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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	11 SEPTEMBER 2008
PRESENT	COUNCILLORS MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, HYMAN, ORRELL, TAYLOR, WISEMAN AND POTTER (SUBSTITUTE)
APOLOGIES	COUNCILLORS KING

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### **33. 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 Funnell declared a personal prejudicial interest in plans item 4a as the applicant is known personally to her.

### **34. 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.

### **35. 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 views and advice of consultees and officers.

#### **35a 2 Hempland Drive, York, YO31 1AY. (08/01715FUL)**

Members considered an application for a two storey side extension, one and two storey rear extension and a detached garage. The application is an amendment to a previously approved scheme. The original scheme had a flat roof element where the roof of the two storey side extension tied into the existing roof line. The new scheme removes this flat roof element and raises the existing hipped roof of the property by 450mm. Due to this height increase the amendment could not be accepted as minor and needed to be considered under this separate proposal.

Councillor Funnell, upon seeing a name on the plans presented to Members, declared a personal prejudicial interest and left the room and took no part in the debate.

Representations in support were heard from the applicant Mr. Fahey who advised that advice had been taken from the architect and he had done his best to make the extension blend in with nearby properties.

Councillor Moore moved approval and Councillor Firth seconded.

RESOLVED: That the application be approved.<sup>1</sup>

REASON: In the opinion of the Local Planning Authority the proposal would not cause undue harm to interests of acknowledged importance, with particular reference to the effect on the amenity and living conditions of adjacent occupiers and the impact on the street scene. As such the proposal complies with Policies H7 and GP1 of the City of York Council Draft Local Plan.

Action Required

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

**35b Applefields School, Bad Bargain lane, York, YO31 0LW (08/01875/GRG3)**

Members considered an application by Applefields School for the installation of a polytunnel within the school grounds. It would be located 5m from the rear boundaries of detached residential properties.

Officers outlined the application and reminded Members that residents with boundaries onto the school site had made representations regarding the proximity of the tunnel to their boundaries.

Members debated whether a polythene tunnel to be used occasionally could be regarded as a structure that would impact on neighbour amenity. Members overall felt it was a good educational facility for the school and, were happy with the scheme, providing it was used mainly within school hours.

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

REASON: In the opinion of the local planning authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity and the impact upon neighbouring property. As such

the proposal complies with Policies GP1 and ED1 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. SL

**35c 38 Rawcliffe Lane, York, YO30 5QB (08/01779/FUL).**

Members considered a full application submitted by Mr. Roger Armistead to alter and extend an existing single storey rear extension with 2no. small extensions, one being to the rear of the property and the second being at the side.

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

REASON: In the opinion of the Local Planning Authority 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 impact on neighbours and the effect on the streetscene. As such the proposal complies with Policy H7 and GP1 of the City of York Deposit Draft Local Plan.

Action Required

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

**35d Elvington Water Treatment Works, Kexby Lane, Elvington, York (07/02915/FUL)**

Members considered a full application by Ms. Stephanie Waldon for the erection of 50m high environmental monitoring mast and associated guy ropes for a temporary period of 18 months.

The application was originally considered by Members at the Planning Committee held on 13 March this year, however the public consultation period still had 4 days to run and it was decided to approve the scheme subject to no additional objections being received.

Officers updated that 4 more letters of objection had been received in the 4 day period. No new issues had arisen as a result of these letters, but the matter of the application being a danger to birds had been raised again. Officers confirmed that there is significant bird interest along the Derwent, however the mast would be offset to one side and would not obstruct the birds flight line along the river.

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

REASON: In the opinion of the Local Planning Authority 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 impact on the openness of the Green Belt, visual impact, the potential for renewable energy development, danger to birds, and local residential amenity, with particular regard to noise disturbance. As such the proposal complies with Central Government advice contained within Planning Policy Guidance note 2 ("Green Belts") and Planning Policy Statement 22 ("Renewable Energy") and Policies GB1, SP2, SP3, GP1 and GP5 of the City of York Draft Local Plan (4<sup>th</sup> set of changes) dated April 2005.

Action Required

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

**35e Rose Cottage, Sutton Road, Wigginton, York, YO32 2RB (08/01866/FUL)**

Members considered an application for the removal of condition 3 of a previous permission comprising (1) conversion of pole barn to commercial store room including external alterations and (2) construction of single storey, commercial workshop of 216sqm. The buildings would be used in connection with the applicants light industrial engineering business. Condition 3 restricts the permission to the applicants only and requires the new workshop to be terminated at such a time as the applicants cease to occupy the premises.

Officers updated that Condition 3 which was attached due to the personal circumstances of the applicant is in fact in conflict with the advice in Circular 11/95 and distributed a copy of Circular 11/95 to Members with the relevant text underlined. Members were advised that the site is within the Green Belt and would impact on the openness of the Green Belt which is why the application was recommended for refusal previously.

Representations in support of the application were heard from the applicants agent who advised members Condition 3 had the effect of preventing lenders from financing the business. He asked that Members be mindful to approve the application to remove the condition which would allow business to continue.

Members debated whether their decision to go against the officer recommendation previously had been the right one, however members stated that they feared job losses at the site had the application been refused last time. Officers felt that Circular 11/95 still gave grounds for refusal.

RESOLVED: That the application be refused.<sup>1</sup>

REASON: In the absence of the condition, the Local Planning Authority considers that there would be no very special circumstances to justify the granting of planning permission within an area of Green Belt and thus the proposal would be contrary to Central Government advice within Planning Policy Guidance note 2 "Green Belts" and policies GB1 and GB11 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. SL

**35f The Villa, Main Street, Elvington, York, YO41 4AG (08/01868/FUL)**

This application for the erection of 1no. dormer bungalow with attached single garage, which is a revised scheme, was deferred for consideration at the following East Area Sub-Committee meeting on 25 September 2008 to allow the consultation period to expire.

Members agreed that the application should be deferred to the next East Area Sub-Committee meeting.

RESOLVED: That the consideration of this application be deferred to The Sub Committee meeting of 25 September.

REASON: To allow the consultation period to expire.

Action Required

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

**36. CLIFTON HOSPITAL: OUTSTANDING SECTION 106 IN RELATION TO MANAGEMENT OF THE LANDSCAPE.**

Members heard an update in relation to the Clifton Hospital site that detailed the discussions which have taken place with regard to the outstanding Section 106. Members were asked to note the fact that a number of meetings have taken place and that progress has been made in finalising Section 106.

Officers updated that discussions are still being undertaken about the site. It was confirmed that the footpath transfer is currently being dealt with by City of York Council solicitors. Hedgerow management for the site is still being discussed and it was confirmed that a suitable grazier would need to be found to take on the site. A report will be prepared for January 2009 to update Members on the progress made.

**RESOLVED:** That the report and updates be noted by Members.

**REASON:** To update Members on the work still required in order to achieve a satisfactory conclusion to this longstanding case.

R MOORE, Chair

[The meeting started at 2.00 pm and finished at 2.45 pm].