
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	9 JULY 2009
PRESENT	COUNCILLORS HYMAN (CHAIR), GREGAN (VICE-CHAIR), FIRTH, MOORE, ORRELL, TAYLOR, WISEMAN, PIERCE (SUBSTITUTE) AND POTTER (SUBSTITUTE)
APOLOGIES	COUNCILLORS DOUGLAS, FUNNELL, KING

5. DECLARATIONS OF INTEREST

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

None were declared.

6. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on the 11 June 2009 be approved as a correct record by the Chair and signed by the Chair.

7. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the Press and Public be excluded from the meeting during consideration of Agenda Item 7 (Enforcement Cases Update) on the grounds that they contain 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. 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 directive under any enactment.

8. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

9. PLANS LIST

9a Land Lying To The East of Bramley Garth, York. (09/00462/OUT)

Members considered an application for a residential development on land lying to the east of Bramley Garth (access off Bad Bargain Lane) and the erection of 24 two bedroom bungalows, suitable for occupation by older people and the disabled.

Officers answered a query from Members on the fact that a sustainability statement was not included with the application and on whether this was suitable grounds to reject the application. Officers explained that this was a local rather than a national requirement and would not form a sound basis for refusing the application, particularly as the requirements could be addressed through conditions, if planning permission were to be granted. In response to a question regarding the drainage of the site, officers explained that this could not be reasonably be addressed through a planning condition as a technical solution may not necessarily exist, hence this issue forms one of the reasons for refusing the application.

Members queried the sense of the applicants proceeding with the speculative application given that the Officers report had not found any reasons to grant it. Officers replied that the applicants had been given pre-application advice, but that obviously they had chosen to proceed with an application regardless of the negative response given.

RESOLVED: That the application be refused.¹

REASON: The application site is located outside of the built up areas of the settlement and area of Green Belt on the City of York Draft Local Plan (CYDLP), wherein new housing would constitute inappropriate development except in very special circumstances, which would not have been demonstrated in this instance. Furthermore the proposed development, by reason of its size, scale and location, together with the loss of existing landscape features, would detract from the visual amenities and open character of this Green Belt location. The proposal is therefore contrary to Policies GB1 and GB6 of the CYDLP and national advice contained with Planning Policy Guidance 2 "Green Belts".

The proposed development of 24 dwellings is above the threshold of 15 dwellings whereby affordable housing should be provided as part of the development. The proposal makes no provision for affordable housing and is therefore contrary to Policy H2a of the City of York Draft Local Plan, the City of York Affordable Housing Advice Note July 2005 and national advice contained with paragraph 27 of the Planning Policy Statement 3 "Housing".

Insufficient drainage details have been submitted to show how foul and surface water generated by the proposal would be properly attenuated and how flood risk from all sources to

the development itself and to others will be managed. The application therefore conflicts with Central Government advice contained with Planning Policy Statement 25 “Development and Flood Risk” Policy of GP15a of the City of York Draft Local Plan and the Council’s adopted Strategic Flood Risk Assessment.

No details of the proposed siting, scale or fenestration of the proposed dwellings has been provided to demonstrate that the development would not adversely affect the residential amenities of the surrounding occupiers and future residents of the new dwellings. The proposal would therefore be contrary to Policy GP1(paragraphs b and l) of the City of York Draft Local Plan.

Action Required

1. Issue the decision notice and include on the weekly planning list within the agreed timescales. SS

10. ENFORCEMENT CASES-UPDATE

Members considered a report, which provided them with a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by this Sub-Committee.

RESOLVED: That the reports be noted.

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

K HYMAN, Chair

[The meeting started at 2.00 pm and finished at 2.20 pm].