
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	12 NOVEMBER 2009
PRESENT	COUNCILLORS HYMAN (CHAIR), DOUGLAS, FUNNELL, FIRTH, KING, MOORE, ORRELL, TAYLOR, WISEMAN AND PIERCE (SUBSTITUTE)
APOLOGIES	COUNCILLOR CREGAN

31. INSPECTION OF SITES

Site	Attended by	Reason for Visit
77 Penyghent Avenue	Cllrs. Hyman, Moore and Orrell	To familiarise Members with the site.

32. DECLARATIONS OF INTEREST

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

Councillor Moore declared a personal non prejudicial interest in item 5, Clifton Hospital, as he has been involved with the matter through Clifton Parish Council.

Councillor Pierce declared a personal non prejudicial interest in item 5, Clifton Hospital as he was involved with the original planning application.

33. MINUTES

RESOLVED: That the minutes of the last meeting of the Sub Committee held on 15 October be signed and approved by the Chair as a correct record.

34. PUBLIC PARTICIPATION

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

34a 77 Penyghent Avenue, York, YO31 0QH - 09/01638/OUT

Members considered an outline application for the erection of one dwelling within the side garden area of 77 Penyghent Avenue.

All detailed matters of access, appearance, landscaping, layout and scale have been reserved to detailed stage.

Members commented that the site is located near to the back entrance of a school, and queried if officers could add a condition to manage construction traffic and noise. Officers confirmed the condition NOISE 7 could be added along with a construction management condition.

RESOLVED: That the application be approved subject to the conditions outlined in the officers report and the following additional conditions.¹

Condition 14 – The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

Reason – To protect amenities of adjacent residents.

Condition 15 – Prior to the commencement of any works on site, a detailed method of works statement shall be submitted to and agreed in writing by the Local Planning Authority. This statement shall include the precautions to be taken to ensure that the safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting the demolition and construction material and the hours during which demolition, construction and deliveries to and from the site will be permitted.

Reason – To ensure that the works are carried out in a safe manner and with minimum disruption to users of the adjacent public highway and adjacent occupants.

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:

- Principle of residential development on the site
- Design and landscaping
- Highways access and parking
- Impact on surrounding properties
- Sustainability
- Open space
- Drainage

As such the proposal complies with Policies SP6, H4a, GP10, H5a, T4, GP4a and GP1 and L1c of the City of York Local Plan Deposit Draft; and national planning advice contained within Planning Policy Statement 1 “Delivering Sustainable Development” and Planning Policy Statement 3 “Housing”.

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).

Works in the highway – Section 171/Vehicle Crossing
– Section 184.

Action Required

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

34b LED Lights on shared use path at Bootham Stray between Wigginton Road and Alder Way - 09/01474/FUL

Members considered an application for the installation of solar powered LED lights on a shared use path at Bootham Stray between Wigginton Road and Alder Way.

Officers updated that 3 additional letters had been received since the report had been written.

- An individual had written to express concerns about the application including whether it is appropriate for Bootham Stray.
- York Cycle Campaign had written to express support, particularly regarding the improvements to night-time safety for cyclists.
- The Safer York Partnership expressed concerns about the proposal as it may encourage people to use an isolated route.

Representation in support of the application was heard from Paul Hepworth for the National Pedal Cyclists Organisation CTC. He advised Members that the LED lights had been successfully trialled in Cambridge and Peterborough. He felt that the existence of the lights on the Stray would increase usage of the path and therefore make it safer for pedestrians and cyclists. He suggested that if the application were to be approved, it would be useful for the path to be fitted with detector equipment to determine before and after data to see if the lights increase usage of the path.

Members queried whether the LED lights were theft proof. Officers confirmed the lights would be sunken into the path and resin bonded, and impossible to remove.

Councillor Moore raised concerns regarding the effect the LED lights would have on wildlife and the green belt and whether the Countryside Officer's current bid for Stewardship for the area would be affected if the lights were to be installed. He moved deferral of the application for one month in order for further investigation of these issues to take place.

