outlines the measures to be taken to ensure the access operates as intended and the methods to be used for reviewing and updating the management plan over time.

Reason: To protect the amenities of local residents through restricting use of the pedestrian access to authorised persons and thus preventing the parking of vehicles on adjacent highways.

(iii) Additional Condition

Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 13 metres in height at three storey level and 9.8 metres in height at two storey level, 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 and the living conditions of adjacent dwellings.

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 the loss of employment land, the future living conditions of occupants of the care home and the amenity and living conditions of local residents. As such the proposal complies with Policies E3b and H17 of the City of York Draft Local Plan.

Action Required

1 To issue the decision notice and include on the weekly planning decision list within agreed timescales. JB

**84b Land Adjacent to Derwent County Junior and Infant School, Osbaldwick Lane, York (07/02384/REMM)**

Members considered a major reserved matters application, submitted by Harron Homes (Yorkshire) Ltd., for the erection of 23 no. dwellings with garages.

A copy of the case officer's update had been circulated to Members (attached as Appendix 1 to these minutes), which included the following information:

- Comments from the Police Architectural Liaison Officer;
- Details of a further letter from Councillor Pierce in response to the amended scheme;
- Comments from Lifelong Learning & Leisure;
- An update on drainage.

Officers also clarified that informative 1 should appear after condition 5, to which it referred.

Representations were received in support of the application, from the applicant's agent. Representations were also received from Councillor Pierce, Ward Councillor for Hull Road, in support of the revised proposals submitted.

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 highways, design and landscape and residential amenity. As such the proposal complies with Policies GP1, T2a and T2b of the City of York Local Plan Deposit Draft.

Action Required

1 To issue the decision notice and include on the weekly planning decision list within agreed timescales.

JB

R MOORE, Chair

[The meeting started at 2.00 pm and finished at 2.55 pm].

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**07/02384/FULM – Harron Homes, Osbaldwick Lane**

Comments received from Police Architectural Liaison Officer:

- although satisfied with the general layout of the scheme, the dogleg in the footpath adjacent to the site causes concern. It could introduce hidden corners whereby the line of sight is reduced or restricted completely. This is unacceptable from a public safety point of view.
- where footpaths are required they should be as straight as possible and wide avoiding potential hiding places, they should be overlooked by surrounding buildings and activities.
- alleyways that border the rear of premises present a threat accounting for 67% of burglaries.
- preventative measures should be put in place at both ends of the footpath to restrict access by motorcycles.
- good lighting should be included in the scheme
- no trees or shrubs should be planted which would when mature obstruct car parking and street lighting.

Further letter from Councillor Pierce in response to the amended scheme:

- although the amended scheme addressed his objections and he is happy to support it, he still has reservations regarding the treatment of the footpath boundary adjacent to the new dwellings.
- the locality has suffered from anti-social behaviour and new residents should be insulated from this as far as possible. Considers that a 1.8 metre high wall with steeply copings would be preferable to a fence
- new railings should be installed around the play area
- a condition should be attached to ensure appropriate boundary treatment.

#### Lifelong Learning and Leisure

No objections to the amended scheme. The detailed layout of the play area has been agreed with the Head of Parks and Leisure (Dave Meigh) who will now calculate the maintenance payment to be included in the informative in relation to condition 5.

#### Drainage

The applicants have now obtained consent to discharge to the mains sewer from Yorkshire Water, addressing the comments of the Internal Drainage Board in relation to capacity issues and the effect on the water course system. The position of the sewer easement shown on the plan has been informed by a survey and thus the submitted layout should not be affected by the location of the sewer.

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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	7 FEBRUARY 2008
PRESENT	COUNCILLORS MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, KING, TAYLOR, VASSIE, MORLEY (SUBSTITUTE), PIERCE (SUBSTITUTE) AND BROOKS (SUBSTITUTE)
APOLOGIES	COUNCILLORS FUNNELL, HYMAN AND WISEMAN

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**85. INSPECTION OF SITES**

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
Stray Garth Community Home, 7-9 Stray Garth, York	Cllrs Brooks, Moore, Morley	In view of objections received to the application and to familiarise Members with the site.
60 Meadlands, Osbaldwick, York	Cllrs Brooks, Moore, Morley	At the request of the Local Member and in view of objections received to the application.
Naburn Primary School, Naburn	Cllrs Brooks, Moore, Morley	In view of objections received to the application and to assess the impact on neighbouring properties.

**86. 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 Brooks declared a personal non-prejudicial interest in agenda item 3e (Gateway to York Hotel, Hull Road, York) as she had discussed the application with the Chair of Kexby Parish Council but had not given a view on the application.

Councillor Morley declared a personal prejudicial interest in agenda item 3c (60 Meadlands, Osbaldwick, York) as he had already made his views on the application known. He addressed the Sub-Committee from the floor, then left the room and took no further part in the discussion or decision on this item.

**87. PUBLIC PARTICIPATION**

It was reported that nobody had registered to speak under the Council's Public Participation Scheme, on general issues within the remit of the Sub-Committee.

**88. 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.

**88a Glen Lodge, Sixth Avenue, York (07/02850/GRG3)**

Members considered a full application, submitted by Mr Tom Shepherd, City of York Council, for a single storey detached store.

Officers updated that the Fire Officer, who had made a recommendation that the corridor areas in the sheltered housing unit should be kept clear of electric buggies, had not specified a deadline for their removal. He confirmed that batteries for the vehicles were at present recharged in the home and that this facility would be moved to the new store.

Officers read a further letter of objection received, on behalf of some residents of Glen Lodge, in which they stated that the scooters did not block corridors, that some residents had mobility difficulties, access would be difficult in bad weather and that they felt the money could be better spent elsewhere. Officers confirmed that these points were not material planning issues.

Members referred to the reference to residents with mobility problems and asked if those residents, who were unable to access the outdoor store, would be able to store vehicles in their rooms to leave the corridors clear.

- RESOLVED: i) That the application be approved subject to the conditions set out in the report. <sup>1</sup>
- ii) That a request be made to the Fire Officer, for residents who are unable to access the outdoor store whether it would be possible for them to store the vehicles in their own rooms. <sup>2</sup>

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 the character of the area and the amenity of nearby residents. As such the proposal complies with Policies GP1 and C1 of the City of York Development Control Local Plan.

Action Required

1. Issue the decision notice and include on the weekly planning list within the agreed timescales. JB
2. That a request be made to the Fire Officer, for residents who are unable to access the outdoor store, whether it would be possible for them to store the vehicles in their own rooms. JB

**88b Stray Garth Community Home, 7-9 Stray Garth, York YO31 1EL (07/02504/FUL)**

Consideration was given to a full application, submitted by Lovel Cooper (South Yorkshire) Ltd, for the erection of 4 no. detached dwellings.

Officers updated that there had now been 10 letters of objection received from the occupiers of residential properties in the area. He stated that amendments were required to Condition 13 to ensure that the drainage details were submitted to and agreed by the Local Planning Authority.

In answer to Members questions Officers explained that the multi-shunting reference in the Highway Network Management's comments meant that vehicles would be unable to access plot 4 in one manoeuvre.

Representations in objection to the application were received from a resident of Meadow Way who spoke on behalf of residents to the east of the site. He confirmed that they had no objections in principle to the development of the site. He stated that residents felt that this proposal was an over development of the site, and that the properties would be overbearing and out of character with the area. Reference was made to the 1.4 m high difference in the ridge height of the new properties together with the development being brought forward of the building line. He also raised objections in relation to the balcony screens, there being insufficient parking, removal of trees and possible damage to boundary walls. He requested members to refuse the application, as it would have an adverse affect on the amenity of the area.

Representations in objection were also received on behalf of a resident of Stray Garth who also favoured development of the site but he requested refusal of this application on the grounds of massing, height and density. He referred to the large blank wall proposed adjacent to his property and suggested a reduction to 3 properties of two rather than 3 storeys.

Representations in support were received from the applicant's agent who confirmed that, since the scheme had been submitted, they had undertaken a number of amendments to take into account neighbours concerns. He stated that the scale and density of the development met Government guidance and that these were family homes rather than flats.

