



## Notice of meeting of

### **West & City Centre Area Planning Sub-Committee**

**To:** Councillors Horton (Chair), Reid (Vice-Chair), Crisp, Steve Galloway, Galvin, Gillies, Sunderland, B Watson and Morley

**Date:** Thursday, 17 June 2010

**Time:** 3.00 pm

**Venue:** The Guildhall, York

### **AGENDA**

**The site visit for this meeting will commence at 11.00am on  
Wednesday 16 June 2010  
at Bentham Lodge, 92 Tadcaster Road, Dringhouses.**

#### **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. Minutes (Pages 5 - 12)**

To approve and sign the minutes of the meeting of the West & City Centre Area Planning Sub-Committee held on Thursday 13 May 2010.

#### **3. Public Participation**

It is at this point in the meeting that members of the public who have registered their wish to speak can do so. The deadline for registering is by 5pm the working day before the meeting, in this case **5:00pm on Wednesday 16 June 2010**. Members of the public can speak on specific planning applications or on other agenda items or matters within the remit of the committee.

To register please contact the Democracy Officer for the meeting, on the details at the foot of this agenda.

#### **4. Plans List**

To determine the following planning applications related to the West and City Centre Area.

**a) Bentham Lodge, 92 Tadcaster Road, Dringhouses, York, YO24 1LT (10/00450/FUL) (Pages 13 - 20)**

Detached single storey dwelling to rear. *[Dringhouses and Woodthorpe Ward]* **[Site Visit]**

**b) 20 Weddall Close, York, YO24 1EG (10/00561/FUL) (Pages 21 - 26)**

Conservatory to rear. *[Dringhouses and Woodthorpe Ward]*

**c) 32 Thorpe Street, York, YO23 1NL (10/00736/FUL) (Pages 27 - 32)**

Single storey rear extension. *[Micklegate Ward]*

**d) Penleys House, 59A Monkgate, York (10/00579/FUL) (Pages 33 - 42)**

Change of use from offices to 2no. flats (use Class C3) with estate agents office at part ground floor. Erection of single storey extension to rear and new wall and gates following demolition of existing garage. *[Guildhall Ward]*

**e) Penleys House, 59A Monkgate, York (10/00582/CAC) (Pages 43 - 46)**

Demolition of garage. *[Guildhall Ward]*

#### **5. Any other business which the Chair considers urgent under the Local Government Act 1972**

Democracy Officers:

Name: Catherine Clarke and Louise Cook (job share)

Contact Details:

- Telephone – (01904) 551031
- E-mail – [catherine.clarke@york.gov.uk](mailto:catherine.clarke@york.gov.uk) and [louise.cook@york.gov.uk](mailto:louise.cook@york.gov.uk)

(If contacting us by e-mail, please send to both democracy officers named above)

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 are set out above.

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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 Decision Session) 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

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**WEST AND CITY CENTRE AREA PLANNING SUB COMMITTEE**

**SITE VISITS**

**Wednesday 16 June 2010**

**Members of the sub-committee to meet at the site at 11.00am**

<b>TIME</b> <b>(Approx)</b>	<b>SITE</b>	<b>ITEM</b>
<b>11.00</b>	<b>Bentham Lodge, 92 Tadcaster Road, Dringhouses</b>	<b>4a</b>

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City of York Council

Committee Minutes

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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	13 MAY 2010
PRESENT	COUNCILLORS HORTON (CHAIR), SUE GALLOWAY (VICE-CHAIR), CRISP, STEVE GALLOWAY, GALVIN, GILLIES, REID, SUNDERLAND AND B WATSON

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**66. INSPECTION OF SITES**

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
The Head's House, 1 Love Lane	Councillors Crisp, Sue Galloway Gillies, Horton, Reid and B Watson.	As objections had been received and the officer recommendation was for approval.
Hotel Du Vin, 89 The Mount	Councillors Crisp, Sue Galloway Gillies, Horton, Reid and B Watson.	As objections had been received and the officer recommendation was for approval.
106 Albion Avenue	Councillors Crisp, Sue Galloway Gillies, Horton, Reid and B Watson.	As objections had been received and the officer recommendation was for approval.

