
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	12 FEBRUARY 2009
PRESENT	COUNCILLORS HORTON (CHAIR), SUE GALLOWAY (VICE-CHAIR), CRISP, STEVE GALLOWAY, GALVIN, GILLIES, LOOKER AND SUNDERLAND
APOLOGIES	COUNCILLOR REID

54. INSPECTION OF SITES

The following sites were inspected before the meeting

Site	Attended by	Reason for Visit
Bracken Lodge, 10 Main Street, Bishopthorpe	Councillors Horton, Sue Galloway, Crisp, Galvin and Gillies.	At the request of Councillor Galvin
Brackenhill, Askham Bryan Lane, York	Councillors Horton, Sue Galloway, Crisp, Galvin and Gillies.	As an objection had been received and the recommendation was to approve.
Church of St James The Deacon, Sherringham Drive, York	Councillors Horton, Sue Galloway, Crisp, Galvin and Gillies.	As an objection had been received and the recommendation was to approve.

55. 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 Sunderland declared a personal non prejudicial interest in plans item 4b (Brackenhill, Askham Bryan Lane, York) as she uses one of the taxi firms that is based there and knows the owner of the taxi firm (though not on a personal basis).

She also advised the Chair that, in respect of plans item 4c (Church of St James the Deacon, Sherringham Drive, York), she had received a telephone call and been approached by somebody in relation to the application but had informed them that she was a member of the Committee and could not therefore discuss the application with them.

56. MINUTES

RESOLVED: That the minutes of the meeting held on 15th January 2009 be approved and signed by the Chair.

57. 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.

58. 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.

**58a Bracken Lodge, 10 Main Street, Bishopthorpe YO23 2RB
(08/02636/FUL)**

Members considered an application for part change of use from residential (Class C3) to guest house (Class C1) including a two storey and single storey pitched roof side extension and a detached single storey garage building.

The Planning Area Team Leader advised Members that the policy reference given for the recommendation of refusal should be changed from V1 to V3.

Representations were received from the applicant in support of the application. He informed Members that he had lived in the house for 10 years and in the village for even longer and understood the need to maintain the look and feel of the village. He advised Members that his immediate neighbours had been supportive of his plans for development and that the construction of a garage would provide parking for an extra vehicle and also storage for bicycles. He stated that, in respect of environmental issues, his hope was to be able to provide bicycles for use by guests and the nearby bus stop would provide guests with easy access to public transport.

Officers advised that, although the application site was not within the conservation area, the proximity of the conservation area needed to be considered in reaching a decision. Members discussed the reasons for refusal given in the report but did not agree that these were sufficient grounds to refuse the application. At the request of Members, the Area Team Leader circulated a list of suggested conditions which could be attached to the application if Members decided to grant it.

RESOLVED: That the application be approved subject to the conditions and informatives listed below:

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

Drawing Number 0805.4 received 25 November 2008
Drawing Number 0805.5 received 25 November 2008
Drawing Number 0805.6 received 25 November 2008
Drawing Number 0805.7 received 25 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.

- 2 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

- 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 form of development.

- 4 The three ground floor windows in the west elevation facing 1 Croft Court shall at all times be obscure glazed to a standard equivalent to Pilkington Glass level 3 or above and remain fixed.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

- 5 The garage shall not be converted to living accommodation unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that there is adequate parking and storage space given the intensification of the use of the site and in the interests of the appearance of the street scene and adjacent conservation area in accordance with policy HE2 and T4 of the local plan

Environmental Health Informative

- a) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".
- b) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by

internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

- c) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.
- d) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.
- e) There shall be no bonfires on the site.

Party Wall Informative

You are advised that the development may involve building work covered by the Party Wall etc Act 1996 that is separate from planning or building regulations control. Do not commence work on the development until you comply with the provisions of this Act. An explanatory booklet may be obtained from the City of York's Department of City Strategy, or alternatively it is available on the Department of Communities and Local Government, www.communities.gov.uk.

REASON FOR APPROVAL

The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the residential amenity of nearby properties, impact upon the visual amenity of the wider street scene and adjoining conservation area, the provision of visitor accommodation and vehicle, cycle and pedestrian access. As such the proposal complies with Policies GP1, HE2, T4 and V3 of the City of York Local Plan Deposit Draft.

58b Brackenhill, Askham Bryan Lane York YO23 3QY (08/02767/FUL)

Members considered a full application from Mr Richard Shipley for the erection of a replacement building for repair of motor vehicles.

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 the openness of the green belt and amenity. As such the proposal complies with Policies GP1 and GB1 of the City of York Local Plan Deposit Draft.

**58c Church of St James The Deacon Sherringham Drive York YO24 2SE
(08/02595/FUL)**

Members considered a full application from the Parochial Church Council for a single storey extension to the north elevation to create a church hall and the construction of a car park.

Representations were received from a local resident in objection to the application. His concerns related to the disposal of surface water and the proposed use of soakaways, that a car park with a grass surface would lead to people parking on the road in wet conditions and that noise levels emanating from the hall may be high.

Representations were also received from the Reverend of the Church of St James the Deacon in support of the application. He advised Members that good relations with neighbours were important to the Church. He stated that he had had detailed negotiations with planning officers and had amended the proposals in view of discussions in order to come to a proposal which suited all those concerned. He reported that he understood the concerns about drainage but that these had been addressed and in respect of the noise issue, he advised the Committee that the Church Hall would have few windows and these would be double glazed. The Reverend answered Members queries in relation to noise concerns and hire arrangements.

Members raised concerns about drainage. Officers advised that Condition 12 required the applicant to submit details of the proposed surface water drainage system to be approved by the Council and if the Council determined that soakaways were not practical, the applicant would have to consider other options.

Members commented that the car parking at the front made good use of the available space and the use of a geo-textile grid would prevent the grass from being churned up even in wet conditions. They also agreed that that the church hall would provide an additional amenity to the neighbourhood.

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 visual impact, residential amenity, highway safety and flood risk. As such the proposal complies with Policies GP1 and C1 of the City of York Local Plan Deposit Draft.

Councillor D Horton, Chair
[The meeting started at 3.00 pm and finished at 3.40 pm].