Councillor Taylor raised concerns about aspects of crime as the area has minimal surveillance and he felt there would be an increased danger to pedestrians if the lights were to be installed. He moved refusal of the application on that basis.

Other Members felt that the amount of light omitted from LED lights would not be sufficient enough to cause any problems in the area. As the application is for a trial of the lights which has been worked on by officers for some time, they felt it should be allowed to go ahead, and if proved successful, could be used in other areas of York. Councillor King moved approval and Councillor Firth seconded.

Councillor Moore moved deferral of the application for one month and Councillor Pierce seconded. Following a tie between deferral and approval, the Chair used his casting vote and the application was approved.

RESOLVED: That the application be approved subject to the conditions detailed in the officers report.¹

REASON: In the opinion of the Local Planning Authority the proposal subject to the conditions in the officers report, would not cause undue harm to interests of acknowledged importance, with particular reference to the openness and visual amenities of the York Green Belt, sustainability, residential amenity and highway safety. As such the proposal complies with Policy YH9 and Y1C of the Yorkshire and Humber Plan, policies GP1 and GB1 of the City of York Development Control Local Plan and Government Policy contained within Planning Policy Statement 1 'Delivering Sustainable Development' and Planning Policy Guidance note 2 'Green Belts'.

Action Required

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

34c 17 Scriven Grove, York, YO32 3NW - 09/01709/FUL

Members considered a full application for a conservatory to the rear of a semi detached property.

Officers advised that the measurements for the proposed conservatory are only slightly larger than what would constitute permitted development. Members had no concerns about the application and were happy to approve.

RESOLVED: That the application be approved subject to the conditions outlined in the officers report.¹

REASON: In the opinion of the Local Planning Authority, the proposed conservatory, subject to the conditions listed in the officers report, would not cause undue harm to occupants of neighbouring properties. Nor is it considered that the size, scale or design of the extension would have any detrimental impact on the street scene. As such the proposal complies with Policies H7 and GP1 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

34d Pear Tree Cottage, North Lane, Wheldrake, York YO19 6AY - 09/01445/FUL

Members considered a full application to erect a part two storey and part one storey extension to a side elevation that faces North Lane in Wheldrake. The ground floor element would include a garage and car port. At its nearest point the extension would be located 12 metres from the boundary with North Lane.

Officers advised Members that the site is located within Wheldrake Conservation Area. The application is for an extension to the back of a detached cottage, and there had been no objections from neighbours.

RESOLVED: That the application be approved, subject to the conditions listed in the officers report.¹

REASON: In the opinion of the Local Planning Authority, the proposal subject to the conditions listed in the officers report, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the character and appearance of the conservation area and the effect on the amenity and living conditions of adjacent occupiers. As such the proposal complies with Policies H7, GP1 and HE3 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

Action Required

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

SS

34e Wheldrake Primary School -09/01751/GRG3

This item was withdrawn prior to the Meeting.

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

Members received a report which updated them on the current action with regard to the outstanding Section 106 issues in relation to Clifton Hospital and provides details of the proposed Management plan for the site.

Officers advised that since the last update to Members, no further discussions with Persimmon's had taken place, although an amended management plan proposal has been submitted to them. With regard to the public right of way issue, the footpath is in use, although the formalities are still being completed at present.

Members queried whether additional resources could be allocated to assist with resolving the outstanding Section 106. The Chair advised that he would discuss the matter with the Area Team Leader and email would be sent to the Head of Conservation.

RESOLVED: (i) That Members note the progress made with regard to the completion of the Section 106 agreement and the work still required.

(ii) That the possibility of further resources to assist the Officer working on the case, be looked into.

REASON: To ensure that work conditioned as part of the Section 106 agreement at the Clifton Hospital site is completed.

Cllr K Hyman, Chair

[The meeting started at 2.00 pm and finished at 3.00 pm].