



## Notice of meeting of

### East Area Planning Sub-Committee

**To:** Councillors Hyman (Chair), Cregan (Vice-Chair), Douglas, Firth, Funnell, King, Moore, Orrell, Taylor and Wiseman

**Date:** Thursday, 8 January 2009

**Time:** 2.00 pm

**Venue:** The Guildhall, York

### AGENDA

Please note that no coach has been booked. Anyone requiring transport to the Site Visit should meet at 10am in the main reception area at 9 St. Leonards Place.

#### 1. **Declarations of Interest**

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

#### 2. **Exclusion of Press and Public**

To consider excluding the public and press from the meeting during consideration of agenda items 5 on the grounds that it contains information classed as exempt under Paragraph 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

### **3. Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Sub-Committee's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Wednesday 7 January 2009 at 5pm.

### **4. Plans List**

To determine the following planning applications related to the East Area.

**a) 41 Lilac Avenue, York, YO10 3AS (Pages 5 - 10)  
(08/02445/FUL)**

Two storey pitched roof side extension and new vehicular access. **[Site Visit]** [Hull Road Ward]

**b) Ashfield Holiday Cottages & Touring (Pages 11 - 17)  
Caravan Park, Hagg Lane, Dunnington,  
York, YO19 5PE (08/02506/FUL)**

Change of use of field adjacent to existing caravan park to accommodate an additional 24 pitches, conversion of part of garage to shower and toilet block. [Derwent Ward]

### **5. Enforcement Cases Update** (Pages 18 - 100)

Members will consider a report which provides a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by the Sub-Committee.

### **6. Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972

Democracy Officer:

Name: Laura Bootland

- Telephone – (01904) 552062
- E-mail – [laura.bootland@york.gov.uk](mailto:laura.bootland@york.gov.uk)

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

**EAST AREA PLANNING  
SUB-COMMITTEE**

**SITE VISITS**

**Wednesday 7 January 2009**

<b>TIME</b>	<b>SITE</b>
<b>10:00</b>	<b>Main Reception Area – 9 St. Leonards Place</b>
<b>10:15</b>	<b>41 Lilac Avenue (4a)</b>



## About City of York Council Meetings

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If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
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### Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

### Access Arrangements

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If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

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## **Holding the Executive to Account**

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

## **Scrutiny Committees**

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

## **Who Gets Agenda and Reports for our Meetings?**

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

**COMMITTEE REPORT**

**Committee:** East Area                                   **Ward:** Hull Road  
**Date:** 8 January 2009                               **Parish:** Hull Road Planning Panel

**Reference:** 08/02445/FUL  
**Application at:** 41 Lilac Avenue York YO10 3AS  
**For:** Two storey pitched roof side extension and new vehicular access  
**By:** Mr John Seppings  
**Application Type:** Full Application  
**Target Date:** 17 December 2008

**1.0 PROPOSAL**

1.1 The application property is a traditionally constructed hipped-roof two-storey semi-detached house. It is located within a predominantly residential area.

1.2 It is proposed to erect a two-storey side extension to the house. The extension would project beyond the rear of the house by approximately 1.4m. The house currently has a vehicular access located to the front. The proposal includes an additional access and parking space to the side. Revised plans have been received removing the proposed windows from the rear elevation of the extension and incorporating them on the side elevation.

1.3 The internal layout of the new house is annotated to show 4 bedrooms on the first floor and two-additional bedrooms and lounge/kitchen on the ground floor. It would be possible to use the house as extended as a 4 bedroom or 6 bedroom house. The application is brought to Committee due to the unusually large volume of local concern that has been expressed.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

City Boundary : York City Boundary 0001

DC Area Teams : East Area (1) 0003

2.2 Policies:

CYH7  
 Residential extensions

CYGP1  
 Design



### **3.0 CONSULTATIONS**

#### 3.1 Internal

Highway Network Management - No objections subject to conditions

#### 3.2 External

Hull Road Planning Panel - Do not object but have concerns about the potential number of cars that might park at the extended property.

#### Neighbours

7 letters of objection to the application have been received from neighbours. The issues raised are:

The proposal will result in the loss of a reasonably priced family home as the remaining garden will be too small to meet the needs of a large family.

