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

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**103. INSPECTION OF SITES**

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
65 Moorgate	Councillors B Watson, Horton, Gillies, Gunnell & Waller.	As the recommendation was for refusal.
13 Bridge Street	Councillors B Watson, Horton, Gillies, Gunnell & Waller.	To familiarise Members with the site.
11 Melrose's Yard, Walmgate	Councillors B Watson, Horton, Gillies, Gunnell & Waller.	As objections had been received and the recommendation is to approve.

**104. DECLARATIONS OF INTEREST**

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

Councillor Gillies declared a personal non-prejudicial interest in Plans Item 4a (Corries Solicitors, 11 Melrose's Yard, Walmgate) as his daughter worked with the Drugs Action Team.

**105. MINUTES**

RESOLVED: That the minutes of the meetings held on 20<sup>th</sup> March 2008 and 1<sup>st</sup> April 2008 be approved and signed by the Chair as a correct record.

**106. PUBLIC PARTICIPATION**

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

## 107. 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.

### 107a Corries Solicitors, 11 Melrose's Yard, Walmgate, York, YO1 9XF (08/00518/FUL)

Members considered a full application, submitted by Crime Reduction Initiatives (CRI Limited) to use the premises for community daycare, clinical support, counselling and training and employment support in connection with substance misuse service (Class D1 use).

The case officer updated that an additional letter of objection had been received that raised the following concerns:

- The proposed offices would be in the middle of a residential area overlooked by quality apartments.
- There is already an amenity for offenders at Robinson Court.
- A new development for the homeless will be situated at Castle Mills Bridge.
- There is a children's nursery nearby.
- The Age Concern office is nearby.
- Walmgate Bar is the route for tourists.
- People will be put off visiting local businesses.
- The Police have worked hard to improve this area.

In addition the case officer reported that no objections had been received for the Highways Department.

Members asked the officer to clarify whether objections had been received from Age Concern and he confirmed that they had not.

Representations were received in support from the applicants. Their spokesperson explained that CRI was a voluntary organisation that worked with people receiving treatment for drug abuse. He confirmed that CRI would not be dispensing prescription drugs on this premises.

Members asked the applicant approximately how many people would visit the premises in one day and he responded it would be approximately 25. He was also asked whether there were any outstanding problems with neighbours of the current premises in Peckitt Street. He said that concerns had been raised by two residents who were not happy about the current location of CRI. He also commented that CRI was currently located near to the Law Courts. In relation to a question about CCTV coverage the applicant confirmed that Age Concern were happy for this to be installed. Discussions would be taking place with the Police Architectural Liaison Officer and local residents regarding siting of the cameras.

Members discussed the opening times of the facility and agreed that these should be amended so that the premises would close at 18:00 hours.

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

Amended Condition 3

The use hereby permitted shall not be open outside the following hours:

Monday to Friday – 09:00 to 18:00

No opening on Saturdays and Sundays

Reason: In the interests of the amenity of surrounding occupants.

REASON: That the proposals, subject to the conditions detailed in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to the loss of office space, amenity and safety and the character and appearance of the conservation area. As such the proposal complies with Policies E3b, GP3 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 timescales. JB

**107b Express-O, 13 Bridge Street, York, YO1 6DA (08/00603/FUL)**

Members considered a full application submitted by Ms Lydia Williams for change of use of 13 Bridge Street to a mixed use of restaurant (Class A3) and hot food take away (Class A5).

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

REASON: That the proposals, subject to the conditions detailed in the report would not cause undue harm to interests of acknowledged importance, with particular reference to the principle of the proposed use, residential amenity, highway safety and the character and appearance of the conservation area. As such the proposal complies with Policies S5, S6, S7 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 timescales. JB

**107c Express-0, 13 Bridge Street, York, YO1 6DA (08/00594/FUL)**

Members considered a full application submitted by Ms Lydia Williams for external alterations including a new entrance door following replacement of the existing door with window, north street frontage.

The case officer updated that the objection in relation to the external alterations was still unresolved and the justification for making a new side opening for level access was inadequate. He suggested that the original access in Bridge Street be retained if the unit was to be made into one. This would relate to the design of the listed building. The case officer therefore suggested refusing the application on the grounds that the proposed design would be harmful to the appearance of the listed building and the conservation area. Alternatively the Sub-Committee could delegate approval of the application to officers on receipt of satisfactorily amended plans.

It was also reported that the Environmental Protection Unit had no objections to the proposals.

**RESOLVED:** That the application be delegated to officers to approve subject to the receipt of satisfactorily amended plans.<sup>1</sup>

**REASON:** That the proposals, subject to the conditions outlined in the report and the receipt of satisfactorily amended plans, would not cause undue harm to interests of acknowledged importance, with particular reference to the special historic interest of the listed building, the character and appearance of the conservation area and highway safety. As such the proposal complies with Policies GP16, HE3, HE4, HE6 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

**107d Express-O, 13 Bridge Street, York, YO1 6DA (08/00595/LBC)**

Members considered an application for Listed Building Consent submitted by Ms Lydia Williams for external alterations, including the re-siting of the entrance door following replacement of the existing door on North Street with a window and internal alterations including the removal of a partition wall.

**RESOLVED:** That the application be delegated to officers to approve subject to the receipt of satisfactorily amended plans.<sup>1</sup>

**REASON:** That the proposals, subject to the conditions detailed in the report and the receipt of satisfactorily amended plans, 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 Policies HE4 and HE6 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

**107e 65 Moorgate, York, YO24 4HP (08/00301/FUL)**

Members considered a full application, submitted by Mr R Wheller, for the erection of a two-storey roof side extension, single storey pitched roof front and rear extensions after the demolition of the existing garage and conservatory (resubmission).

Representations were received, in objection, from a neighbour who said that the proposed development would block the sunlight from his back garden, be over dominant in relation to the original property and substantially alter the street scene as no other property on Moorgate had been extended in this way.

Representations were received, in support, from a neighbour who felt that the proposed extension was an effective use of land and that Hobgate and Moorgate contained an interesting variety of properties.

Representations were also received, in support, from Councillor Crisp (Ward Councillor for Holgate) who said that the proposed extension would not be harmful enough to the street scene to warrant refusing the application.

Representations were received, in support, from the applicant who did not feel that the proposals would significantly harm the area. There were no established patterns of development in the area and the proposals would not detract from the amenity of neighbouring properties.

Members discussed the visual amenity of the surrounding area including whether the area could be said to be one that was characterised by spacious plots with clear gaps between dwellings. Some Members felt that a terracing effect would not be produced by building the proposed extension.

RESOLVED: That the application be approved subject to the following conditions:<sup>1</sup>

1. The development shall be begun not later than the expiration of the three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by Section 51 of the Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out only in accordance with the following plans:-  
500:01, 500:02A  
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. 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 development.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no door, window or other opening additional to those shown of the approved plans shall at any time be inserted in the side elevation of the extension.  
Reason: In the interests of the amenities of occupants of adjacent residential properties.
5. The hours of construction, loading or unloading on the site shall be confined to 08:00 to 18:00 Monday to Friday, 09:00 to 13:00 Saturday and no working on Sundays or public holidays.  
Reason: To protect the amenities of adjacent residents.

REASON: That the proposals, subject to the conditions detailed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the street scene and residential amenity. As such the proposal complies with Policies GP1 and H7 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 timescales. JB

Councillor B Watson, Chair  
[The meeting started at 12.00 pm and finished at 1.15 pm].