**67. DECLARATIONS OF INTEREST**

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

Councillor Reid declared a personal and prejudicial interest in plans item 4b (The Lowther, Cumberland Street). She advised the Committee that she had sat on the Panel for a licensing hearing in respect of these premises and that the person who had registered to speak at today's meeting in objection to this application had also spoken in objection at the licensing hearing. She left the room for discussion on this item and took no part in the debate or vote on this application.

Councillor Gillies advised the Committee that he had been approached by a resident with regard to plans item 4d (106 Albion Avenue) but had passed the query onto the planning department and had not expressed any view on the application.

**68. MINUTES**

That the minutes of the meetings of the West and City Centre Area Planning Sub Committee held on 18 March and 22 April 2010 be approved and signed as a correct record.

**69. PUBLIC PARTICIPATION**

There were no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Sub-Committee.

**70. 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.

**70a The Heads House, 1 Love Lane, York, YO24 1FE (10/00538/FUL)**

Members considered a full application from The Mount School for the erection of a detached dwelling house (resubmission).

Officers advised that comments had been received from Design, Conservation and Sustainable Development in respect of the relationship of the proposal to the setting of the Historic Core Conservation Area, the boundary of which is a short distance away. They raised no objection to the proposal, stating that whilst it would have some impact on the mature landscape setting of the conservation area, this would not give rise to significant harm. Officers also reported that further comments had been received from the Council's Structures and Drainage Engineer in respect of the surface water scheme associated with the site requesting that a revised drainage condition be substituted for draft condition 10.

Representations were received from a local resident in objection to the application. He raised concerns regarding the size and scale of the building and the high ground levels, which he stated had been reasons for refusal of a similar proposal in 2003. He stated that people would be forced to park on St Aubyn's Place as they would no longer be able to park on Love Lane and that part of the Joseph Rowntree memorial garden at the school would have to be demolished to make way for the development.

Representations were also received from the agent in support of the application. He stated that the proximity to neighbours and the slope of the site had been taken into account and that the house was of ecological design and would have minimal impact on the conservation area. In

response to concerns raised about the higher level of development site in relation to St Aubyn's Place, he explained that due to the ridge height and sight lines, the new development would appear to be the same height as Heads House and would also be screened by trees.

In response to the concerns about increased parking on St Aubyn's Place, a representative from the Mount School explained that, with the school's permission, sixth form students currently park on Love Lane but that these cars would be re-located to the school car park therefore students would not need to use St Aubyn's Place for parking.

In response to a query from a Member regarding protection for existing trees on the site, officers explained that condition 6 covered existing planting on the site during construction and that condition 8 required details of the landscaping scheme to be submitted to and approved by the local planning authority. They explained that the only legal way to protect specific trees was to obtain a Tree Preservation Order (TPO) and they gave an assurance that the views of the Committee would be passed on to the relevant officer.

Members agreed that the view of the new building from St Aubyn's Place would be limited and the impact on neighbours would be fairly minimal and they were satisfied that the concerns over car parking had been resolved.

RESOLVED:

That the application be approved subject to the conditions listed in the report and the amended condition below:

Amended Condition 10

Development shall not begin until details of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with the details thereby approved.

The submitted details shall include:

- i) In accordance with PPS25 and in agreement with the Local Planning Authority, peak run-off will be attenuated to 70% of the existing rate (based on 140l/s/ha of proven connected impermeable areas). Storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model must also include an additional 20% allowance for climate change. The modelling must use a range of storm durations, with both summer and winter profiles, to find the worst-case volume required.
- ii) Full details should be provided of the future management/maintenance of the drainage scheme.