Members expressed concern at the need to install obscure glazing in the only windows to the top floor bedrooms these windows also being "fixed shut". They questioned whether this could be classed as "reasonable living conditions". Members also questioned how the Community Home had

been marketed; removal of trees on the site and whether vehicular access by multi-shunting meant there was insufficient space on site for four properties.

With reference to concerns raised at the loss of a community facility, Officers confirmed that evidence had been provided by the Primary Care Trust stating that the increase in community-based support had reduced the need for residential care for people with mental illness. Where appropriate patients had been transferred to accommodation at Acomb Garth.

The Chair expressed concerns, following the site visit, regarding the use of obscure glazing which he felt would result in future occupiers having inadequate amenities or without this overlooking neighbouring properties. He stated that the dwellings would be 1.4m taller than the surrounding properties and be in front of the building line by around 2m.

Councillor Cregan stated that the proposal was an efficient use of land within government guidelines and he requested that a note be taken of his voting against the refusal of the application.

RESOLVED: That the application be refused. <sup>1</sup>.

REASON: 1 The Council consider that by virtue of the height of the proposed dwellings and their close proximity to adjoining homes and gardens the development would appear unduly dominant and overbearing and this would detract from neighbours' living conditions resulting in an unacceptable loss of their amenity. As such the proposal conflicts with policy GP1 (in particular criterion b and i) of the City of York Draft Local Plan (fourth set of changes) approved April 2005 and advice relating to design quality and context contained within PPS1 (Delivering Sustainable Developments) and PPS3 (Housing).

2 The density, height and layout of the proposed development together with the loss of existing boundary trees and the cramped environment for vehicle movements results in an unacceptable overdevelopment of the site. The development is not considered to acceptably relate to that of surrounding housing and would have a negative impact on the character and appearance of the surrounding environment and therefore conflicts with Policies GP1 (criterion a), H4a (criterion c and d) and H5a of the City of York Draft Local Plan (fourth set of changes) 2005 and advice relating to design quality and context contained within PPS1 (Delivering Sustainable Developments) and PPS3 (Housing).

3 By virtue of the fact that in order to prevent unacceptable levels of overlooking into neighbouring



properties the Council consider that the second floor bedroom windows in the front elevation of plots 2,3 and 4 would need to be obscure glazed and fixed shut and as these windows represent the only principal outlook from these rooms, this would create an unsatisfactory living environment for occupiers of these rooms resulting in an unacceptable standard of residential accommodation and amenity. As such this would not comply with advice relating to design quality contained within PPS1 (Delivering Sustainable Developments) and PPS3 (Housing).

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales. JB

**88c 60 Meadlands, Osbaldwick, York YO31 0NS (07/02863/FUL)**

Members considered a full application, submitted by Mr and Mrs P Fort, for a one and two storey pitched roof rear extension, a single storey extension to the side and pitched roof dormers to the front.

Officers updated that the points raised in the four letters of objection were all material planning considerations other than references to the introduction of a first floor and problems during the construction. Reference was also made to the letter of objection, circulated at the meeting, from a neighbour, which raised a number of points.

Representations, in objection to the application, were received from the neighbour who confirmed that he was not against an extension to the property but he objected to the complete rebuild and scale of this proposal, which was not in keeping with the area. He referred to the number of objections received to the application mainly on the grounds of the scale of the development and massing. He stated that this would have a major impact on his property from a loss of light owing to the close proximity of the development to the boundary.

Representations, in support of the application were received from the applicant, who confirmed that his architect had given careful consideration to the design and that the proposal was for a family home for his wife and three children. He stated that they had felt that the proposal did not affect the amenities of the neighbours and that many of the points raised were emotional rather than factual. He went on to list the points raised in objection some of which had been addressed at the site visit and stated that the footprint of the extended property would be 24% of the total plot the same as the neighbouring property.

Councillor Morley, as Ward Member, spoke from the floor and referred to local concerns he stated that the report summarised the guidance on extensions but he felt there were a number of points in relation to the application where there were conflicts. These conflicts related to the scale of the property, its orientation, roof pitch, the porch height, the front

dormers and the breach of the building line at the rear, which impacted on the Green Belt.

Members questioned how many properties in the area had used upper floors. In answer the applicant stated that he had undertaken a survey of 30 properties in the area of which 19 had made use of the loft space. The objectors stated that all 120 properties on the Meadlands estate would need to be taken into account in this survey as the majority were bungalows with some having bedrooms in the roof space which only entailed windows in the gable ends of the property.

Members expressed concerns at the dominance of the rear extensions on the neighbouring property so close to the property boundary.

RESOLVED: That the application be refused. <sup>1</sup>.

REASON: The City of York Council considers that the development, by virtue of its design, size and scale will dominate the original building and when viewed from neighbouring properties would result in an overbearing and oppressive development which would lead to a significant loss of amenity to the detriment of the living conditions of these residents. As such the application is considered contrary to the City of York Draft Local Plan policies H7 and GP1 and the City of York Council Supplementary Planning Guidance 'Guide to extensions and alterations to private dwelling houses' approved March 2001.

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales. JB

**88d Naburn C of E Primary School, Main Street, Naburn, York YO19 4PN (07/02906/GRG3)**

Consideration was given to a General Regulations (Reg3) application, submitted by the City of York Council, for a single storey extension to the rear following the demolition of an existing oil tank and shed.

Officers updated that the site was in Flood Zone 2/3 but that the size of the application was below the threshold for automatic consultation. An advisory note had advised details of finished floor level heights. The Council's Structure and Drainage Team had no objections in relation to flood risk, as the floor level would be the same as the existing building.

Members questioned the Parish Council's objection in relation to incorrect application drawings not showing the adjacent residential properties. The plans were displayed at the meeting and Officers confirmed that the neighbouring properties were annotated on the consultation plan.

The Head Teacher of Naburn School confirmed that the proposal was for a modest extension and he felt that the educational benefits would outweigh the scale. He stated that this was a small popular school with the disadvantage of mixed age classes. With the wide range of abilities this extension would provide an area where teachers could take individuals or groups to address their individual needs. The flexible space would be multi purpose and would also provide disabled toilet facilities.

Members questioned the relationship of the adjacent properties to the proposed extension and the need for a height of 3.1m when there would only be high-level windows in the extension.

In answer to questions, Officers confirmed that no sustainability statement had been included with this application but that cedar boarding was proposed for the external walls. It was confirmed that from April 2008 a national checklist would ensure that all planning applications become invalid if not accompanied by such a statement.

Members expressed concerns at the close proximity of the extension to Glebe House and Pleasant View, which they felt would impact on the living conditions of the properties. They felt that if the roof had been lower or hipped it would not have had the same impact on neighbouring properties.

RESOLVED: That the application be refused. <sup>1</sup>.

REASON: The City Of York Council considers that the development would, by virtue of its height and proximity to the adjacent habitable room windows at Glebe House, Front Street, and Pleasant View Cottage, Main Street would result in a significant loss of light and would appear over dominant and oppressive when viewed from the windows to the detriment of the living conditions of the residents. As such the application is contrary to the City Of York Council Draft Local Plan policy GP1 that inter alia, requires development to ensure that residents living nearby are not unduly affected by noise disturbance, overlooking overshadowing or dominated by overbearing structures.

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales. JB

**88e Gateway to York Hotel, Hull Road, York YO41 5LD (07/02732/FULM)**

Members considered a major full application, submitted by Colin Marsh, for the change of use from Hotel (Class C1) to care home for the elderly (Class C2).

The Chair requested clarification in relation to the permission granted for an extension renewed in 2004, which had not yet been built, and which

expired in June 2009. Officers confirmed that legal advice had been sought and if the extension were undertaken whilst the property was still a hotel then the nursing home would be for the entire site within the red line boundary. The permission would however be no longer valid if the change of use had already been implemented but this would require further legal advice. Officers confirmed that good reasons would be required to revoke the earlier permission.

Representations, in support of the application, were received from the applicant's agent who confirmed that he would be against any revocation of the earlier planning permission. The potential operator of the proposed care home, who was also in attendance at the meeting, confirmed that a 30 bed home was proposed at the present time with the possibility of an extension for an additional 20 beds in the future.

The Chair referred to the wide uses covered by Class C2 and to the applicant's confirmation that he would be happy to a restriction within this Class to a care home for the elderly. Members questioned the need for the note suggested by Officers relating to alterations to the existing building.