'Studentification' of the area – more accommodation for students should be provided within the University expansion plans

There are already a lot of student lets in the area upsetting the balance of the community.

Overdevelopment – the extension will almost double the size of the original house and would not be appropriate to the original house or surrounding buildings.

The extension will be an overdominant feature in the streetscene.

Inadequate car parking given the proposed number of bedrooms – cars already park on the grass verges causing damage to the grass.

The road is used as a cut through from Hull Road to Tang Hall Lane and additional on-street parking would create an accident black spot.

Both vehicular and pedestrian safety would be compromised.

Insufficient cycle parking given the likely use by students

Unattractive design.

Loss of light to neighbouring houses.

Increased flooding of neighbouring gardens.

Loss of trees

### **4.0 APPRAISAL**

4.1 The main considerations in assessing the application are:

- impact on streetscene
- impact on neighbours
- impact on trees
- highways/parking
- "studentification"
- drainage

4.2 Policy H7 'Residential Extensions' of the City of York Local Plan Deposit Draft sets out a list of design criteria against which proposals for house extensions are

considered. The list includes the need to ensure that the design and scale are appropriate in relation to the main building; that proposals respect the character of the area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.3 Local Plan Policy GP1 'Design' states that development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and vegetation. The design of any extensions should ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.4 Planning Policy Statement 1 sets out the Government's overarching planning policies. It sets out the importance of good design in making places better for people and emphasises that development that is inappropriate in context or fails to take opportunities available for improving an area should not be accepted.

#### 4.5 Impact on streetscene

It is considered that the fenestration scale and design of the extension is sympathetic to the original house. The level of side projection of the extension reflects the adjoining side building line on Lilac Avenue. Although the property is located on a corner it is not a prominent vista. It is not considered that the site would appear overdeveloped and adequate space would remain between the side of the extension and the adjoining footpath.

#### 4.6 Impact on neighbours

The main neighbour affected is 39 Lilac Avenue. The only glazing on the side elevation of this house is a door and a non-habitable room - therefore it is not considered that the proposal would have a significant impact on living conditions in the house. The main garden of this property is to the side. It is not considered that the extension would unduly reduce light to the garden. Given the degree of cross-street separation to the opposite side of Lilac Avenue (24m house to house) it is not considered that harm would be caused in respect to light, outlook or privacy.

#### 4.7 Trees

There is a belt of trees along the front garden boundary with number 39. These include relatively unkempt deciduous trees and a tall conifer. It would appear that the trunks of the deciduous trees are located on the boundary or within the garden of the application property and the trunk of the conifer within the garden of 39. There is some doubt as to whether the trees closest to the application property are small enough to comfortably co-exist with the houses as existing. It is possible that the development may impact on some of the trees and lead to them being removed or cut back, however, the trees are not considered worthy of a Tree Preservation Order.

#### 4.8 Highways/Parking

The property proposes an additional off-street parking space so that two spaces would be provided. This is in line with the Council's maximum standards. The Highway Officer has considered issues of highway safety and subject to conditions on visibility does not consider that the local road conditions would impact adversely

upon highway safety. It is the case that the new access that would be created would not be unlike others within the vicinity and could typically be undertaken under permitted development rights. Access to the rear garden for cycle parking would remain.

#### 4.9 'Studentification'

The annotation of the rooms on the layout plan indicates that four upstairs rooms intend to be bedrooms along with two downstairs rooms. It is possible that the extended dwelling could be let to students, however, this would not require a separate planning permission subject to the occupants living as a single household. Under the current planning regulations/policies there are no grounds to refuse the proposal because of fears of 'studentification'.

#### 4.10 Drainage

The house is located within flood zone 1 and as such the area would not normally be considered at risk of flooding. The applicant has indicated that additional surface water from the extension will drain into the existing mains drainage system. It will be conditioned that the new driveway has a permeable surface.

### 5.0 CONCLUSION

4.1 For the reasons given above it is recommended that the application be approved. The concerns of local residents are acknowledged, however, it is not considered that either individually, or cumulatively, there are planning grounds to refuse the application.

### COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Revised plans 'Rev A' received by the Local Planning Authority 13 November 2008.

