
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	24 JULY 2008
PRESENT	COUNCILLORS FIRTH, MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FUNNELL, HYMAN, KING, ORRELL, TAYLOR AND WISEMAN

20. DECLARATIONS OF INTEREST

Members were invited to declare, at this point in the meeting, any personal or prejudicial interests they might have in the business on the agenda.

Councillor Hymen declared a personal non prejudicial interest in Plans Item 4b (60 Meadlands, Osbaldwick) as his father used to live near to 60 Meadlands.

21. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on 26 June 2008 be approved as a correct record and be signed by the Chair.

22. 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.

23. 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.

23a CD Bramall, 260 Malton Road, York (08/00813/FULM)

Members considered a major full application submitted by Mr Michael O'Neill for the change of use from a car showroom to a tile and floor covering retail trade sales and distribution outlet.

The Planning Officer advised that the key concern was the extent of the proposed retail area which was outside the designated retail area of the city.

Representations were received from the applicant's agent in support of the application. He stated that the site was in a prominent position in the greenbelt and passed round a photograph showing the current operation as a car showroom highlighting a forecourt full of cars, cars parked on the highway verge, flags and balloons flying and brightly coloured advertising being displayed. He advised Members that there was currently a large flow of traffic to the site including customers visiting the showroom and taking cars in for servicing. He advised that the proposed change of use would reduce the amount of traffic to the site as well as generate additional jobs and that a smaller percentage of the site would be used for retail than is currently the case.

In response to a query regarding the expected number of deliveries and customers, the applicant confirmed that they would expect roughly 2-3 deliveries per day and anywhere between 5 and 50 customers per day.

Members questioned whether it was possible to add a condition to restrict the sale to tiles only. The Planning Officer responded that it would be difficult to word any restriction as there would be ancillary retail products that would be sold alongside tiles and it would be difficult to enforce any restriction in future.

RESOLVED: That the application be refused.

REASON: The proposed Change of Use introduces a retail use into an out of centre, unsustainable location and is considered contrary to the Council's retail policies which states that retail uses should be concentrated either within the defined central shopping area or on edge of centre sites. The applicant has not undertaken the sequential approach to development required in order to establish the availability and suitability of other sites. Furthermore, no retail impact assessment has been submitted with the application in order to establish the quantitative and qualitative need for the development and the impact on the vitality and viability of York City Centre. The site is also considered to be in an unsustainable location which encourages car borne travel. As such the proposal is considered to be contrary to national guidance in PPS6 (Planning for Town Centres) and Policies SP7a, S2 and GP4a of the City of York Draft Local Plan (4th set of changes) approved April 2005.

Action Required

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

SL

23b 60 Meadlands, Osbaldwick, York (08/01236/FUL)

Members considered a full application submitted by Mr Peter Fort for single storey side and rear extensions (following demolition of the existing garage and conservatory) and the erection of a front porch and dormers to the front and rear.

Representations were received from a neighbour in objection to the proposed changes to the front of the bungalow. His expressed concerns that the scale of the proposed dormer windows and porch were too large and would be out of proportion with the existing bungalow. He also voiced his concern over noise which would be created and the times when work would be taking place and requested that restrictions be placed on this.

Representations were also received from the architect in support of the application. He reported that, following refusal of the original application earlier in the year, this application was for a substantially smaller extension with the dormer windows being absorbed below the ridge line. He stated that there were several other houses on the same road with dormer windows and that this was a more sensitive scheme enabling the character of the bungalow to be retained.

The Chairman drew Members' attention to a letter received from another neighbour which set out his concerns that there were no dimensions stated on the plans and no details of drainage. The neighbour was also concerned over anti social working hours.

The Planning Officer confirmed that restrictions on working hours would not normally be placed on a development of this size. Furthermore, drainage details would not normally be requested for a modest size domestic application such as this.

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 design and appearance and neighbour amenity. As such the proposal complies with Policies GP1 and H7 of the City of York Draft Local Plan (4th set of changes approved April 2005).

Action Required

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

SL

23c Alfreda Guest House, 61 Heslington Lane, York (08/00750/FUL)

Members considered a full application, submitted by Bentley Developments, for a change of use with part two storey, part single storey pitched roof rear extension to form four dwellings with associated access, landscaping, parking and cycle storage following the demolition of side and rear outbuildings.

The Planning Officer advised Members that some additional conditions had been added to the application.

Representations were received from the agent in support of the application. He advised Members that the intention was to use the area in front of the houses as a communal area which would be visibly attractive and this area would be managed through a service charge on future occupants. He saw this application as a viable and appropriate solution to preserving and reusing an asset in the Fulford Conservation Area.

RESOLVED: That the application be approved subject to the conditions listed in the report and the following amended and additional conditions.

Amended Condition 9

Details of all new means of enclosure to the site boundaries and all boundaries within the individual plots hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area and to preserve the openness of the Conservation area at this point.

Additional Condition 13

No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. This shall include within the 3 metre wide planting strip shown to the rear of the building on the approved plans within which the planting shall not exceed 1.5 metres in height. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site and to preserve views through the site from Heslington Lane.

Additional Condition 19

The front boundary wall shall be retained in its existing form unless an alternative scheme has first been submitted and agreed in writing by the Local Planning Authority.

Reason. In the interests of preserving the character of the Conservation area and ensuring that no rebuilding work damages the health of the protected trees on the site.

Additional Condition 20

There shall be no sub-division by the way of fences, walls or any other means of enclosure of the garden area to the front of the building.

Reason. To retain the openness of the site so as to preserve the open character of the Conservation area.

Additional Condition 21

There shall be no resurfacing of the existing hardstanding areas, including the area shown on the approved plans for the storage of refuse bins on collection day unless otherwise agreed in writing by the Local Planning Authority.

Reason. In order to preserve the character of the Conservation area and protect against damage to the protected trees with the application site.

REASON:

The proposal, subject to the conditions listed in the report and the amended and additional conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the Conservation area, loss of neighbour amenity, sustainability, affordable housing, provision of open space and protected trees within the site. As such the proposal complies with Policies H4A, HE3, H2A, GP4A, L1C and NE1 of the City of York Draft local plan (4th set of changes) approved April 2005.

Action Required

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

SL

R MOORE, Chair

[The meeting started at 2.00 pm and finished at 2.55 pm].