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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	20 DECEMBER 2007
PRESENT	COUNCILLORS B WATSON (CHAIR), SUE GALLOWAY (VICE-CHAIR), HORTON, GILLIES, GUNNELL, WALLER, WISEMAN (SUBSTITUTE) AND MOORE (SUBSTITUTE)
APOLOGIES	COUNCILLORS GALVIN, REID AND SUNDERLAND

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**62. INSPECTION OF SITES**

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
Rosethorn Cottage, Main Street, Upper Poppleton	Councillors B Watson, Sue Galloway, Horton, Gillies, Moore, Waller, Wiseman	As the application has been recommended for approval and objections have been received.
2 Glenridding	Councillors B Watson, Sue Galloway, Horton, Gillies, Moore, Waller, Wiseman	As the application has been recommended for approval and objections have been received.
98-100 Bishopthorpe Road	Councillors B Watson, Sue Galloway, Horton, Gillies, Moore, Waller, Wiseman	As the application has been recommended for approval and objections have been received.
Riverside; Dennision Street (Site to the rear of 38 Huntington Road)	Councillors B Watson, Sue Galloway, Gillies, Moore, Waller, Wiseman	As the application has been recommended for approval and objections have been received.

**63. DECLARATIONS OF INTEREST**

Members were invited to declare any personal or prejudicial interest they might have in the business on the agenda. None were declared.

**64. MINUTES**

RESOLVED: That the minutes of the Sub-Committee meeting held on 15<sup>th</sup> November 2007 be approved and signed by the Chair as a correct record.

## **65. 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.

## **66. 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.

### **66a 2 Glenridding (07/02551/FUL)**

Members considered a full application submitted by Mr Wilson and Miss Goude for a single storey and two storey pitched roof rear and side extension after demolition of the existing garage and conservatory (resubmission).

Representations were received, in objection, from a resident of a neighbouring property who raised concerns regarding the scale and mass of the extension, over dominance, drainage, access, loss of amenity, boundary and party wall infringements and overlooking.

Members discussed the possibility of carrying out percolation tests, before development commenced, to ascertain the suitability of soakaways as the method of surface water drainage for the extensions and agreed that a condition should be added to this effect.

**RESOLVED:** That the application be approved subject to the conditions outlined in the report and the following additional conditions:<sup>1</sup>

- The materials to be used externally shall match those of the existing buildings in colour, size, shape and texture.

**Reason:** To achieve a visually acceptable form of development.

- Development shall not commence until percolation tests have been carried out in accordance with BRE Digest 365 to ascertain the suitability of soakaways as the method of surface water drainage for the extensions. Should a soakaway prove to be unsuitable under the BRE Digest 365 the surface water should be discharged into the main drains unless otherwise approved in writing by the local planning authority.

Reason: In the interests of the proper drainage of the site in accordance with policy GP15a of the Development Control Local Plan.

REASON: That the proposal, subject to the conditions outlined in the report and the above additional conditions, would not cause undue harm to interests of acknowledged importance, with particular reference to the amenity of the occupiers of adjacent residential properties and the character and appearance of the surrounding area. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Local Plan and the advice contained within SPG (2001) Guide to extensions and alterations to private dwelling houses.

Action Required

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

**66b 88A South Bank Avenue (07/02153/FULM)**

This application was withdrawn prior to the meeting.

**66c Hursts Yard (07/02275/FULM)**

Members considered a major full application submitted by S Harrison Developments for the conversion and change of use to form 10 apartments, two 3 bedroom houses and 2 ground floor B1 office and/or A1 retail unit(s) with associated external alterations.

Officers updated that the Conservation Officer had suggested some minor changes.

RESOLVED: That the application be approved subject to the conditions outlined in the report.<sup>1</sup>

REASON: That, subject to the conditions set out in the report, the proposal would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the Central Historic Core Conservation Area, the residential amenity of the neighbouring property occupiers, transport provision, housing mix provision and the wider character of the surrounding area. As such the proposal complies with Policies SP6, SP8, GP1, GP4a, GP6, GP15a, L1c, HE2, HE3, HE10, T4a and H3c of the City of York Development Control Local Plan.

Action Required

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

**66d Parkside Nursing Home (07/02166/FUL)**

Members considered a full application submitted by Ms J Lenthall for the change of use from a care home to two dwellings, part demolition of rear extension, pitched roof single storey side/rear extension to 100 Bishopthorpe Road and a single storey pitched roof rear extension to 98 Bishopthorpe Road and one single and one double garage.

Officers updated that additional conditions regarding noise insulation and cycle parking had now been added (detailed below). Condition 3 had been amended to refer to re-use of bricks and the informative linked to condition 6 had been amended to indicate that the contribution required was now £3888.

Representations in objection were received on behalf of a local resident. The resident had raised the following concerns:

- The proposals appear cramped and cluttered and as such undermine the character and appearance of the street scene and the conservation area
- Location of proposed garages
- The proposal over caters for private vehicles
- In their current form the proposals are contrary to the City of York Draft Deposit Local Plan and Policy GP1 Design

Representations were received, in support, from the Applicant's agent who stated that the proposed development was not within the conservation area. He said that if the garages were to be relocated then access to them would be compromised and cause highway problems.