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 VISQ1 Matching materials

4 Prior to the development coming into use 2.0 x 2.0m sight lines, free of all obstructions which exceed the height of the adjacent footway by more than 0.6m, shall be provided both sides of the junction of any access with the footway, and shall

thereafter be so maintained.

Reason: In the interests of pedestrian safety.

5 Prior to the development coming into use, all areas used by vehicles shall be surfaced, sealed and positively drained within the site, in accordance with plans to be approved in writing with the Local Planning Authority.

Reason: To prevent the egress of water and loose material onto the public highway and encourage permeable surfacing.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), unless otherwise agreed in writing with the Local Planning Authority no openings shall be created in the external elevations of the extension other than those shown on the approved plans.

Reason: To protect neighbours' living conditions.

## **7.0 INFORMATIVES: Notes to Applicant**

### 1. REASON FOR APPROVAL

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 the impact on the streetscene, the amenity and living conditions of adjacent occupiers, impact on trees, car parking and highway safety. As such the proposal complies with Policy H7 and GP1 of the City of York Local Plan Deposit Draft.

### 2. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway - Section 171/Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

### **Contact details:**

**Author:** Neil Massey Development Control Officer (Wed/Thurs/Fri)

**Tel No:** 01904 551657

# 41 Lilac Avenue

08/02445/FUL



Scale : 1:1250

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<b>Organisation</b>	City Of York Council
<b>Department</b>	City Strategy
<b>Comments</b>	Application Site
<b>Date</b>	29 December 2008
<b>SLA Number</b>	Not Set

**COMMITTEE REPORT**

**Committee:** East Area  
**Date:** 8 January 2009  
**Ward:** Derwent  
**Parish:** Dunnington Parish Council

**Reference:** 08/02506/FUL  
**Application at:** Ashfield Holiday Cottages & Touring Caravan Park Hagg Lane  
Dunnington York YO19 5PE  
**For:** Change of use of field adjacent to existing caravan park to  
accommodate an additional 24 pitches, conversion of part of  
garage to shower and toilet block  
**By:** Mrs Jenny Lewis  
**Application Type:** Full Application  
**Target Date:** 15 January 2009

**1.0 PROPOSAL**

1.1 It is proposed to extend an existing touring caravan site into a field south of the existing site to accommodate an additional 24 touring caravans. The dimensions of the field are approx. 68m x 58m. The existing site to the north is of a similar size and also has some self-catering holiday cottages within it, as well as a shower and toilet block. The extended site area would utilise these facilities. Part of the application is also to convert part of the existing garage into further toilet and shower accommodation.

1.2 Access to the site is via Hagg Lane, which itself is off Common Road opposite the Costcutter Headquarters building.

1.3 Planning permission was initially granted for the existing operational caravan site by Selby District Council in 1987. A condition was appended restricting this to a total of 30 caravans. This was subsequently amended to a maximum of 40 in a permission granted in 1989.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

City Boundary : York City Boundary 0001

DC Area Teams : East Area (1) 0003

2.2 Policies:

CYGB1  
Development within the Green Belt

CYV5  
Caravan and camping sites

CYV1  
Criteria for visitor related devt

CYGP4A  
Sustainability

CYGP1  
Design

### **3.0 CONSULTATIONS**

#### INTERNAL.

##### 3.1 Highway Network Management

In the past the application site has been used for occasional specific events but this would regularise a more year round use. Hagg Lane is a single track road with passing places although the entrance to the site is approx. 270m from its junction with Common Road. However this junction is wide enough to allow for the simultaneous passage of cars with caravans. Officers are not aware of any particular problems or incidents arising from the use of this road to serve the site and therefore raise no objections. Recommend additional cycle storage to promote cycle use.

##### 3.2 Environmental Protection Unit.

#### EXTERNAL

##### 3.3 Dunnington Parish Council.

No objections except the opening to be limited to 9 months. All remaining trees and hedgerows should be kept to a maximum height of 2 metres.