Reason: So that the Local Planning Authority may be satisfied that the site may be properly drained in accordance with Central Government Planning

Guidance outlined in PPS25 (Development and Flood Risk) and that provision has been made to maintain the drainage system.

REASON:

The proposal, subject to the conditions listed in the report and the amended condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the residential amenity of neighbouring properties, suitability of the design in context in relation to the setting of the Conservation Area, impact on the safety and convenience of highway users in Love Lane, usage of sustainable construction materials and other features, impact upon the level of anti-social behaviour taking place in Love Lane, impact upon the existing mature landscaping within the site and impact of the proposal on the local pattern of surface water drainage. As such the proposal complies with Policies GP1 , GP3 , GP4a) , GP9 , GP10 and GP15a) of the City of York Development Control Local Plan.

**70b The Lowther, 8 Cumberland Street, York, YO1 9SW (10/00322/FUL)**

Members considered a full application from Mr Malcolm Goodwin for the retention of an external seating area on Kings Staith and the variation of condition 5 of temporary planning permission 08/02093/FUL to extend the times of operation of the outside seating area until 22.00hrs.

Representations were received from a local resident living on Kings Staith in objection to the application. He questioned why the applicants had applied to extend the operating hours for the external seating area when the original reasons for limiting use of this area until 8pm, ie in the interests of occupiers of neighbouring properties, had not changed and expressed concerns over the possible increase in noise.

In response to a query from Members, the managers of the Lowther and Plonkers Wine Bar explained that they had applied to extend the times of operation of the outside seating area in response to customer demand so that customers could remain seated outside on days when the weather was good during the summer.

Members agreed that there was no need to limit the extension of hours to May 2011, as suggested in the officer's report, and agreed that this date should be extended to November 2013, that date of expiry of permission for the external seating area.

RESOLVED:

That the application be approved subject to the conditions listed in the report and the amended condition below:

Amended Condition 5

The hours of operation of the use hereby permitted shall only be between 10.00 and 21.30 hours. Customers shall be clear of the area approved by

21.30 with tables and chairs cleared from the site by 22.00. Setting up shall not commence before 09:30 daily.

Reason: In the interests of amenity of the occupiers of neighbouring properties, free flow of the highway outside the approved hours, highway safety and in the interests of the amenity of the conservation area.

REASON:

The proposal, subject to the conditions listed in the report and the amended condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the conservation area, vitality and viability of the city centre, public access to the riverside, residential amenity and highway and pedestrian safety. As such the proposal complies with Policies HE2, GP1 and S6 of the City of York Local Plan Development Control Local Plan-Incorporating the Proposed 4<sup>th</sup> Set of Changes ( 2005 ); and national planning guidance contained in Planning Policy Statement 6.

**70c Hotel Du Vin, 89 The Mount, York, YO24 1BL (10/00376/FUL)**

Members considered a full application from Mr Stephen Rodwell for the permanent retention of a smoking shelter to the rear of the hotel.

Officers advised that the Environmental Protection Unit had commented that several neighbouring residents had expressed concerns regarding noise and smoke however no formal complaints had been received and therefore no formal investigation had been undertaken. They therefore recommended that a one year permission be considered. Officers also advised that a response had been received from the Micklegate Planning Panel who recommended that the design of the shelter should minimise disturbance to local residents thus the enclosed section should face in the direction away from the main block of the hotel and asked that consideration also be given to fitting soundproofing.

Officers advised the Committee that they had received copies of e-mail correspondence between a local resident and the hotel's general manager complaining about noise from the hotel on two dates.

A written representation from Councillor Merrett was circulated to the Committee for their information. This expressed concerns raised by local residents about noise and other nuisance and the impact on their amenity.

Members acknowledged that some local residents may be effected to some degree by noise and smoke emanating from the hotel's garden but agreed that there was a need for a place where smokers could gather in reasonable comfort. They discussed the design of the shelter and suggested that the shelter could be turned around in order that entrance no long faced neighbouring gardens.