The representative of Kexby Parish Council confirmed that the Parish Council had no objections, in principle, to the proposal. Their only objection would be if the change of use related to a secure residential institutions e.g. prison, secure hospital, young offenders institution.

RESOLVED: That the application be approved subject to the conditions set out in the report and subject to the deletion of the words "or hospital" in the fourth line of Condition 2 and the deletion of Informative 2. "Alterations to the Existing Building".<sup>1</sup>

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 impact on green belt, residential amenity and highway safety. As such the proposal complies with Policy GB3, of the City of York Local Plan Deposit Draft furthermore the proposal complies with the guidance set out in Planning Policy Guidance note 2 entitled 'Greenbelts'

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales. JB

**88f Rodgers Carpets, Julia Avenue, Huntington, York YO32 9JR (07/02669/FULM)**

Members considered a major full application, submitted by Rodgers of York, for the extension of a warehouse (1008 sq.m).

Officers explained the proposals including the on-site reversing manoeuvre that heavy goods vehicles would be required to make when visiting the site.

In answer to Members questions the applicant confirmed that both the store in the existing building and the extension would be retained for storage purposes to improve customer service. He also stated that the proposed extension would be higher than the existing to accommodate racking and allow for easier forklift handling of furniture etc.

RESOLVED: That the application be approved subject to the imposition of the conditions set out in the report.<sup>1</sup>

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 Out of Centre Warehouse Development, Design, Scale and External Appearance, Sustainability and Highway Safety. As such the proposal complies with Planning Policy Statement no.1 "Delivering Sustainable Development" and Policies GP1, GP3, GP17, SP8, SP9, GP4A, T4, E4 and S2 of the City of York Local Plan Deposit Draft.

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales.

JB

R MOORE, Chair

[The meeting started at 2.00 pm and finished at 4.10 pm].

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**COMMITTEE REPORT**

**Committee:** East Area  
**Date:** 13 March 2008

**Ward:** Wheldrake  
**Parish:** Elvington Parish Council

**Reference:** 07/02915/FUL  
**Application at:** Elvington Water Treatment Works Kexby Lane Elvington York  
**For:** Erection of 50m high environmental monitoring mast and associated guy ropes for a temporary period of 18 months  
**By:** Stephanie Walden  
**Application Type:** Full Application  
**Target Date:** 6 February 2008

**1.0 PROPOSAL**

1.1 This application seeks temporary consent for a period of 18 months for a 50 metre high anemometer mast on land at the Yorkshire Water Treatment Plant at Elvington.

1.2 It is a 50m high slender aluminium pole secured to the ground with cables which stretch to a radius of 25 metres from the mast itself. There will be several small measuring devices on the mast in order to measure wind speed, wind direction and temperature. The information gleaned from the measuring devices will be used to decide whether a wind turbine would be appropriate to be sited here in the future and if so, how high that should be.

1.3 The site lies within the Green Belt to the north of Elvington village within the boundaries of the Yorkshire Water treatment works. The River Derwent runs along the northern boundary of the site and the other immediate boundaries of the site are seen against open arable land. The nearest house is some 360 metres to the south on Riverside Gardens. The nearest house to the west is on White House Grove and Derwent Grove, approx. 390 metres away.

**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:

CYGP5  
Renewable energy

CYSP2  
The York Green Belt

CYGB1

Development within the Green Belt

CYSP3

Safeguarding the Historic Character and Setting of York

CYGP1

Design

### 3.0 CONSULTATIONS

INTERNAL.

3.1 Environmental Protection Unit.

No objections.

EXTERNAL.

3.2 Elvington Parish Council.

Object.

i) Development is too close to residential properties and will have an excessive visual impact on the whole village. Homes are within 400 metres and the school is only 550 metres away. Height of the proposed mast is just short of the highest point of York Minster. Visual impact assessment for mast should be made.

ii) The existing landscape is of an open nature so the mast/turbine will be a highly visible intrusion over the area. Other local parishes should be consulted.

iii) Site is not secure as claimed by Yorkshire Water. Gates to the site are often left open and there is no full time personnel on the site.

iv) Insufficient opportunity given for residents to comment. All residents in the north facing properties should be given the opportunity to comment.

(OFFICERS NOTE - 12 site notices were placed at various points along the whole of the north side of the main road through the village, including outside the village shop. A press advert has also being placed in the York Evening Press).

v) Wind turbines generate noise, both audible and sub-sonic. They affect local people's quality of life.

vi) Shadow flicker and strobe affect from wind turbines may affect local residents and the pupils and staff at the local school.

vii) Studies have being carried out which conclude that a safe buffer of at least 2km should exist between turbines and family dwellings.

viii) Potential impact on the birdlife in the area. The area is an important habitat for geese, barn owls and raptors. Research shows that birds are susceptible to collision with turbine blades. Has an assessment of the impact of the mast/turbine on wildlife been made.

ix) The mast is in close proximity to Elvington airfield and would be in direct line of the approach to the runway of the airfield.

x) Yorkshire Water have sited turbines at their treatment works at Barmby Marsh but that is a much more appropriate site as there are only 2 houses within 2km of the turbines.

xi) Yorkshire Water should be making use of the water resource on their doorstep (River Derwent). They could utilise the weir at Sutton on Derwent to generate power and this power source would be more reliable than the wind.



The Parish Council is supportive of power generation from renewable sources - but only of schemes suitable to a particular site.

### 3.3 Neighbours / Third parties.

42 letters of objection have been received making the following observations.

- 1) The mast is much too close to houses and the village school. It is huge and will overlook the village.
- 2) Significant visual intrusion. The mast will dominate the skyline. Ultimate aim is to put up a wind turbine.
- 3) Noise pollution. Noise from the mast could be intrusive. Already disturbed by sirens going off at the plant.
- 4) Adverse impacts have not been analysed, particularly the visual impact on the skyline.
- 5) Application is speculative and depends on where Yorkshire Water own land, not on reasonableness. This is evident from the secretive nature of the application.
- 6) Application should be considered in terms of the longer term plan for a wind turbine.
- 7) The wider issue has not been considered ie: wind farm developments should be assessed on wider joined up thinking as opposed to small developments dotted about everywhere, giving low efficiency with high social impact.
- 8) Will affect local property prices.
- 9) Recent studies have found that there should be a buffer of at least 2km between turbines and houses.
- 10) Impact on birdlife which are susceptible to collision with blades. Area is an important habitat for birds. Have seen in excess of 200 geese flying over at any one time. Birds nest on the nearby lagoons.
- 11) Will destroy the surroundings of an important dormitory village and would represent an appalling abrogation by the Council of their duty to their citizens.
- 12) Severe doubts as to the economic viability of the proposal.
- 13) Health and safety aspects of a mast on an insecure and often unmanned site.
- 14) Implications for future developments at the site.
- 15) Inadequate notification of the application to local residents.
- 16) Development represents inappropriate development in the Green Belt and no justification has been included in the application to demonstrate that very special circumstances exist which would outweigh this harm, as required by PPG2. There is no evidence that other sites have been considered such as a site to the north which is a designated Green Belt development site. Proposal is contrary to Policy SP2 of the draft local plan (safeguarding the setting and historic character of the City of York).
- 17) Scale and appearance of the mast is not in keeping with the surrounding landscape and will be intrusive to the scenic views enjoyed by residents of Elvington as the mast will be considerably taller than surrounding buildings.
- 18) This mast could lead to the erection of a wind turbine which would have a detrimental impact on surrounding residential development through noise.
- 19) Health and safety issues for Yorkshire Water workers themselves.
- 20) Concerned about flying debris.
- 21) The principal of using greener energy is a sound one. The choice of which source of energy is not.

- 22) Concerned about the potential effect on the health of children and people from loss of sleep, headaches, depression. Children may no longer be able to play outside.
- 23) Increased levels of traffic using Dauby Lane accessing the site, particularly during construction of the mast.
- 24) Obtrusive structure. Views over open fields from homes and gardens would be ruined.
- 25) It could be placed further back within the site.
- 26) Elvington is a Conservation area and there are extra controls to preserve and enhance these. The siting of this mast is in direct contradiction to this designation. Will be particularly visible from the old bridge.
- 27) Concerned about flooding in the area.
- 28) There may be lights attached to the mast which would be visually harmful in a rural area.
- 29) Mast is on the flightpath to Elvington airfield.
- 30) Back up power generation will be required to facilitate the possibility of a power outage.
- 31) What is the cost benefit. How will the wind power integrate within the overall power profile of the water treatment works.
- 32) Quality of radio and tv reception would be affected.

