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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	18 OCTOBER 2007
PRESENT	COUNCILLORS B WATSON (CHAIR), SUE GALLOWAY (VICE-CHAIR), GALVIN, REID, GILLIES, SUNDERLAND AND BOWGETT (SUBSTITUTE)
APOLOGIES	COUNCILLORS HORTON, GUNNELL AND JAMIESON-BALL

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#### 41. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
218 Salisbury Terrace	Councillors B Watson & Gillies	As objections had been received and the application was recommended for approval.

#### 42. DECLARATIONS OF INTEREST

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

#### 43. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the Press and Public be excluded from the meeting during consideration of the annexes to agenda item 6 (Enforcement Cases Update) on the grounds that they contain information classed as exempt under paragraph 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006. This 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.

#### **44. MINUTES**

RESOLVED: That the minutes of the meeting held on 20<sup>th</sup> September 2007 be approved and signed by the Chair as a correct record.

#### **45. 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.

#### **46. 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.

##### **46a 218 Salisbury Terrace, York (07/02105/FUL)**

Members considered a full application submitted by the Reverend Karen Burnett-Hall for the conversion of the existing church hall to 3 one-bedroom apartments and external alterations (resubmission).

The Officer updated that Highway Network Management were still awaiting details of cycle storage. One additional representation had been received that highlighted the following:

- Conditioning the alterations to the church to take place within a 3 month period so that the current facility users are not without a base.
- Flooding -
- Allocation of Section 106 monies so that £1080 for outdoor amenity is spent on Back Park.

Members felt that any Section 106 monies should be used on leisure facilities for the area but no specific project or amenity should be conditioned.

Representations were received from the Applicant's Agent who stressed the importance of improving the quality and quantity of community facilities.

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

REASON: That the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity, residential amenity, provision of community facilities, flood risk and highway safety. As such the proposal complies with Policies GP1, GP4a,

**46b The Blue Fly Cafe Bar (07/02146/FUL)**

Members considered a full application submitted by Mr James Doughty for the variation of condition 3 of planning permission 06/01336/FUL for 10 New Street and variation of condition 4 of planning permission 06/00339/FUL for 10A New Street to alter opening hours of existing Café bar to 0900-0430 Monday to Sunday.

Officers updated that paragraph 3.1 of the report was incorrect and because the original pavement café licence had been issued before the introduction of the new guidelines regarding operating hours of pavement cafés then the Blue Fly Café could already operate until 0330am. An additional representation in objection to the application had been received regarding customers not remaining within the barrier of the premises, thus spilling onto and blocking the highway. The letter also referred to the fact that pavement café licences allocated by Highway Network Management can only operate until 8pm.

Representations were received at the meeting from the agent to the applicant who said that the additional letter was based upon a false premise as it had already been acknowledged in the Officer update that the pavement café licence had been issued before the new guidelines came into operation. He stated that the café bar was policed properly and security staff were employed.

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

**REASON:** That 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 function of the area, the character and appearance of the Conservation Area, the setting and historic interest of the listed building, the amenities of nearby occupants and highway safety. As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan and Policies HE3, HE4 and S6 of the City of York Development Control Local Plan Deposit Draft, incorporating the 4<sup>th</sup> set of changes.

**47. 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.

COUNCILLOR B WATSON  
CHAIR

The meeting started at 3.05 pm and finished at 4.15 pm.