
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	16 AUGUST 2007
PRESENT	COUNCILLORS B WATSON (CHAIR), SUE GALLOWAY, HORTON, GALVIN (not for items 4a), REID, GILLIES, GUNNELL AND SUNDERLAND
APOLOGIES	COUNCILLOR JAMIESON-BALL

22. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
Tockwith Training Services, Shirbutt Lane, Hessay	Councillors B Watson, Sue Galloway, Horton, Galvin, Reid, Gillies, Gunnell, Moore & Sunderland	As the application is recommended for approval and objections have been received.
Groves Working Men's Club, Penleys Grove Street	Councillors B Watson, Sue Galloway, Horton, Galvin, Reid, Gillies, Gunnell, Moore & Sunderland	To allow Members to get a better idea of the site layout.
Lendal Tower, Museum Street	Councillors B Watson, Sue Galloway, Galvin, Reid, Gillies, Gunnell, Moore & Sunderland	At the request of Councillor B Watson

23. DECLARATIONS OF INTEREST

At this point in the meeting Members were asked to declare any personal or prejudicial interests they might have in the business on the agenda. None were declared.

24. MINUTES

RESOLVED: That the minutes of the meetings held on 19th July 2007 and 31st July 2007 be approved and signed by the Chair as correct records with the following amendments to the minutes dated 21st July 2007:

Councillor Moore declared an interest under the provisions of the Planning Code of good practice in Plans Items 4d & 4e (92 Micklegate) as he had been

deemed to have pre-judged the issue as he had sat on the panel of a Licensing Hearing connected with this matter. He left the room and took no part in the discussion or decision thereon.

Councillor B Watson declared an interest under the provisions of the Planning Code of good practice in Plans Items 4d & 4e (92 Micklegate) as he had been deemed to have pre-judged the issue as he had sat on the panel of a Licensing Hearing connected with this matter. He left the room and took no part in the discussion or decision thereon.

25. PUBLIC PARTICIPATION

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

26. 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.

26a Lendal Tower; Museum Street (07/00306/LBC)

Members considered a Listed Building Consent Application submitted by Mr David Hattersley for the conversion of Lendal Hill House and Whistler House to form three apartments including alterations to Lendal Tower to form one dwelling, internal and external alterations.

Representations were received from the Applicant's Agent who said that the conversion of the two houses into three flats was part of a much larger project on this site.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to:

- Impact on the special architectural and historic character of the listed building

As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies HE4 and HE9 of the City of York Local Plan Deposit Draft.

26b Lendal Tower; Museum Street (07/00307/FUL)

Members considered a full application submitted by Mr David Hattersley for the conversion of Lendal Hill House and Whistler House to form three apartments and conversion of Lendal Tower to form one dwelling including external alterations.

Representations were received from the applicant's agent who clarified, in response to Member's questions about drainage, that all potential drainage problems had been satisfactorily overcome.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance with particular reference to:

- Principle of the proposal for apartments
- Impact on character and appearance of conservation area
- Access and parking

As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies HE3, H4a and T4 of the City of York Local Plan Deposit Draft.

26c 27 Tanner Row (07/01222/FULM)

Members considered a major full application submitted by Oakgate (Newcastle) Ltd for the use of the ground floor and first floor of Unit 5 as offices (Use class A2 and B1).

Members asked whether the building could be split to house more than one company; therefore requiring different or no (dependent on size) travel plans to be submitted and Officers confirmed that the applicant would have to make a separate application if they wanted to sub-divide the premises.

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

REASON: That, subject to the conditions listed in the report, the proposal would not cause any undue harm to interests of acknowledged importance, with particular reference to:

- Principle of the proposed change of use
- Policy considerations
- Impact on character and appearance of conservation area/listed buildings
- Transport and travel implications

- Impact on amenity of adjacent occupiers

As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies E7 and HE3 of the City of York Local Plan Deposit Draft.

26d Tockwith Training Service, Shirbutt Lane, Hessay

Members considered a full application submitted by Tockwith Training Services for the erection of a single storey storage building following demolition of an existing building (resubmission).

Officers updated that Marston Moor Internal Drainage Board had submitted additional information regarding the drainage works for the site and suggested these be agreed with themselves and effective soakaways be installed before development began.

Members asked whether this would include doing a soakaway test and Officers clarified that it would.

Officers also updated that the applicant had altered the position of the building in relation to the nearby wall and had also lowered the roof level.