## **4.0 APPRAISAL**

### **4.1 KEY ISSUES.**

- Green Belt.
- Visual amenity.
- Renewable energy.
- Noise and disturbance. Neighbour amenity.

4.2 The main draft local plan policies are GB1, SP2, SP3, GP1 and GP5.

Policy GB1 and its supporting text relates to the control of development in the Green Belt and SP2 and SP3 refers to safeguarding the Green Belt and the historic character and setting of York with reference to the overall impact on the York skyline. Policy GP1 seeks to control design and ensure that neighbour amenity is not compromised. Policy GP5 relates to developments for renewable energy. The proposed monitoring mast is the initial stage in a process of considering a renewable energy scheme in the area and it is therefore considered appropriate to assess the proposal against this policy.

### **4.3 Green Belt.**

National policy and guidance on development in the Green Belt is outlined in PPG2 and this defines what is appropriate development in the Green Belt. Renewable energy projects when located in the green belt will generally constitute inappropriate development and may impact on the openness of the Green Belt. Para. 13 of PPS22 (Renewable energy) recognises this and states that careful consideration will need to be given to the visual impact of such projects in the Green Belt and developers will need to demonstrate very special circumstances that outweigh any harm by reason of inappropriateness. It goes on to say that very special circumstances may include

the wider environmental benefits associated with increased production of energy from renewable sources.

4.4 Such proposals, by their very nature, will be situated in open areas and in York this will almost inevitably be on Green Belt land. A main thrust of Government guidance generally is a focus on achieving sustainable forms of development and the Government are committed to targets aimed at increasing energy generation from renewable sources. This is advocated in PPS1 and PPS22. Draft Local Policy GP5 reflects advice in PPS22.

4.5 Whilst the mast in this instance will not directly act as a form of renewable energy, the information gained from the monitoring devices will aid Yorkshire Water in making informed decisions on whether a future turbine is appropriate in this location and if so, how this would best operate. As such, whilst the proposal would constitute inappropriate development in the Green Belt when considered against PPG2, it is in line with up to date Government guidance on renewable energy. The proposed mast is a monitoring mast and not a wind turbine and its sole purpose is to assess weather conditions. Furthermore, it is proposed to be only a temporary structure for 18 months. Given the thrust of Government guidance which is encouraging of such renewable energy developments, even small scale schemes can be considered to be appropriate (key principle vi of PPS22), and officers consider an application which is aimed at assessing whether such a development might be suitable in the future does constitute the very special circumstances referred to in para. 13 of PPS22. Officers consider that these very special circumstances outweigh the harm by reason of inappropriateness as required by PPG2.

Visual amenity.

4.6 When assessing harm to the Green Belt, it is also appropriate to consider visual impact even when it is concluded that the proposal is appropriate in the Green Belt. The proposed mast would be tall and slender in design. Given the height of the mast, and the relatively flat open character of the area, it would be visible over a relatively wide area. However, given its extremely slim design (139mm in diameter) and the even slimmer nature of the supporting cables, it would not be particularly visually prominent, despite its height. It is not considered that it harms the openness of the Green Belt. Furthermore, it is proposed for 18 months only. A condition is recommended to control this. Given the above and despite its height, it is not considered that the mast will have an unacceptable impact on the wider setting and skyline of York.

Neighbour amenity.

4.7 The visual impact of the mast has been considered above and at a distance to the nearest house of approx. 360 metres, it is not considered that the mast will dominate or oppress the views of any local resident. The mast will not generate any noise. Therefore it is considered that the mast will not affect the residential amenity of neighbouring properties.

Flooding.

4.8 The site is within Flood zone 1, the site being slightly raised as it stands within the grounds of the Yorkshire Water Treatment Works, a site which benefits from flood protection from the River Derwent. However, even without this protection, the proposal is unlikely to result in any additional floodrisk. The proposal does not require any significant increase in hardstanding as it will be supported by cables driven into the existing grassed surface.

Objections.

4.9 There is significant local opposition to the proposal and the comments are precised at para 3.3 above. Some of the objections refer to concerns over the perceived impact and effects of wind turbines. This application is for the temporary installation of a monitoring mast to assess wind speed, direction and other weather related issues and the determination of the application should be based on what has been applied for and not what might happen in the future. If, following on from this application, Yorkshire Water decide to press ahead with plans for a wind turbine then a planning application will be required and all issues relevant to such an application will be fully considered and assessed. If members are minded to approve this monitoring mast, this does not in anyway suggest support for a future turbine which will have to be assessed on its own merits.

4.10 The publicity period for this application expires on 19 March, and officers request that the application be dealt with under delegated powers provided that no new issues or objections are raised during this period.

**5.0 CONCLUSION**

5.1 The proposed mast, despite being 50 metres high will not, by virtue of its slender design, have an adverse visual impact in the area. It is considered that very special circumstances exist which outweigh the harm by inappropriateness to the Green Belt. There is no impact on neighbour amenity.

5.2 Therefore the proposal is considered to be acceptable, having had regard to national guidance in PPS22 and draft local plan policies GB1, SP3, GP1 and GP5.

**COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

2 Prior to the commencement of the development the Local Planning Authority shall be informed in writing of the date on which the mast shall be erected and the mast and all associated works shall be wholly removed from the site within 18 months of that date.

Reason. To restrict the period in which the permission may be implemented, and to ensure the removal from the site of the mast and associated works and the site's

restoration upon the expiry of the permission.

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

Drawing no's:

C2031 Issue A2

C2032 Issue A2

C2033 Issue A2

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

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

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

#### 1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the Green Belt, visual impact, renewable energy and local residential amenity with particular regard to noise and disturbance. As such the proposal complies with Policy E8 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GB1, SP2, SP3, GP1 and GP5 of the City of York Draft Local Plan (4th set of changes) dated April 2005.