##### 3.4 Ouse and Derwent IDB

Applicant states that surface water from the site will be disposed of into Hagg Lane Drain via a sustainable drainage system but gives no details of how this is to be achieved. It is important to that this proposed method of surface water drainage does not cause any detriment to adjacent properties. Further details on this method of drainage have been submitted by the applicant and forwarded onto the IDB. Further comments are awaited.

##### 3.5 York Natural Environment Panel.

The proposal represents inappropriate development in the Green Belt and there are no extenuating circumstances for its approval. The change would result in the loss of an open country field forever. If consent is given then the plot numbers should be below the threshold allowed in the Green Belt. Advocate permeable surfaces and enhancement of existing hedgerows / planting.

##### 3.6 Neighbours and third parties.

The neighbours to the south of the application site at Fifth Milestone Cottages were consulted by letter and a site notice was placed on Hagg Lane. No objections received.

## 4.0 APPRAISAL

### 4.1 KEY ISSUES.

- Impact on the Green Belt.
- Neighbour amenity.
- Sustainability.

Impact on the Green Belt.

4.2 The application site lies within the Green Belt. Paragraph 3.12 of Planning Policy Guidance Note (Green Belts) (PPG2) states that engineering and other operations and any material changes in use of land constitutes inappropriate development in the Green Belt unless it maintains openness and does not conflict with the purposes of including land in the Green Belt. Policy GB1 of the City of York Draft Local Plan largely reflects this national guidance. Policy V5 of the Local plan refers specifically to camping and caravan sites and states that planning permission for new (or extensions to existing) caravan sites will be granted provided (amongst other things), the number of pitches does not exceed 20, there are no statics, the site should be associated with an existing settlement and there is no adverse effect on the openness of the Green Belt.

4.3 The application site is currently an open field immediately south of the existing caravan area. This existing site currently accommodates approx. 30 caravans. The plans accompanying this application shows a layout for a further approx. 24 pitches which overall would result in potentially over 50 pitches across the two sites. Criteria a) of Policy V5 states that the number of pitches should not exceed 20. Therefore the total number proposed is significantly over this limit and is clearly contrary to this part of the policy.

4.4 Criteria f) of the same policy states that such developments should not have any 'adverse effect on the openness of the Green Belt'. The proposed site, whilst acknowledging that it is closely associated to the existing caravan site in terms of location, will appear visually distinct inasmuch that it is almost doubling the overall size and would be extending the developed area southwards into a currently undeveloped green field. It would not be seen in the context or against the backdrop of the existing site, instead it would be viewed as a significant extension.

4.5 The application site is bordered by a mature hedgerow and some individual trees on its eastern and western boundaries although this is more fragmented and limited on its southern boundary. This boundary is with land owned by Milestone Cottages and from these houses the development would appear to be close and highly visible. Despite the presence of this boundary hedging, officers consider that the site will also be visible from Hagg Lane (as the present one is), and there will be glimpses from the A1079 to the south. Touring caravans are generally white in colour and this



is in contrast to the more natural green and brown tones of the surrounding countryside and so they would stand out more against this backdrop. There is also a central interior service road proposed and this will also connect up with the service road around and within the existing site. Although at ground level, this road and the all weather hardstandings on which the caravans would stand further alter the character of the land and begin to urbanise it. This would undermine the character and appearance of the countryside. Policy V1 of the Draft Local Plan further states that in considering applications for visitor related development, proposals should not adversely impact on the countryside setting of the city. Officers consider that this application would further result in harm to this setting.

4.6 Given the number of caravans proposed and the concentration of them, officers consider that the proposal would be likely to significantly reduce the openness of this land and the Green Belt. Therefore it is considered that the proposal constitutes inappropriate development, which by definition is harmful to the Green Belt. PPG2 indicates that such development should only be approved in very special circumstances and none has been put forward by the applicant.

Neighbour amenity.

4.7 The nearest residential property are those at Fifth Milestone Cottages to the south of the application site. The submitted site plan shows caravans along the full length of the boundary with this property and whilst the house itself is approx. 60 metres to the south, these caravans will present a visually dominant development very close to the boundary with this curtilage, especially where currently the land in question is flat and open. Whilst the right to a view is not in itself a material planning consideration, the land on which the new caravans are proposed currently represents a visually buffer between the two sites and this development will seriously undermine this. Officers consider it is unreasonable to expect this sort of relationship between touring caravans and third party land and therefore conclude the proposal represents material harm to the visual amenity that can be expected to be enjoyed by these neighbours.