Representations were received, in objection to the proposed development, from a neighbour who raised concerns about flooding and drainage. He said that there were already problems with water on this site flooding onto his own land. He raised an objection to the height of the proposed building and stated that the building was also, now, 2m closer to his house. As there would be large vehicles reversing in this area there would be increased noise from sirens and horns. There would also be problems with drainage as some of the trees had been removed as they were causing damage to his house. These had, in the past, helped to absorb some of the water.

Members felt that the applicant had made significant changes to the previous application and had tried to address the original concerns that had been raised. The said that the new building would have guttering and therefore some of the flooding and excess water problems may be solved. It was also noted that the applicant would have to meet the requirements of the Internal Drainage Board if the guttering and soakaways did not solve the drainage and flooding problems.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the purpose of including the land within the greenbelt, impact upon the character of the area and impact upon residential amenity. As such the proposal complies with Policy E2 of the North Yorkshire County

Structure Plan (Alteration No.3 Adopted 1995) and Policies GB1 and GB11 of the City of York Local Plan Deposit Draft.

26e Groves Working Men's Club; Penleys Grove Street (07/01279/FULM)

Members considered a major full application submitted by Mr Kevin Mohan for the erection of 4 three storey townhouses, 8 apartments in a three storey block and associated garages and car parking following demolition of existing buildings.

Members raised concerns regarding the access to the rear of the site and noted that there was a potential conflict between cyclists and pedestrians. They also requested that improvements be made to the sustainability of the scheme. They also requested that a condition regarding wheel cleaning of the construction vehicles be added.

RESOLVED: That the application be approved subject to the conditions outlined in the report and the additional conditions listed below:

1. Before any development is commenced on site wheel cleaning facilities shall be provided to a standard, and in such a position as previously approved in writing by the Local Planning Authority and shall thereafter be retained during the period the construction works on the site are taking place and used to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety.

2. Prior to development commencing details of a scheme for cycle calming measures at the junction of Groves Lane and Jackson Street shall be submitted to and agreed to in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

Reasons: In the interests of road safety.

SUSTAINABLE DEVELOPMENT

You are reminded of the requirements of policy GP4a of the City of York Draft Local Plan which seeks to achieve sustainable development with a low or positive environmental impact whilst maximising social, economic, and environmental gains. This should be considered in implementing the scheme hereby approved.

REASON: The proposal, subject to the conditions listed in the report and above, would not cause undue harm to

interests of acknowledged importance, with particular reference to visual and residential amenity, highway safety and the provision of community facilities. As such the proposal complies with Policy H6 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GP1, GP4a, H4a, H5a, L1c, C3, C6, ED4 of the City of York Local Plan Deposit Draft.

26f 9 Fellbrook Avenue (07/01656/FUL)

Members considered a full application submitted by Mrs T J Hegarty for a two storey side extension and one and two storey rear extension (amendment to approved scheme 07/00452/FUL).

Officers updated that a further letter of objection had been received from a local resident. This expressed concerns regarding the lack of details to the roof finishes, the details of the roof lights, refuse and bin storage and parking. Officers also updated that there were no objections from the Acomb Planning Panel.

RESOLVED: That the application be approved subject to the conditions outlined in the report and the decisions listed below:

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

Reason: To protect the amenities of adjacent residents.

REASON: That the proposal, subject to the conditions listed above and in the report, would not cause undue harm to interests of acknowledged importance, with particular reference the residential amenity of the neighbours, and the visual amenity of the dwelling and the locality. As such, the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan (2005); national planning guidance contained in Planning Policy Statement 1 "Delivering Sustainable Development"; and supplementary design guidance contained in the City of York's "A guide to extensions and alterations to private dwelling houses".

26g 6 Ovington Terrace (07/01601/FUL)

Members considered a full application submitted by M J Holmes for the conversion of the dwelling into 2 flats.

Members felt that the application was contrary to Policy H8 which seeks to protect this type of dwelling. They felt that the property was too small for conversion to flats.

RESOLVED: That the application be refused

REASON: The scheme would involve the loss of a three bedroom property, as extended, and would therefore conflict with Policy H8 of the City of York Council Draft Deposit Local Plan which seeks to retain an adequate supply of family housing stock and states that planning permission will only be granted for the conversion of a dwelling to flats where: the dwelling is of sufficient size (min 4 bedrooms) and the internal layout is shown to be suitable for the proposed number of households or occupants and will protect residential amenity for future occupiers.

COUNCILLOR B WATSON
CHAIR

The meeting started at 3.05 pm and finished at 4.20 pm.