
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	29 JANUARY 2008
PRESENT	COUNCILLORS B WATSON (CHAIR), SUE GALLOWAY (VICE-CHAIR), GALVIN, GILLIES, GUNNELL, HORTON, REID AND WALLER
APOLOGIES	COUNCILLOR SUNDERLAND

74. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
York City Art Gallery	Councillors B Watson, Gillies, Gunnell, Horton and Waller	At the request of Councillor B Watson

75. DECLARATIONS OF INTEREST

Members were invited to declare any personal or prejudicial interests they might have in the business on the agenda.

Councillor Reid declared a personal and prejudicial interest in Plans Item 4b (14 Copmanthorpe Lane) as she knew the parents of the contracted purchaser. She left the room and took no part in the debate.

76. MINUTES

RESOLVED: That the minutes of the Sub-Committee meeting held on 20 December 2007 be approved and signed by the Chair as a correct record.

77. 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.

78. 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.

78a York City Art Gallery, Exhibition Square, York (07/02722/LBC)

Members considered a Listed Building Consent submitted by the York Museum's Trust for internal alterations and repairs to the south gallery, installation of a platform lift and demolition of a suspended ceiling.

Officers Updated that they had now received a response from the Guildhall Planning Panel who did not have any objections in relation to the proposals.

RESOLVED: That the application be approved subject to the conditions outlined in the report.¹

REASON: That, subject to the conditions set out in the report, the proposals would not cause undue harm to interests of acknowledged importance, with particular reference to the special historic interest of the listed building. As such the proposal complies with Policy HE4 of the City of York Local Plan Deposit Draft.

Action Required

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

78b 14 Copmanthorpe Lane, Bishopthorpe, York (07/02892/FUL)

Members considered a full application submitted by Mr and Mrs M Cross for the erection of a two storey detached dwelling and garage (resubmission).

Officers updated that five further letters of objection had been received. The following points had been made in the eight letters of objections now received:

- loss of privacy.
- loss of outlook for dwellings on Kirkwell.
- light pollution to dwellings in Kirkwell.
- Frontage measurement is wider than the previously refused scheme.
- Cars exiting the site will reverse into the road, causing potential danger to pedestrians; driveways of the dwellings opposite may be used when manoeuvring vehicles. Increase in the traffic within Kirkwell.
- Impact on the character and amenity of the environment and would appear 'shoehorned' into the site, overdevelopment of a highly constrained site.
- The proposed dwelling would create a sense of imbalance within Kirkwell that would impact negatively on the streetscene and would create a sense of enclosure within Kirkwell.
- The proposed dwelling would cause significant loss of light and overshadowing during the afternoon and evening to several dwellings in Kirkwell.

- The design of the dwelling would not be consistent with planning policy at local and national level, which requires that new development is of a high standard of design which respects and is compatible with its surroundings.
- The majority of the dwellings in the area are semi-detached with a smaller footprint.
- The site should be treated as a greenfield site as it has not previously been developed and therefore should be a presumption against its development.
- Important break between the properties of Kirkwell and New Lane.
- No consideration has been given to the ecological value of the site.
- Flood risk assessment is brief and this part of the village has experienced flooding in the past.

One letter of support had been received which made the following points:

- In line with Council policies.
- Would not be overdevelopment of the site.
- Adjacent properties would not be overlooked.

Objections had now been received from Bishopthorpe Parish Council as follows:

- Would cause overlooking.
- Cause overshadowing to 12 Kirkwell and 2 New Lane.
- Construction is different from surrounding dwelling and does not enhance the environment.
- Would exacerbate the problems of parking and access to Kirkwell.
- No turning space within the site and cause manoeuvring problems within Kirkwell.
- Site too small for building materials to be stored, no place for construction traffic.
- Hedgerow will be broken to allow access, possibly an ancient hedgerow dating from the enclosures act.

Members asked Officers if the footprint size was different and they said that there was some ambiguity in relation to the size of the site but this proposal was approximately 10% smaller than the previous one.

Representations, in objection, were received from a local resident who lived opposite the proposed development who said that these proposals were closer to his property than the previous ones and had a longer frontage.

Representations were received in objection from Bishopthorpe Parish Council who agreed with the previous speaker. He also felt that there was cause for concern in relation to highway safety.

Representations were received, in support, from the contracted purchaser who said that the volume of the footprint had been reduced in accordance with Members' comments at a previous meeting. As the proposals were predominantly single storey he did not think that they were overbearing.

Members felt that the site was large enough to accommodate a unit but not one of the proposed size. They did not feel that the footprint had been reduced enough to allow them to support the application.

RESOLVED: That Officers be given the delegated authority to refuse the application on expiry of the consultation period.¹

REASON: The proposed dwelling by virtue of its design, scale and mass is considered to be detrimental to the character and amenity of the local environment, the proposed dwelling would have a cramped appearance on this site and when seen in context with the surrounding buildings result in overdevelopment of the site and therefore is contrary to Policies GP1, H4a and GP10 of the City of York Development Control Local Plan (2005); and national planning guidance Planning Policy Statement 1 “Delivering Sustainable Development and Planning Policy Statement 3 ‘Housing’”.

The proposed dwelling by virtue of its design, scale, mass and bulk is considered to be overbearing to the occupants of 10 and 12 Kirkwell and would also cause a loss of outlook from these dwellings resulting in a loss of residential amenity and therefore is contrary to Policies GP1 and GP10 of the City of York Development Control Local Plan (2005); and national planning guidance Planning Policy statement 1 “Delivering Sustainable Development and Planning Policy Statement 3 ‘Housing’”.

The proposed dwelling by virtue of the first floor window in the side elevation facing 14 and 16 Copmanthorpe Lane would result in overlooking and a loss of privacy to the rear gardens of these properties resulting in a loss of residential amenity and therefore is contrary to Policies GP1 and GP10 of the City of York Development Control Local Plan (2005); and national planning guidance Planning Policy Statement 1 “Delivering Sustainable Development and Planning Policy Statement 3 ‘Housing’”.

Action Required

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

78c Faith Cottage, 3 Low Green, Copmanthorpe, York (07/02903/FUL)

Members considered a full application submitted by Mr and Mrs J Corner-Walker for a part two storey, part first floor and pitched roof side extension.

Officers confirmed that they had no update for the Sub-Committee.

Representations were received, in support, from the Applicant's Agent who said that the proposals had been revised in accordance with Member's comments at a previous meeting.

Members felt that the new proposals had taken on board the concerns they had raised in relation to the previous application.

RESOLVED: That Authority to approve the application be delegated to Officers subject to the conditions outlined in the report.¹

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 residential amenity of neighbours, the visual amenity of the dwelling and the locality and highway safety. 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."

Action Required

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

JB

Councillor B Watson, Chair

[The meeting started at 12.05 pm and finished at 12.35 pm].