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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	10 DECEMBER 2009
PRESENT	COUNCILLORS HYMAN (CHAIR), CREGAN (VICE-CHAIR), FIRTH, KING, MOORE, ORRELL, TAYLOR, WISEMAN AND WATSON (SUBSTITUTE)
APOLOGIES	COUNCILLORS DOUGLAS AND FUNNELL

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**36. INSPECTION OF SITES**

Site	Attended by	Reason for Visit
Bonneycroft, Princess Road, Strensall.	Cllrs. Hyman, Moore and Orrell and Wiseman.	To familiarise Members with the site.
4 Stockton Lane	Cllrs. Hyman, Moore and Orrell and Wiseman	To familiarise Members with the site.

**37. DECLARATIONS OF INTEREST**

Members were invited to declare any personal or prejudicial interests they may have in the business on the agenda.

Councillor Taylor declared a personal and prejudicial interest in agenda item 4c as the applicant had dealt with his forced redundancy when he worked for the Council and he felt he could not consider the application in an unbiased manner.

Councillor Moore declared a personal non prejudicial interest in agenda item 4a as some of the objectors had telephoned him about the application, although he had not expressed an opinion to them.

Councillor Hyman declared a personal non prejudicial interest in agenda item 4a as some of the objectors had telephoned him about the application although he had not expressed an opinion to them. He also declared a personal non prejudicial interest in agenda item 4b as he worked with the applicant a number of years ago.

**38. MINUTES**

RESOLVED: That the minutes of the meeting held on 12 November 2009 be approved and signed as a correct record by the Chair.

### **39. PUBLIC PARTICIPATION**

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

Details of speakers registered to speak on the planning applications will be recorded under the relevant application.

### **40. PLANS LIST**

#### **40a Bonneycroft, 22 Princess Road, Strensall, York, YO32 5UD - 09/01176/OUT.**

Members considered an application for outline consent for a nursing home. Whilst all matters are reserved, illustrative proposals have been submitted. The revised proposals show a 3 storey, pitched roofed building on the front of the site, stepping down to 2.5 stories in the central section and lowering to two stories at the rear, ace for emergency vehicles. The proposal is speculative. A dilapidated bungalow on the site would be demolished.

Officers updated with the following information:

- The report states that Councillor Kirk had called the application in, but it had previously been called in by Councillor Alexander who objects on the grounds of inadequate parking, the site being identified for housing and intrusiveness due to height.
- Paragraph 4.7 (b) on page 7 incorrectly refers to the height of the central section of building as 2.4m. The correct height is 11.8m.
- There are changes to proposed conditions 3,7,11,19 and 20.
- Officers had been waiting for information on surface water drainage. Details had now been submitted to show that adequate drainage works can be provided within the site (consisting of on-site storage and controlled discharge into the sewer) and without damage to protected trees. The drainage proposals were tabled for Members to consider.
- Since the officers report was circulated a further 16 objections had been received which reiterated concerns already raised.
- A petition of 525 signatures had been submitted. The petitioners object to a nursing home being developed on the site and support the site being used for housing as set out in the Strategic Land Availability Assessment dated February 2009. Officers advised Members that this assessment does not recommend that the site be used for housing, it identifies the site as being suitable for housing and therefore little weight should be given to this assessment.
- Members had received a selection of annotated photographs from residents at the site visit which highlighted the locally held concerns.

Following the update, Members had a detailed discussion with Officers regarding drainage for the site. Officers confirmed that details of drainage arrangements had been received and they were satisfied with them.

Representations in objection to the application were heard from a Local Resident, a representative for the Council for the Protection of Rural England, Strensall Parish Council, a Ward Councillor and the prospective Parliamentary candidates for York Outer. They raised the following concerns:

- The site is too constrained for a Nursing Home and close to the boundaries of nearby housing.
- There are no other buildings of this large size and scale in the area.
- The site would be better suited to housing.
- There could be a loss of amenity for local residents in a semi rural area.
- The building would be 30 metres away from a Conservation Area and therefore the site is an unsuitable location for a large building.
- A number of trees would be under threat.
- The existing drainage problems in the area would be exacerbated.
- Whether York currently requires another Nursing Home and whilst City of York Council are still in the process of establishing a new care policy. Therefore the consideration of the application should be deferred.