Sustainability.

4.8 Criterion 'e' of Policy V5 of the Draft Local Plan states that sites should be readily accessible by public transport. The purpose of this is to reduce the reliance on the private car, particularly once the visitor has arrived at the site. It is acknowledged that the site already has planning permission for a caravan site but that was an historic permission and this application should be considered against existing policy bearing in mind that the proposal would result in a significant expansion of the existing site.

4.9 The recently published Good Practice Guide for Tourism indicates that touring caravan sites are by definition car dependent and it is accepted that the majority of visitors would travel to such sites by private vehicle. However, once on site, officers consider that it should be as sustainable as possible, with readily available public transport at least into York City centre. The number 10 bus runs along Common Road, the junction with Hagg Lane being approx. 270 metres west of the entrance to the application site. This bus runs every 30 minutes during the day and every 60

minutes in the evening, therefore offering a reasonably frequent and reliable service every day, so in this respect the nearest village is sustainable. However, the key issue to consider is whether it is convenient for users of the site to access this service. In order to get to the bus stop, customers would have to walk nearly 300 metres down an unlit, single track country road and officers consider it is unreasonable to expect or encourage people to do this. Therefore, notwithstanding the availability of a reasonably good public transport service running through Dunnington village, the location of the site means that it is unreasonable and unrealistic to expect this to be used, thus encouraging users of the site to make journeys by private car, contrary to the aims of sustainable development. This is considered contrary to Policies GP4a and V5 of the Draft Local Plan. A recent appeal relating to an extension to Beechwood Grange Caravan Club site on Malton Road was dismissed for a similar reason.

Other issues.

#### 4.10 Drainage.

The Internal Drainage Board raised concerns about the discharge of surface water into the nearby Hagg Lane drain. Further information has been received from the applicant over this method of discharge and further comments are awaited.

#### 4.11 Highway safety.

Notwithstanding Hagg Lane being a single track lane, there are a number of passing places along its length up to the site entrance. The junction with Common Road is not considered to be dangerous and therefore no objections are raised on the grounds of highway safety.

4.12 The second part of the application is for the part conversion of the existing garage to additional shower and toilet facilities in order to cater for the additional number of visitors. There are no external alterations proposed to the building and the building is no longer required in connection with domestic parking by the owner of the site who has recently moved into a newly built house. Officers raise no objections to this aspect of the application.

## 5.0 CONCLUSION

5.1 Officers consider that the proposal would be harmful to the openness of the Green Belt and therefore constitutes inappropriate development in the Green Belt. Maintaining openness is the key principle of PPG2. Officers do not consider that this harm is outweighed by any other considerations and there are no very special circumstances put forward which justify the proposal. It is also considered contrary to criteria a) of Policy V5 of the Draft Local Plan which states that such sites should be limited to a maximum of 20 pitches - in total on this site there would be approx. 50.

5.2 The extension is also considered harmful to the visual amenity afforded to the occupiers of the nearest houses to the south of the application site at Fifth Milestone Cottages and places reliance on the use of the private car, contrary to the principles of sustainability.

**6.0 RECOMMENDATION:** Refuse

1 The proposals would significantly enlarge the area currently occupied by caravans, thereby further encroaching into an open area of Green Belt. The development is considered to represent inappropriate development in the Green Belt as the size, scale and location of the proposed caravan park extension, together with the activities associated with it, would harm the openness of the Green Belt. This is considered contrary to national planning guidance in Planning Policy Guidance Note 2 (Green Belts) and Policies GB1, V5(a,d and f) and V1(f) of the City of York Draft Local Plan.

2 The proposals would enlarge the area currently occupied by caravans, thereby encroaching into the open countryside to the detriment of visual amenity and the attractive rural character of the area. This is considered contrary to policies GP1(a, b, c, e), V5 and V1 (f) of the City of York Draft Local Plan.