#### **Contact details:**

**Author:** Matthew Parkinson Development Control Officer

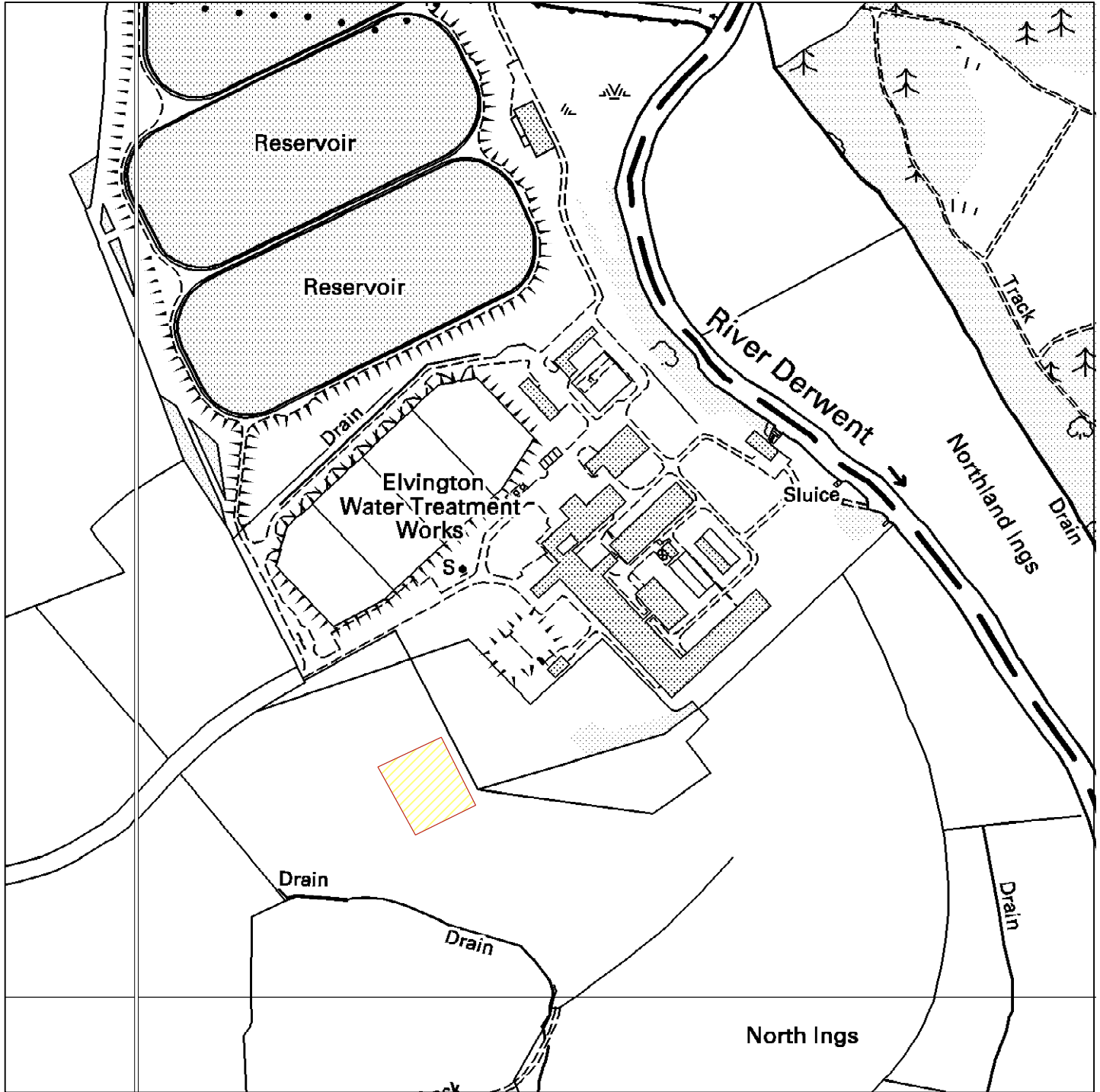
**Tel No:** 01904 552405

# Elvington Water Treatment Works

07/02915/FUL



GIS by ESRI (UK)



Scale : 1:5000

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<b>Organisation</b>	City of York Council
<b>Department</b>	City Strategy
<b>Comments</b>	Application site
<b>Date</b>	29 February 2008
<b>SLA Number</b>	Not set



2.2 Policies:

CYGP1  
Design

CYGP4A  
Sustainability

CYGP10  
Subdivision of gardens and infill devt

CYH4A  
Housing Windfalls

CYH5A  
Residential Density

CYL1C  
Provision of New Open Space in Development

### **3.0 CONSULTATIONS**

#### Internal

3.1 Highway Network Management - No objections to the proposed development. Both garages would be within 6 metres of the highway boundary and therefore a condition regarding non-protruding garage doors is recommended to be included with any approval. Conditions ensuring that the redundant crossing is removed and that details of vehicular surfacing are agreed are also recommended.

3.2 Environmental Protection Unit - No objections.

3.3 Lifelong Learning and Leisure - A commuted sum payment towards off site public open space is required in line with Council policy.

#### External

3.4 Skelton Parish Council - Do not object but wish to raise concerns. When Grange Close was approved careful consideration was given to the density, positioning and relative layout of the dwellings. This application appears to go against this approval. The application should be heard by Planning Committee and not be a delegated decision. Members are asked to ensure that the application is compliant with the Council's current guidelines on positioning and density of additional new dwellings.

3.5 Skelton Village Trust - Whilst acknowledging that changes have been made to the previous application, objections are still raised. The dwellings on Grange Close were designed with plots that provide reasonable garden/amenity space for each household. The proposal ignores this balance and produces a dwelling out of scale to the available plot size, hard up against the plot boundaries on both sides (thus



raising issues of visibility and privacy for neighbours) and with a minimal back garden. The proposed provision of a single garage in a dwelling of this capacity is inadequate.

3.6 Neighbours - Four letters have been received objecting to the proposed development. The following points were raised:

- The position of the integral garage is such that access causes conflict with vehicles accessing and exiting the adjacent property and the existing streetlight;
- The proposed dwelling would be too large for the available plot size and is not in keeping with the balanced appearance of adjoining properties;
- The study could be used as a commercial activity, the applicant already operates a commercial activity from 11 Grange Close;
- The proposed house would increase the housing density in the area creating a cramped cul-de-sac;
- The dwelling could oppress and darken the end of the cul-de-sac;
- Any builders' vehicles would bring the cul-de-sac to a standstill;
- The level of car parking is not sufficient which is likely to result in people having to park on the roadside which increases the hazard for pedestrians;
- The 'dawn to dusk movement sensors to both front and rear elevations' would add to neighbour disturbance;
- The A19 must have an influence on the marketability of such a development, the loss of amenity to other nearby houses would be created by a low desirable property;
- It is unclear what would happen to the existing street lamp;
- The proposed development would significantly change the outlook from 5 Grange Close;
- The proposed house would be out of character with the surrounding properties;
- The local roads would become heavily soiled during the construction process.

## 4.0 APPRAISAL

4.1 Key Issues:

- Principle of Development
- Visual Impact on the Street Scene
- Impact on the Living Conditions of Local Residents
- Vehicular Access / Parking

Principle of Development

4.2 The application site is located within the village settlement of Skelton. The site is unallocated on the Local Plan Proposals Map and is not within an area of Green Belt. Therefore there are no overriding reasons to refuse the development of this site beyond the planning considerations of visual impact, neighbouring amenity, and highway issues. 11 Grange Close is not a listed building and is not located within a conservation area.

Proposed New Dwelling

4.3 The positioning of the proposed dwelling on the plot appears to have been well considered. The main bulk of the proposed dwelling has been set back over 4 metres from the front of the plot in order to give some separation between the public domain and the dwelling itself. The space allowed in between the front of the house and the roadside also gives scope for some landscaping in order to give the dwelling

a more green setting. The dwelling would be sited more than 4 metres from 11 Grange Close and 5 metres from 9 Grange Close. The distance between the proposed dwelling and 9 Grange Close at first storey level is approximately 8 metres. It is considered that the positioning of the proposed house therefore allows sufficient space from neighbouring properties for it to not appear cramped or to significantly harm the spacious feel that much of this cul-de-sac currently enjoys. Whilst the proposed dwelling would cover a larger percentage of the overall plot size than many neighbouring properties, it is considered that this level of development is reasonable and would not harm the character and appearance of the area.

4.4 The proposed dwelling is considered to have been designed to reflect the character of many dwellings in the area. The general shape of the proposed house is very similar to those at 9, 11 and 15 Grange Close. The design would contain gable ends to the side of the dwelling and a central front entrance porch. The dwelling is considered to be well proportioned with openings being of appropriate scale and well positioned. The central porch feature helps to break up the house frontage and give it some depth. The side garage is set back approximately 1.4 metres from the front of the house which again reduces the visual bulk of the building.

4.5 The proposed dwelling would have a frontage of approximately 9.5 metres, and a depth of 7 metres. The garage would be 3.2 x 5.7 metres with the porch being 1.3 x 2.9 metres. The frontage is almost identical in length to 9 and 11 Grange Close which would be the two neighbouring properties. 15 Grange Close has a larger footprint to that which is proposed. The plot tapers slightly from front to back but the minimum plot width is approximately 14 metres. It is considered that the dwelling would therefore not appear cramped within its plot.

4.6 Views from the A19 at the rear are reduced by an existing conifer hedge on the rear boundary which is proposed to be retained. Whilst the dwelling sits further back into its plot than some others within this neighbourhood it is considered that the gap from the rear boundary of a minimum of 5 metres is sufficient to protect the character and appearance of the area.

4.7 It is not considered that the proposed new dwelling would significantly harm the living conditions of neighbours. No. 9 Grange Close has no primary windows within its side elevation. The dwelling would be seen from the front windows but only at an oblique angle and considering the distance between the proposed house and this window it is not considered that it would appear overbearing. The proposed integral garage would be close to the side boundary with 9 Grange Close. However, the garage is hipped away from the boundary and is only 2.3 metres in height to the eaves. Considering this modest garage height and the distance the main dwelling is from the boundary it is not considered that the proposed new dwelling significantly harms the amenities of residents at 9 Grange Close. Therefore the proposed new dwelling is considered to comply with Policies GP1, GP10, H4A, and H5A of the Local Plan.