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 impact upon the appearance and setting of the hotel which is Grade II Listed and residential amenity. As such the proposal complies with policies GP1 and HE2 of the City of York Development Control Local Plan.

**70d 106 Albion Avenue, York, YO26 5QY (10/00422/FUL)**

Members considered a full application by Mr J M Armitage for the erection of a dormer bungalow and garage (retrospective).

Officers updated that paragraph 3.3 of the report should refer to 8 objections having been received rather than 5 as stated and that an additional bullet point should be added to read "loss of outlook, dwelling looms over rear gardens" They also stated that an additional letter of objection had been received in response to the amended plans and that one letter had been received stating no objection.

Written comments from Councillor Simpson-Laing were circulated to Members of the Committee. She expressed concerns that the development had progressed so far before the Council became aware it had been built in the wrong place and that no Stop Notice had been issued. She also noted that the new development was now clearly visible from Boroughbridge Road which caused a visual intrusion and visual "massing issue" and requested confirmation that the distance between the new property and surrounding existing properties meets the minimum required distance.

Representations were received from a local resident on behalf of neighbours in objection to the application. She stated that the application did not fulfil the expectations of Policy GP1 as it overshadows, overbears and dominates other properties and is also contrary to Policy GP10 in that none of the existing trees are shown on the plans. She suggested that if the correct site measurements had been available at the time the reserved matters application was determined, this may not have been approved and asked that the plans be further revised to reduce the scale of the development.

Representations were also received from the agent in support of the application. She advised Members that when the appeal for outline planning permission was determined by the Planning Inspectorate, the inspector had noted the 21m separation distance between the proposed property and the neighbour most affected and had noted the rear extension to the neighbour's property but had been happy with this. He

reminded Members that the majority of properties in Beckfield Lane have long gardens and are therefore all at least 21m away from the bungalow.

Members considered the concerns raised by local residents and noted that the development now affected neighbours in a different way than would have been previously envisaged and that it was now more obvious to those living to the rear of the site. They noted that the site was now materially different to when the inspector visited it and the information on which the inspector had based his comments was no longer accurate, and that the application would need to be considered further.

RESOLVED:

That the application be refused.

REASON:

Because of its height and bulk, its location on the site and the consequent loss of trees, the dormer bungalow will result in a form of development that is overbearing and will dominate the outlook from adjoining residential properties. The dormer bungalow is therefore considered to harm the living conditions of the adjoining dwellings which is contrary to the following policies of the Development Control Local Plan:

- Policy GP1 which states that development proposals will be expected to be of a layout, scale, mass and design that is compatible with neighbouring buildings and ensure that residents living nearby are not unduly dominated by overbearing structures;
- Policy GP10 which states that planning permission will only be granted for the sub-division of existing garden areas where this would not be detrimental to the amenity of the local environment, and;
- Policy H4a which states that proposals for residential development will be granted where it is of an appropriate scale to surrounding development.

The proposal is also considered to be contrary to National planning policies contained within PPS1 "Delivering Sustainable Development" and PPS3 "Housing".

## **71. APPEALS PERFORMANCE AND DECISION SUMMARIES**

Consideration was given to a report, which had also been presented to the main Planning Committee and East Area Planning Sub-Committee informing Members of the Council's performance in relation to appeals determined by the Planning Inspectorate in the 4 month period up to 31 March 2010. The report also provided a summary of the salient points from the appeals together with a list of outstanding appeals as at 31 March 2010.

RESOLVED:

That the report be noted.

REASON:

To update Members on appeal decisions within the City of York Council area and informed of the planning issues surrounding each case for future reference in determining planning applications.

Councillor D Horton, Chair

[The meeting started at 3.00 pm and finished at 5.00 pm].