Representations in support of the application were received from the applicant who advised the Committee that in his opinion, the area was suitable for a Nursing Home and that drainage issues had been dealt with sufficiently and the loss of trees had been minimised.

Members felt that they could not support the application due to the size and scale of the proposed building. The close proximity of the site to residential properties would mean that the building would have a detrimental impact on the amenity and outlook of adjacent occupiers.

Councillor King supported the Officer recommendation and moved approval. This motion was lost when put to the vote. Councillor Moore moved refusal of the application which was seconded by Councillor Taylor. When put to the vote, the application was refused.

**RESOLVED:** That the application be refused.

**REASON:** It is considered that the proposal, by virtue of the size and extent of the building footprint and its excessive scale and massing, would adversely affect the amenity and outlook of the occupiers of adjacent residential properties and would be unduly harmful to the character and appearance of the area. Thus would conflict with Central Government advice on design contained within Planning Policy Statement 1 (“Delivering Sustainable Development”) and policies

**40b 4 Stockton Lane, York, YO31 1BQ - 09/02022/FUL.**

Members considered a revised retrospective application for a two storey side extension and single storey rear extension and a dormer to the rear of a semi-detached dwelling.

Officers advised Members that the application is retrospective as permission had been granted last year for a two storey side extension, a single storey rear extension and a rear dormer. The side extension and the rear dormer had not been constructed in accordance with the originally approved drawings. The differences are that the two storey side extension has been erected with a minimal set back from the front wall of the property and is not set down from the ridge and the dormer is clad in white uPVC rather than lead as originally approved. Officers advised that they had no objections to the new design of the side extension as it has not caused a terracing effect, but the dormer appears stark and incongruous and in Officers opinion should be re-clad either in lead as originally approved or in matching hanging tiles. The applicant has already agreed to do this and Officers understand work will be completed shortly and in light of this the recommendation is now that planning permission should be granted . Officers will monitor the situation to ensure the work is completed on the dormer.

Members expressed their disapproval of retrospective applications and queried why the applicant had deviated from the original plans. The applicant explained they had mis-interpreted new planning regulations in relation to what constituted permitted development. It was a genuine mistake and they had believed they were not doing anything wrong.

Overall Members could see no reason to refuse the amended plans,

**RESOLVED:** That the application be approved.

**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 residential amenity of neighbours and the effect on the character and appearance of the streetscene. As such the proposal complies with Policies H7 and GP1 of the City of York Local Plan Deposit Draft

**40c 51 Walney Road, York, YO31 1AH - 09/02069/FUL.**

Members considered an application for a two storey pitched roof side extension.

Councillor Taylor had declared a personal and prejudicial interest in this item. He left the room and took no part in the debate or vote.

The application had been brought to the Committee as both applicants are employed by City of York Council.

Members could see no problems with the application and supported the recommendation of approval.

RESOLVED: That the application be approved.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the Officer's report would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the residential amenity of neighbours and the effect on the character and appearance of the streetscene. As such the proposal complies with policies H7 and GP1 of the City of York Local Plan Deposit.

INFORMATIVE – The applicant is reminded that all parts of the extension including side gutters and foundations should be within the property boundary.

**41. APPEALS PERFORMANCE AND DECISION SUMMARIES.**

Members received a report which presented to them the Council's performance in relation to appeals determined by the Planning Inspectorate in the 3 month period up to 31<sup>st</sup> October 2009, and provides a summary of the salient points from appeals determined in that period.

Officers presented the report and advised that overall all of the planning teams are performing well at appeal.

Members queried how some of the individual cases were progressing and noted that the figures were an improvement on the previously reported 3 month period.

RESOLVED: That Members note the content of this report.

REASON: To keep them informed on appeals determined by the Planning Inspectorate.

Cllr K Hyman, Chair  
[The meeting started at 2.00 pm and finished at 3.55 pm].