4.8 The proposed dwelling has two car parking spaces, one within the garage and one on the driveway. This level of car parking is within the City of York Council maximum car parking standards. The garage could also be used for the storage of

bicycles. The proposed access has been assessed by the highways team and it is considered acceptable. The access sits close to that of 9 Grange Close, however this is no different to many residential areas. There remains a dispute regarding the position of a lamppost to the front and whether this would need to be removed. However, this is not a planning consideration and the developers would have to pay to have the lamppost removed if it interfered with the vehicular access into the site.

Proposed Garage to serve the existing dwelling at 11 Grange Close

4.9 The proposed double garage is of simple design and has a hipped roof. It would be located to the front of 11 Grange Close. The garage would not appear overly prominent within the street scene due to the way the cul-de-sac appears to open out towards the end. 15 Grange Close has a garage in relatively close proximity to the proposed site for the new garage. It is not considered that the proposed garage would appear out of place within this setting. A condition could control the materials used to ensure it compliments the main house.

4.10 The only dwelling which could be significantly affected by the proposed new detached garage is 15 Grange Close. It is considered that by setting the garage off the boundary and hipping the roof helps to protect neighbouring amenity. The garage would be under 4 metres in height and would be only 2.2 metres in height to the eaves. This is only 0.2 metres above a fence which could be erected on the boundary as permitted development. There is some existing vegetation between 15 Grange Close and the proposed garage, this is thought to be in the ownership and control of 15 Grange Close. The existing vegetation helps to soften the visual impact of the proposed garage when viewed from the front elevation of 15 Grange Close. The vegetation and existing boundary fence would help to shield the dwelling from any potential disturbance from car movements in and out of the garage. No objections have been raised by the residents of 15 Grange Close.

4.11 The access and parking arrangements were assessed by the highways team and no objections were raised subject to conditions. A non-protruding garage door is required to ensure a vehicle can pull onto the driveway fully and still enable the garage door to be opened, this ensures vehicles do not overhang onto the public footpath or road. The proposed garage also provides a storage facility for bicycles.

4.12 Both dwellings are considered to have an acceptable level of outdoor amenity space. The rear garden of the proposed new dwelling is approximately 70 square metres which is sufficient for a small level of outdoor recreation as well as more basic everyday requirements. The existing dwelling would retain a rear garden of approximately 155 square metres.

4.13 A sustainability statement was not submitted with the application. This has been requested in line with Local Plan Policy GP4a and it is expected that an update will be available at the Committee in this regard. A condition is recommended to be included in any approval in line with the Interim Planning Statement on Sustainable Design and Construction. This condition would require the new dwelling to achieve an Eco Homes rating of at least very good. The developer has been made aware that this condition would be attached to any approval in order for this to be taken into consideration at an early stage.

### Neighbour Concerns

4.14 A number of objections were received as a result of the public consultation exercise. A number of points raised are subjective and have previously been covered in the planning report. However, some points have not as yet been addressed. The point raised regarding the possibility of the house being used for commercial activity is not considered to be a material consideration in this application. Many dwellings use a domestic property for some level of business activity such as having a private office or storing work tools. This often does not need planning permission. If a business was operating from a dwelling and this had an impact on neighbours then a planning application would often be required. The implications of this would be considered at that stage. No information has been submitted to suggest this property would be used for commercial activity. Concern was also raised about the impact of the building work on the local area. The impact of builders vehicles is not a planning consideration, a condition has been suggested to be added to any approval to ensure no work can take place on the site outside of the designated hours. The movement sensors suggested to be installed in the design and access statement are not likely to need planning permission and thus this is not a material consideration in determining this application. Property value is also not a planning consideration.

## 5.0 CONCLUSION

5.1 As indicated above it is considered that the proposed new dwelling and detached garage at 11 Grange Close would not significantly harm the living conditions of neighbours or adversely affect the character and appearance of the area. Therefore this application is recommended for approval.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

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

- Revised Site Plan Drawing Number 07-17-02a Revision B received by The CoYC on 25/02/08

- Revised Elevation and Floor Plan Drawing Number 07-17-02a Revision A received by The CoYC on 25/02/08

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 HWAY10 Vehicular areas surfaced, details reqd

5 The dwelling shall not be occupied until all existing vehicular crossings not shown as being retained on the approved plans have been removed by reinstating the kerb to match adjacent levels.

Reason: In the interests of good management of the highway and road safety.

6 The approved garage of 11 Grange Close and the approved integral garage to serve the new dwelling shall be fitted with doors which shall at no time, even whilst being open or shut, protrude forward of the position of the face of the garage door whilst in the closed position.

Reason: To prevent cars projecting into the public highway and obstructing the free passage of road users.

7 Notwithstanding the information contained on the approved plans, the ridge height of the approved development shall not exceed 7.8 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 the existing ground level and therefore 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.

8 At the soonest available opportunity, and in any event prior to the completion of the development, the developer shall submit a completed "Sustainable Design and Construction" statement for the development. The developer shall achieve an Ecohomes "Very Good" rating or the equivalent standard under the Code for Sustainable Homes, and if this is not achieved, the developer shall demonstrate the changes that will be made to the development in order to achieve this standard.

Reason: In the interests of sustainable development.

9 NOISE8 Restricted hours of work

10 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which 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: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

11 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the Local Planning Authority. The open space shall thereafter be provided in accordance with the approved scheme or with the alternative arrangements, as agreed in writing by the Local Planning Authority, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1 of the City of York Draft Local Plan.

**INFORMATIVE:**

The alternative arrangements of the above condition could be satisfied by the completion of a Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site. The obligation would require a financial contribution towards the off-site provision of open space. The Obligation should provide for a financial contribution calculated at £3006.

No occupation can take place on this site until the public open space has been provided on site, or the Planning Obligation has been completed and any financial contribution arrangements complied with. You are reminded of the Local Planning Authority's enforcement powers in this regard.

**7.0 INFORMATIVES:  
Notes to Applicant**

**1. REASON FOR APPROVAL**

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the street scene and the living conditions of neighbours. As such the proposal complies with Policies GP1, GP4A, GP10, H4A, H5A, and L1C of the City of York Draft Local Plan.

**2. Demolition and Construction - Informative**

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

The developer's attention is also drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to

ensure that residents are not adversely affected by air pollution and noise, the following guidance should be noted and acted upon. Failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(i) 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".

(ii). 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.

(iii) 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.

(iv) 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.

(v) There shall be no bonfires on the site.

### 3. Informative

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

### 4. Informative

The site is fronted by a street lamp, if required the re-siting, amending or replacing of this shall be done in consultation with the Highway Authority at the expense of the developer. Contact Ricky Watson (01904) 551 401 for further information.

### Contact details:

**Author:** Michael Jones Development Control Officer  
**Tel No:** 01904 551325

# 11 Grange Close, Skelton

08/00077/FUL



GIS by ESRI (UK)



Scale : 1:2500

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<b>Organisation</b>	City of York Council
<b>Department</b>	City Strategy
<b>Comments</b>	Application site
<b>Date</b>	29 February 2008
<b>SLA Number</b>	Not set





2.2 Policies:

CYGP1  
Design

CYGP4A  
Sustainability

CYC1  
Criteria for community facilities

### **3.0 CONSULTATIONS**

#### 3.1 Internal

Environmental Protection Unit - The Sustainability Statement (dated 30th November 2007) proposes to overcome the contamination issues by installing raised beds and a separating membrane. This remediation proposal is considered acceptable to the EPU, however I recommend that a minimum 600mm depth of clean topsoil be placed above the separating membrane (to allow for double digging).

#### 3.2 External

Fishergate Planning Panel - No objections

Cllr A D'Agorne - Raises issues in connection with the fact that there is no mention of community involvement, including with the Steiner School and any community representation on the Management Committee, the transport assessments fails to quantify the level/timing of vehicular access to the gardens, BREEAM assessment and energy efficiency details are missing, Wildlife landscaping details are missing and external lighting is also a concern as there is no condition specifying that it will not be switched on outside class use hours. I support the intended use but feel these sensitive issues need to be covered in the eventual permission for activities.