Protection from flooding

CYGP4A  
Sustainability

CYH4A  
Housing Windfalls

CYHE3  
Conservation Areas

CYL1C  
Provision of New Open Space in Development

### **3.0 CONSULTATIONS**

#### **INTERNAL CONSULTATIONS**

##### HIGHWAY NETWORK MANAGEMENT

3.1 No objections. If planning permission granted would like conditions relating to surfacing and layout of vehicle areas, and internal turning areas to be provided.

##### DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

3.2 The proposed detached single storey dwelling house will intensify the density of development to the rear of Bentham Lodge and is situated within close proximity of two storey dwellings houses at nos. 1 and 3 Slingsby Grove to the north and adjacent to the existing single storey dwelling house at no. 94a Tadcaster Road. The submitted plans do not illustrate the relative height of the proposed bungalow to the existing buildings within the context of the site. The site is partially visible from Tadcaster Road and is situated outwith the conservation area boundary. The proposed dwelling house is unlikely to have a negative effect on the setting, character, or appearance of the conservation area.

##### STRUCTURES AND DRAINAGE

3.3 Object. Insufficient information has been provided by the developer to determine the potential impact the proposal may have on existing drainage systems

##### LIFELONG LEARNING AND LEISURE

3.4 As there is no on site open space off site contributions are required for (a) Amenity open space - which would be used to improve a local site within the local area e.g. Knavesmire or Hob Moor (b) Play space - which would be used to improve a local site within the local area e.g. or Nelsons Lane (c) Sports pitches - would be used to improve a facility within the West Zone of the Sport and Active Leisure Strategy. The contribution to off site provision is to be based on the latest York formula through a Section 106 Agreement.

#### **EXTERNAL CONSULTATIONS/REPRESENTATIONS**

##### DRINGHOUSES/WOODTHORPE PLANNING PANEL

3.5 No objections but comments made which should be subject of conditions:

- Access to the other properties situated to the west of the site must be available at all times for foot and vehicle access including fire and ambulance during construction. No building materials must be stored on the road
- The appearance of the site would be enhanced by shrubbery bordering the road, this in due course would compensate for e.g. felling in recent years of mature trees which ensured privacy for the neighbouring dwellings

## NEIGHBOUR NOTIFICATION/PUBLICITY

3.6 Four letters of objection received making the following points:

- Proposals for a further bungalow would severely overcrowd an already congested site
- Design and Access statement is misleading said former garden had not been used and was overgrown for some time
- Concerned regarding the potential disruption during construction
- The plan of the proposed development is not a true reflection of the site. The garage and the wooden structure of No 92 are not shown
- Loss of outlook and light and cause a sense of enclosure to dwellings on Slingsby Grove
- Concerned regarding the number of parking spaces, and the potential for increased parking on Slingsby Grove
- Concerned that dormer windows may be added at a later date
- Further building would overcrowd and congested site, suffering existing disturbance from the guest house at No. 92 are concerned disturbance would further erode quality of life
- An additional dwelling would increase the wear and tear of the access road and would result in parking on the access road
- Concerned that further extensions would result in a loss of privacy

## 4.0 APPRAISAL

### KEY ISSUES

1. Impact of the dwelling on the character of the area
2. Impact on neighbouring property
3. Impact on highway safety
4. Drainage

### PLANNING POLICY

4.1 PPS3 supports PPS1 with regards high quality new housing and encourages sustainable and environmentally friendly new housing development through the reuse of previously developed land, more efficient use of land through appropriate densities, reducing dependency on the private car and provision of affordable housing. It states that careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate. However, it also states that the density of an existing development should not dictate that of new housing by stifling change or requiring replication of existing styles and form. When well designed and built in the right location, new housing development can enhance the character and quality of an area.

4.2 The relevant development plan is The City of York Council Draft Deposit Local Plan, which was placed on Deposit in 1998. Reflecting points made, two later sets of pre inquiry

changes (PICs) were published in 1999. The Public Local Inquiry started in 1999 but was suspended by the Inspector for further work to be done on the Green Belt. A Third Set of Changes addressing this further work was placed on deposit in 2003. Subsequently a fourth set of changes have been drafted and approved by Full Council on 12th April 2005 for the purpose of making Development Control Decisions, on the advice of the Government Office.