3 It is considered that the proposed development would harm the visual amenity and outlook from the rear of the Fifth Milestone Cottages to the south of the application site. This is by virtue of the new development encroaching into the field closest to these properties, and the proposed layout, which shows caravans positioned along the southern boundary of the site, presenting a visually dominant development when viewed from the rear of these properties. This is considered contrary to Policies V1 (e) and GP1 (b, i) of the City of York Draft Local Plan.

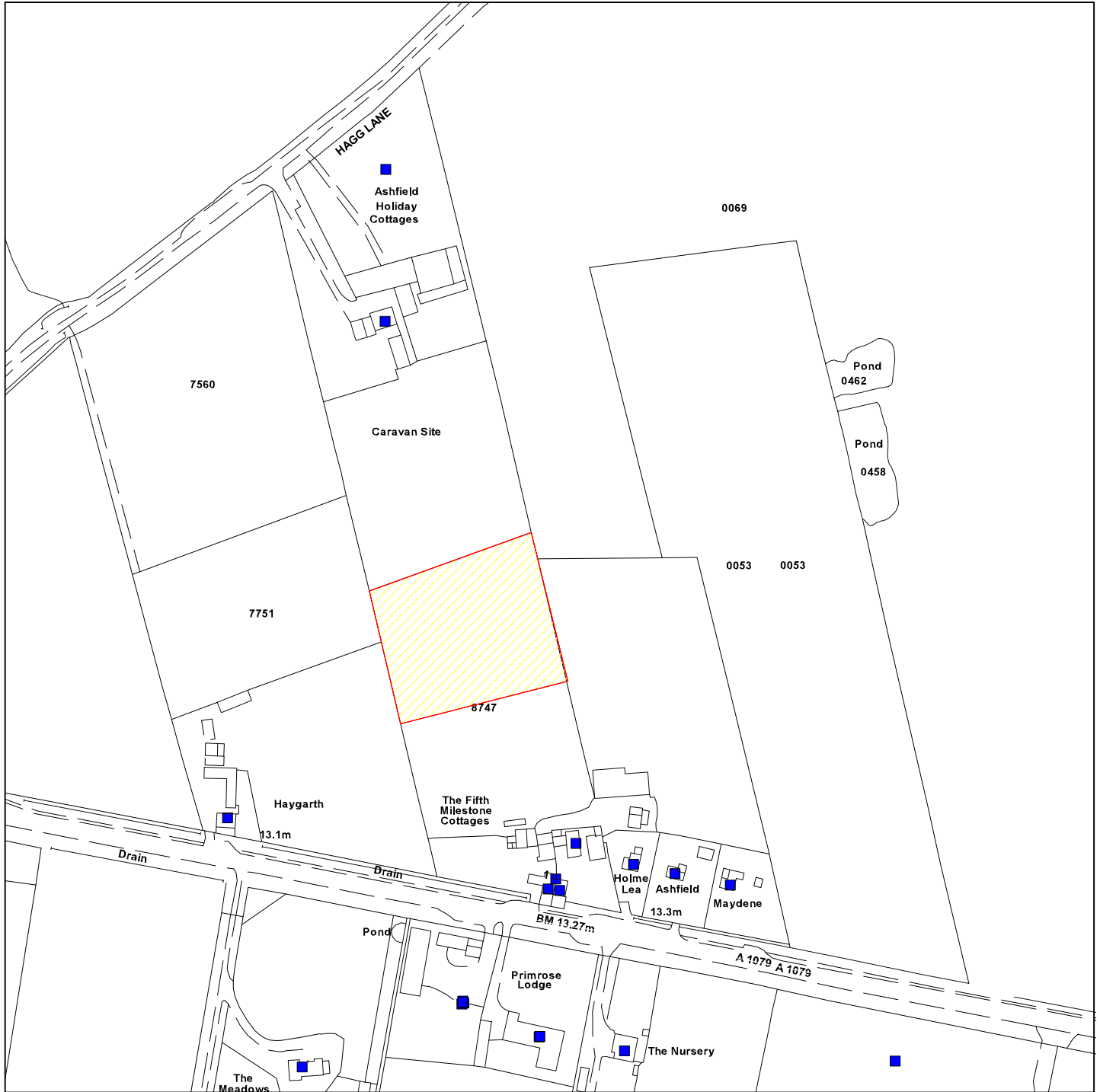
4 The site is not considered convenient for the use of public transport due to its isolated location down a country lane away from the nearest bus route. The proposals would therefore be likely increase the number of vehicular journeys undertaken by visitors to the site by private car, to the detriment of sustainable transport and development policies. This is considered contrary to Policies GP4a, V5 (e) and V1 (b) of the City of York Draft Local Plan.