Neighbours - Initial consultations did not cover the properties most effected. Additional letters were issued on the 6th February (expire 27th February) and no further comments have been received

### **4.0 APPRAISAL**

#### 4.1 Key Issues

Principle of development  
Impact upon amenity  
Access to the site  
BREEAM  
External lighting

4.2 The relevant City of York Council Draft Deposit Local Plan Policies are GP1, GP4a and C1. Policy GP1 'Design' of the City of York Local Plan Deposit Draft includes the expectation that development proposals will, inter alia; respect or

enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

Policy GP4a 'Sustainability' of the Draft Local Plan requires all proposals for commercial or residential development to be accompanied by a 'sustainability statement'. The policy includes a list of criteria against which proposals should be judged which include: accessibility by means other than the car, whether the proposal would contribute to the social needs of the community, the contribution to the economy of the city, design quality, minimising the use of non-renewable resources, minimising pollution, conserving and enhancing natural areas and landscape features, maximising the use of renewable resources and making adequate provision for cycle storage and recycling.

Policy C1 states that planning applications for social, health, community and religious facilities will be granted permission provided that; the proposed development is of a scale and design appropriate to the character and appearance of the locality; and it would meet a recognised need.

### PRINCIPLE OF DEVELOPMENT

4.3 The skills centres aim is to transform the learning experience for young people aged 14-16 identified as not likely to gain benefit from the opportunities provided within the traditional school curriculum, and to encourage them to develop a commitment to continued learning. The walled garden is a teaching area affiliated to the skills centre and is aimed at providing this service by teaching basic horticulture skills to up to 8 students at a time. In assessing the impact of the proposal consultation was undertaken through ward committee meetings and through the Danesgate Management Committee meetings and residents meetings.

### IMPACT ON AMENITY

4.4 The works proposed are all contained within the existing walled garden. As part of the scheme a small section of the existing boundary wall is to be raised by 375mm in order to completely mask the proposed potting shed. This would measure 8.6m by 5m and would have a height of 3.1m and would be constructed of timber with glazing. Additional facilities within the site would include a compound, a tool container, a 12m by 6m polytunnel, 3 raised planting beds and two ornamental areas. A small crushed stone turning area will also be provided just inside the site. All of the structures proposed would not be visible from outside the site due to the high boundary walls. As such it is considered that the proposed works would have limited impact upon the local amenity.

## ACCESS TO THE SITE

4.5 Access would be by the existing unsurfaced track which leads from the side of skills centre and past the entrance to the Steiner School. Pupils will walk to the garden from the existing skills centre site. Concerns have been raised in connection with vehicular movements past the entrance to the Steiner School during pupil pick up and drop off times and the fact that the surface of the track is loose and uneven. The applicant has stated that there will be minimal vehicular movements as part of the construction phase as the potting shed is already inside the walled garden and minimal foundation works need to take place. The proposed portaloo would need to be emptied every 12 months and as such should not have any implications for highway safety. The majority of the movements to the site would be by foot.

## BREEAM

4.6 Concerns have been raised that, although the project aims to demonstrate sustainable design, there are no proposals for solar thermal or photovoltaic, ground source heat pumps or any means of generating power to be used for lighting or heating. The applicant has confirmed that the potting shed building is being recycled from Oaklands School. It will only be used intermittently as outside activity is the primary purpose of the project. Both the internal lighting and radiant heating will be operated by movement sensors, which would limit energy consumption. The installation of further sustainable energy sources would not be cost effective for such a project.

## EXTERNAL LIGHTING

4.7 Concerns have been raised as there is no specified condition that restricts the external lighting being switched on outside class hours. The applicant has stated that the external lighting will be controlled by movement sensors and as such will not be left on when the garden is not being used. It will also aid with the security of the site. The lights will be wall mounted and will be angled so as to shine down into the site. There will be no lighting proposed to the access lane.

## 5.0 CONCLUSION

5.1 It is considered that the use of the existing walled garden would benefit the skills centre greatly. The proposed structures would all be located within the existing walls and would not be readily visible from outside of the site. There would be no loss of amenity to neighbouring residential properties. Access to the site by vehicles can be limited by condition to outside of drop off and pick up time of the nearby school to remove any potential conflict. Officers recommend approval.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve under General Regs 3 Council Dev

1 TIME2 Development start within three years

2 PLANS2 Apprvd plans and other submitted details

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, details of the external materials to be used on the proposed buildings and where work is proposed to the boundary wall 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: So as to achieve a visually cohesive appearance.

4 There shall be no deliveries to or construction vehicles accessing or leaving the site except between the hours of 09:00 to 15:30 Monday to Friday and 09:00 to 13:00 Saturdays and none on Sunday

Reason: To prevent conflict with the children accessing the adjacent school site

5 Details of the proposed external lighting, including type, style, method of fixing, location and hours of use, shall be submitted to the local planning authority prior to installation.

Reason: To prevent any light spillage and prevent any unacceptable impact upon nearby residential properties.

## **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 residential amenity or the character of the area. As such the proposal complies with Policy GP1, GP4a or C1 of the City of York Local Plan Deposit Draft.

#### **Contact details:**

**Author:** Heather Fairy (Mon - Wed) Development Control Officer

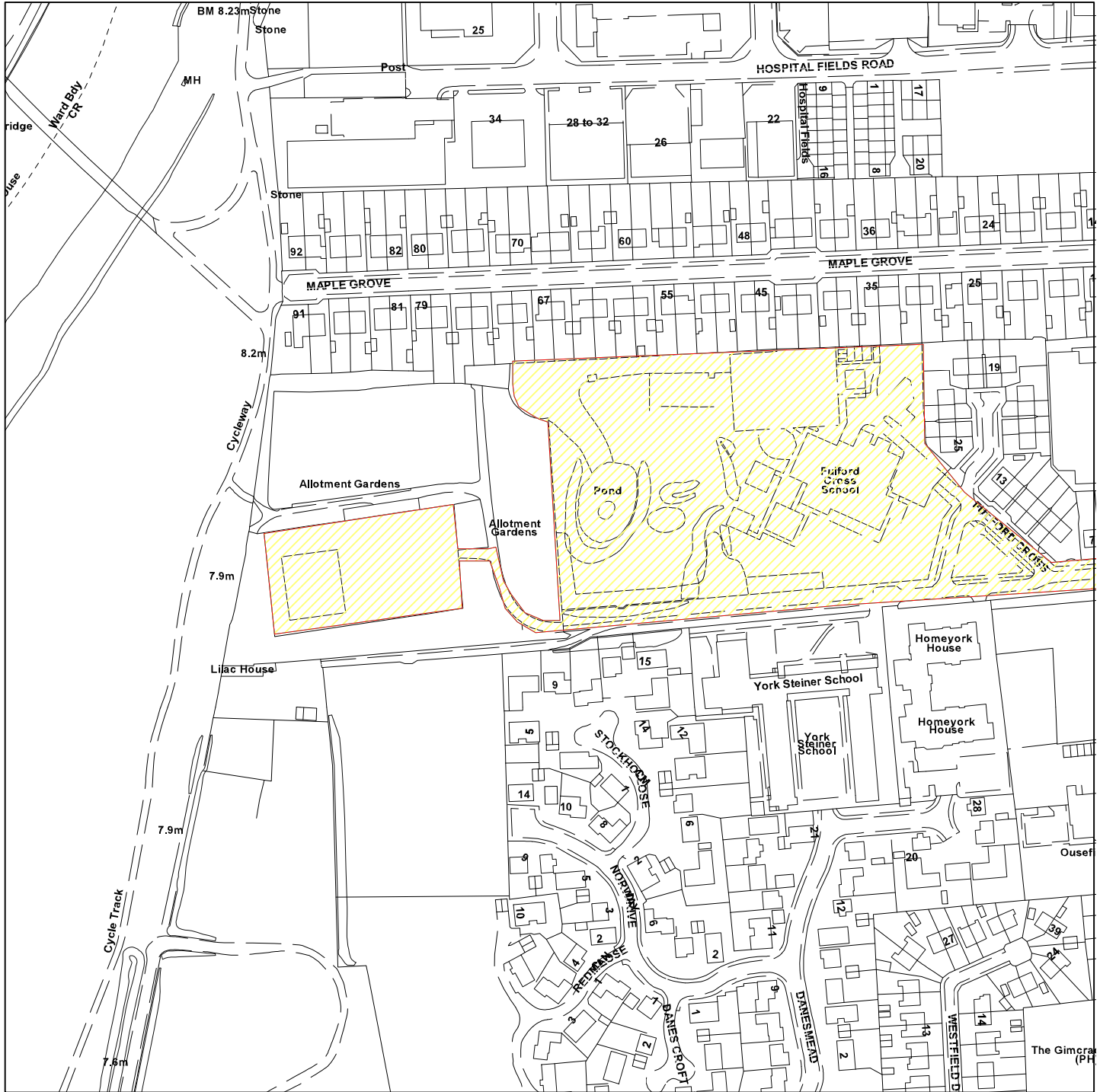
**Tel No:** 01904 551668

# The Pupil Support Centre, Danesgate

07/02876/FUL



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<b>Organisation</b>	City of York Council
<b>Department</b>	City Strategy
<b>Comments</b>	Application site
<b>Date</b>	29 February 2008
<b>SLA Number</b>	Not set