#### IMPACT OF THE DWELLING ON THE CHARACTER OF THE AREA

4.3 The proposed dwelling is of a simple design that is if a similar style to the other two bungalows to the west of the site, which have been previous tandem development of the former garden of No. 92.

4.4 Policy GP10 ' Subdivision of Gardens and Infill Development' states that permission will only be granted for the development or subdivision of gardens areas where it would not be detrimental to the character and amenity of the local environment. Policy H4a 'Housing Windfalls' states that permission will be granted for new housing development on land within the urban area providing it is of an appropriate scale and density to surrounding development. Policy GP1 states that development should respect or enhance the local environment; be of a density, layout, scale, mass that is compatible with neighbouring buildings and spaces and protects private amenity space.

4.5 The proposal is not considered to accord with these policies. The site is significantly smaller than the other tandem development sites to the west of the site, and also those to the rear of Nos. 96, 98, and 100 Tadcaster Road. The existing tandem developments in the surrounding area are relatively large detached dwellings (in terms of footprint) set within large plots maintaining the spacious and open character of the area. The proposed dwelling would be set within a significantly smaller plot and whilst a smaller dwelling in comparison to the surroundings it is considered that it would appear cramped, by virtue of the small size of the plot but also the relatively small garden area around it providing little set back from the boundaries. The truncation of the garden of no.92 results in that existing large dwelling appearing out of proportion with its setting and plot size. The proposal would result in an appearance of overdevelopment. The proposed dwelling would only be partially visible from Tadcaster Road however it is considered that the intensification of the use of land and pattern of development would cause harm and also set a precedent in the area for future intensification of development and ultimately a change in the character of the area.

4.6 The dwelling would be a two bedroomed property. In addition to creating a cramped development the proposal would provide a dwelling with little usable private space and reduce the amenity space to no.92 Tadcaster Road, contrary to the prevailing character of development in the area.

4.7 The site is just outside the Tadcaster Road Conservation Area, the Conservation Officer does not consider the proposed dwelling would impact on the character of the conservation area.

#### IMPACT ON NEIGHBOURING PROPERTY

4.8 The proposed bungalow by virtue of the hipped roof, height adjacent to the boundary, and the neighbouring dwellings (Nos 92, 92a and 96 Tadcaster Road) being set back from the shared boundary is not considered to cause a loss of light or overshadowing to these properties. The proposed dwelling is not considered to resulting in a loss of light to the dwellings to the rear on Slingsby Avenue by virtue of the distance between the dwellings and the relatively low height of the dwelling and the boundary treatment - a 2 metre high wall. The 2 metre high wall provides screening of the proposed development. The distance between the dwelling and the boundary wall is 2.5 metres and the approximate distance

between the proposed dwelling and the two storey dwellings to the rear on Slingsby Grove is approx 7 metres. The proposed dwelling is a modest height - 4.95 metres, together with hipped roof sloping away from the boundary, and in addition to the 2 metre high brick wall the dwelling is not considered to be overbearing or result in a sense of enclosure to these properties.

4.9 There have been objections from neighbours to the loss of outlook, however as the outlook from the primary rooms on Slingsby Grove are restricted by the 2 metre high wall the potential for loss of outlook is considered to be minimal and not sufficient to warrant refusal on these grounds.

4.10 By virtue of the boundary treatment it is not considered there would be overlooking or a loss of privacy to the neighbouring dwellings. If it is considered that the application should be approved it is recommended that permitted development rights be removed for windows and dormer windows in the roof to protect the amenity of the neighbouring occupants.

4.11 There has been some concerns regarding the potential disruption during construction, this is not a planning consideration.