**Contact details:**

**Author:** Matthew Parkinson Development Control Officer  
**Tel No:** 01904 552405

# Ashfield, Hagg Lane, Dunnington

08/02506/FUL



Scale : 1:2500

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<b>Organisation</b>	City of York Council
<b>Department</b>	Planning & Sustainable Development
<b>Comments</b>	Application Site
<b>Date</b>	29 December 2008
<b>SLA Number</b>	Not set



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## **Planning and Transport (East) Area Sub-Committee**

**8 January 2009**

Report of the Director of City Strategy

### **Enforcement Cases - Update**

#### **Summary**

1. The purpose of this report is to provide Members with a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by this Sub-Committee.

#### **Background**

2. Members have received reports on the number of outstanding enforcement cases within the Sub-Committee area, on a quarterly basis, since July 1998, this report continues this process.
3. Some of these cases have been brought forward as the result of information supplied by residents and local organisations, and therefore “The annexes to this report are marked as exempt under Paragraph 6 of Part 1 of Schedule 12A of the Local Government Act 1972, as this information, if disclosed to the public would reveal that the Authority proposes to give, under any enactment a notice under or by virtue of which requirements are imposed on a person, or that the Authority proposes to make an order or direction under any enactment”.
4. In order to give Members an up to date report, the schedules attached have been prepared on the very latest day that they could be to be included in this report on this agenda.
5. Section 106 Agreements are monitored by the Enforcement team. A system has been set –up to enable Officers to monitor payments and commitments required under the Agreement.

#### **Current Position**

6. Members should note that 51 new cases were received for this area within the last quarter. 67 cases were closed and 270 remain outstanding. There are 66 Section 106 Agreement cases outstanding for this area after the

closure of 9 for this quarter. No formal notices have been served during the last quarter.

### **Consultation**

7. This is an information report for Members and therefore no consultation has taken place regarding the contents of the report.

### **Options**

8. This is an information report for Members and therefore no specific options are provided to Members regarding the content of the report.

### **Corporate Priorities**

9. Improve the actual and perceived condition and appearance of city's streets, housing estates and publicly accessible spaces.

### **10. Implications**

- **Financial** - *None*
- **Human Resources (HR)** - *None*
- **Equalities** - *None*
- **Legal** - *None*
- **Crime and Disorder** - *None*
- **Information Technology (IT)** - *None*
- **Property** - *None*
- **Other** - *None*

### **Risk Management**

11. There are no known risks.

### **Recommendations**

12. That Members contact the relevant Enforcement Officer to discuss any particular case detailed in the attached ongoing annex and also note the cases closed annex.

Reason: To update Members on the number of outstanding enforcement cases within the Sub-Committees area.

### **Contact Details**

**Author:**

**Author's name**

Mandy Swithenbank/  
Alan Kendall  
Planning Enforcement Officer

**Chief Officer Responsible for the report:**

**Chief Officer's name**

Michael Slater  
Assistant Director (Planning and Sustainable  
Development)

**Dept Name** City Strategy  
Tel No. 551376/551324

**Report Approved**

**Date** 23/12/2008

*Chief Officer's name*  
*Title*

**Report Approved**

**Date** 23/12/2008

**Specialist Implications Officer(s)** *List information for all*

*Implication ie Financial*

*Name*

*Title*

*Tel No.*

*Implication ie Legal*

*Name*

*Title*

*Tel No.*

**Wards Affected:** *All Wards*

**All**

**For further information please contact the author of the report**

**Background Papers:**

Environment and Development Services Business Plan (2000/2001).

Report to Area Sub-Committee in October 2008 – Enforcement Cases Update.

**Annexes**

Annex A - Enforcement Cases – Update (Confidential)

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted



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of the Local Government Act 1972.

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