RESOLVED: That the application be approved subject to the conditions outlined in the report and the following amended and additional conditions:<sup>1</sup>

Amended Condition 2:

The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: -

Drawing number BS 1846/PL01

Drawing number BS 1846/PL02

Drawing number BS 1846/PL03 rev C received 13 December 2007

Drawing number BS 1846/PL04 rev C received 13 December 2007

or any plans or details subsequently agreed in writing by the Local Planning Authority as an 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.

Amended Condition 3:

Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used to include reused bricks from the demolished building 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.

Amended Condition 6

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, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £ 3888.

Additional Conditions

Condition 9 Prior to commencement of the development, a scheme of noise insulation for the wall adjacent to the existing dwelling at 1 Richardson Street shall be submitted to the local planning authority for written approval. Once approved, the scheme shall be fully implemented.

Reason: To protect the amenity of the adjoining neighbouring residents

Condition 10 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

REASON: That the proposal, subject to the conditions outlined in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to the character of the area or residential amenity. As such the proposal complies with Policy GP1, H4a and L1c 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 time scales. JB

**66e Riverside, Dennison Street (07/02629/FUL)**

Members considered a full application submitted by Barratt Homes (York Division) Ltd for the erection of a sub-station located to the rear of Number 38 Huntington Road.

Officers updated that revised plans had been received that clarified the finished floor level of the substation. It would be 10.6AOD and the external measurements had not altered.

The following comment had been received from the City of York Council's Environmental Protection Unit regarding magnetic fields:

'I understand there are concerns from local residents about the possible effects from electromagnetic radiation associated with the proposed sub-station. Currently there is no specific legislation in the UK relating to human exposure to magnetic fields. The health effects of exposure to magnetic flux densities at 50Hertz are due to the effects of induced currents on the function of the central nervous system. The International Commission on Non-Ionising Radiation Protection (ICNIRP) have developed reference levels for compliance with basic restrictions, both for occupational exposure and exposure by the general public. The reference levels have been set at 500 microtesla for occupational exposure and 100 microtesla for general public exposure. These levels are hundreds of times higher than the level at which human effects can occur.

The National Radiological Protection Board regularly carries out measurements of magnetic fields and have found levels of a few microtesla at the boundary of sub-stations, which then drops rapidly to negligible levels within five metres from the sub-station. To put this in perspective they find typical levels of 0.1-7 microtesla from hair dryers, 0.15-3 from washing machines, 0.6-10 microtesla from food mixers, 2-20 from vacuum cleaners and 22 microtesla when standing directly beneath a 275 kilovolt power line.

All sub-stations must be constructed according to a British Standard. Barratt Homes confirm that the sub-station is to be constructed to this standard by Yorkshire Electric Distribution Limited; therefore I see no reason to object to this application.'

The Officer also reported that the Foss Drainage Board had no objections. A total of nine objections had now been received in writing and these raised the following concerns:

- Lack of consultation letters
- Health impacts – child leukaemia and depression
- Flood risk
- Loss of property value
- Suggested relocation to the north of the site
- The benefits are for the new housing estate only

Some Members asked the Officer whether the Environment Agency were satisfied that the sub-station would be unlikely to flood and he responded that it had been the Environment Agency that had set the level of 10.6 metres for the floor level.

Representations were received, in objection, from a neighbouring resident, who had the following concerns:

- Health risks including leukaemia, cancer and tumours
- Inconclusive evidence regarding impact on health
- Consideration of alternative sites for the sub-station
- Electro-magnetic fields can have an adverse effect on health
- Consideration of local residents views and not just the building company's views

Representations were received from a neighbouring resident, who objected to the application on health grounds.

Members discussed the fact that the size of the sub-station would be determined by the electricity board, the position of the existing cabling and the feasibility of relocating the sub-station. Members expressed their understanding of the residents' concerns but felt that in the light of the information provided by the Environmental Unit there was very little evidence to support the view that there would be an impact on health if the sub-station were to be sited in the proposed location.

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

**REASON:** That the proposal, subject to the conditions set out in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to visual impact (including that on the conservation area), residential amenity, flood risk and highway safety. As such the proposal complies with Policies GP1, GP15 and HE3 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 time scales. JB

**66f Rosethorn Cottage (07/02458/FUL)**

Members considered a full application submitted by B W and P M Fullam for a single storey detached garden room to the rear (revised scheme).

RESOLVED: That the application be approved subject to the conditions outlined in the report.<sup>1</sup>

REASON: That the proposals, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to neighbouring resident's amenity or the character and appearance of the conservation area. As such the proposal complies with Policies H7 and HE2 of the City of York Development Control Local Plan.

Action Required

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

Cllr B Watson, Chair  
[The meeting started at 3.00 pm and finished at 4.35 pm].