Consultee Period expired - 08.02.08

#### **4.0 APPRAISAL**

##### 4.1 Key Issues:-

4.2 DRAFT LOCAL PLAN POLICY CYH7 - residential extension states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality (ii) the design and scale are appropriate to the main building (iii) there is no adverse effect upon the amenities of neighbours.

4.3 DRAFT LOCAL PLAN POLICY CYGP1 - design sets out a series of criteria that the design of development proposals would be expected to meet. These include requirements to (i) respect or enhance the local environment, (ii) 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; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.4 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001- states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling. The scale of the new extension should not dominate the original building. Side extensions should be set back at least 0.5 metres from the forward building line and set down in height from the height of the original roof to give the side extension an element of subservience and to reduce any terracing impact. A terracing effect can also be avoided by leaving a space between the extension and the boundary of about 1 metre. Generally roofs that reflect the pitch and style of the existing roof are encouraged. Generally this will be in the form of a pitched roof that will match the main property.

4.5 The Application Site - The property is a detached property set on a higher elevation than the road, The applicant is seeking approval to erect a single storey side and rear extension after demolishing the existing garage and conservatory. The proposed side extension will be set back from the front elevation by 4.7 metres and will protrude 1.8 metres on the west (side) elevation, with a distance between the proposal and the boundary to no 10a of 0.9 metres. The rear extension will protrude 3.7 metres on the boundary with 12 Greencliffe Drive, two roof lights are proposed to be inserted to the rear and one roof light to be inserted to the western side elevation. The roof will be a mono pitched design to the side and rear, with a pitched roof on a rear facing projecting element. The rear elevation of the proposed extension will be 8.1 metres in width, and the height to the ridge will be 3.9 metres. The garden to the



rear of the proposal is set on a higher elevation to the property, and will have little impact to the neighbours at the rear.

4.6 Effect Upon the Street Scene - Due to the side extension being set back 4.7 metres this will have little impact on the street scene, and the mono pitch style of the roof would appear subservient to the main dwelling. It is not considered that the proposal would harm the character and appearance of the area.

4.7 Effect Upon Neighbouring Property - There are to be no windows (except the roof light) to side extension on the boundary to no 10a Greencliffe Drive. The neighbouring property has no side windows facing 10 Greencliffe Drive. The rear of the proposed extension will have double doors, a single window and a double window facing the rear garden and would have little impact on the properties to the rear. The properties on Westminster Road are set at a higher elevation than Greencliffe Drive therefore will not be adversely affected by the proposal. There would be no windows on the south east elevation of the extension on the boundary to no 12 Greencliffe Drive.

## 5.0 CONCLUSION

Reason for approval

5.1 It is not considered that the proposal would have a harmful effect on residential amenity or upon the street scene. As such the proposal complies with policies H7 and GP1 of the City of York Deposit Draft Local Plan.

## 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:-

Drawing numbers 07-017/302, 07-017-303 and 07-017-304 received on 10 January 2008

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 side and rear 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 of the street scene. As such the proposal complies with policies H7 and GP1 of the City of York Local Plan Deposit Draft.

**Contact details:**

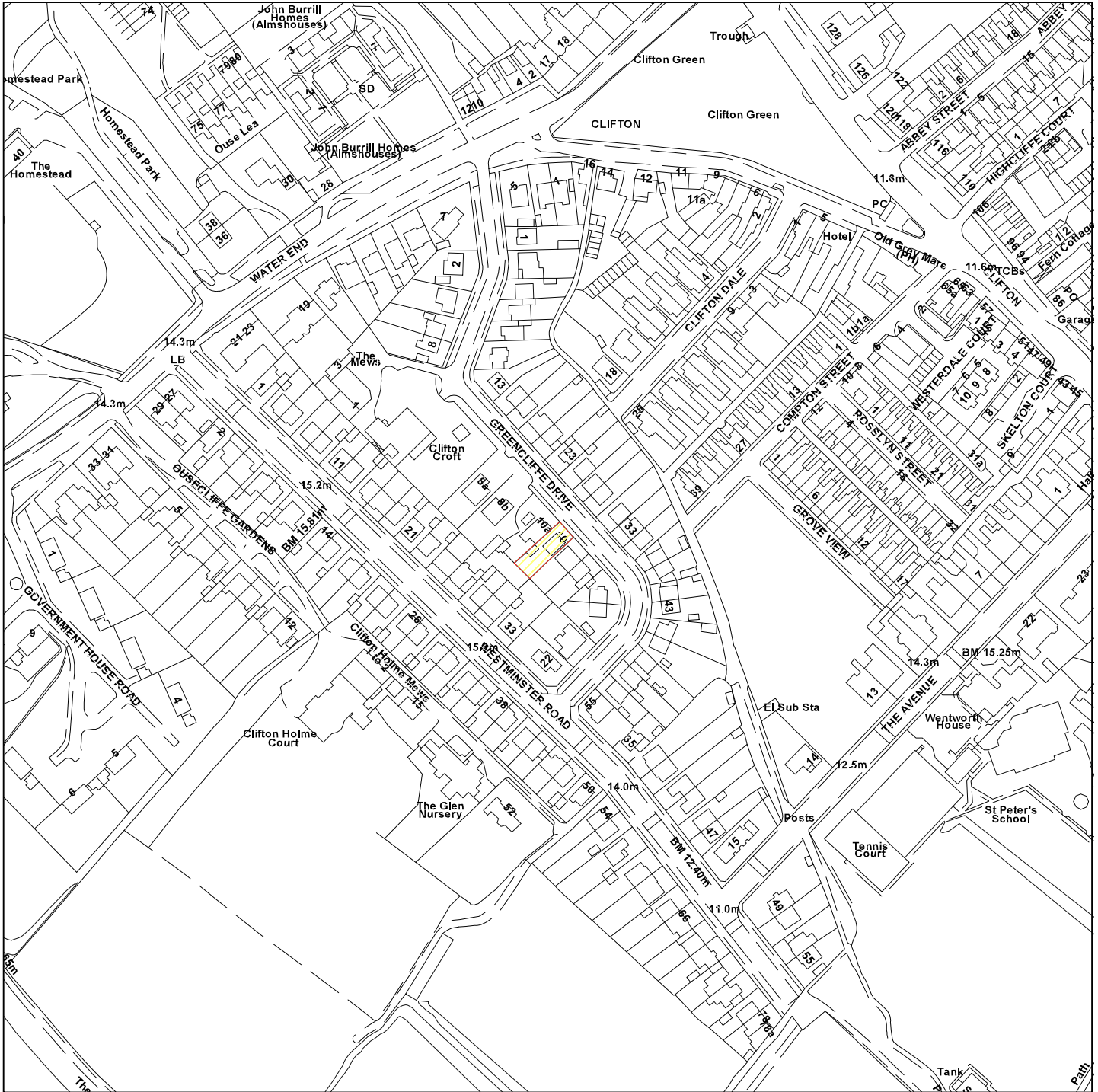
**Author:** Gill Shephard Development Control Assistant  
**Tel No:** 01904 551477

# 10 Greycliffe Drive, YO30 6NA

08/00051/FUL



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<b>Organisation</b>	City of York Council
<b>Department</b>	City Strategy
<b>Comments</b>	Application site
<b>Date</b>	29 February 2008
<b>SLA Number</b>	Not set