#### IMPACT ON HIGHWAY SAFETY

4.12 Some neighbour concerns had been received regarding the increase of parking that the proposed dwelling would create. The proposed dwelling would include an integral garage in addition to a turning area providing at least two parking spaces, as such Highways Network Management have not objected to the proposal

#### DRAINAGE

4.13 The Structures and Drainage team have objected to the proposal on the grounds of insufficient information. Sufficient information has not been provided and therefore the Structures and Drainage team are unable to determine the potential impact the proposal may have on the existing drainage systems.

### **5.0 CONCLUSION**

5.1 For the above reasons the proposed dwelling is considered to create a cramped overdeveloped development and would appear shoehorned into the site and thus would cause harm to the character of the area and has the potential to lead to further intensification and change in the pattern of development in the area. Refusal is recommended.

### **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION: Refuse**

1 It is considered that the proposed dwelling would appear 'shoe-horned' into an unsuitably small site. It is considered that this would result in a development that would appear cramped and out of character with the local form of development. As such, the proposal conflicts with Central Government advice in Planning Policy Statement 1: "Delivering Sustainable Development" and Planning Policy Statement 3: "Housing" and Policies GP1, GP10 and H4a of the City of York Council Development Control Local Plan (2005).

2 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 Policy GP15a of the City of York Council Development Control Local Plan; the Council's adopted Strategic Flood Risk Assessment; and Central Government policy contained within Planning Policy Statement 25 "Development and Flood Risk".

**7.0 INFORMATIVES:**

**Contact details:**

**Author:** Victoria Bell Development Control Officer

**Tel No:** 01904 551347

# Land adj to 92 Tadcaster Road

10/00450/FUL



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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>	07 June 2010
<b>SLA Number</b>	Not set

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Visual impact on the dwelling and the area  
Impact on neighbouring property

#### RELEVANT PLANNING POLICY

4.1 Draft Local Plan Policy GP1 states that development proposals will be expected to respect or enhance the local environment, be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials; and ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.2 Draft Local Plan Policy H7 states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality (ii) the design and scale are appropriate to the main building (iii) there is no adverse effect upon the amenities of neighbours (iv) proposals respect the spaces between dwellings; and (v) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

4.3 The City of York Council Supplementary Planning Guidance - Guide to extensions and alterations to private dwelling houses (2001) states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling. Conservatories should be sited to the side or rear of the dwelling. They should have pitched roofs and the materials should match those of the main property. Obscure glazing should be considered for windows that face neighbours property or gardens. Alternatively, solid sides to the conservatory can be used, or a permanent fence or wall constructed to the boundary.

#### VISUAL IMPACT ON THE DWELLING AND AREA

4.4 The proposed conservatory will extend the full width of the rear elevation and will be constructed in 'trespa' cladding panels to either side and aluminium folding doors to the rear elevation leading into the garden. The roof will also be glazed with a small side window being proposed in the east (side) elevation. Whilst the materials are different to those used in the construction of the dwelling, due to the nature of the extension, it will be mostly glazed and therefore the proposed panels will not be overly visible. As such the design of the conservatory is considered to be sympathetic to the appearance of the dwelling. Whilst it is quite a large extension for the size of the dwelling it is not felt to dominate the rear elevation.

#### IMPACT ON NEIGHBOURING PROPERTY

4.5 The conservatory will project 4.1m into the rear garden adjacent to the side boundary with no. 22 Weddall Close to the west of the application site. The conservatory will cause some overshadowing in the early mornings to the rear of the neighbouring property, however as the sun moves south the position of the host dwelling causes overshadowing from mid morning onwards meaning that the addition of the conservatory will not have a significant effect on the existing situation.

4.6 With regard to visual amenity, the conservatory will extend 4.1m alongside the boundary of the adjoining property and will be visible from the rear window of no.22. However it is not felt that a conservatory of this size would be overly detrimental in this location and there will be no loss of privacy due to the lack of glazing proposed to the side elevation.

## 5.0 CONCLUSION

5.1 By virtue of its scale, design and location, the proposed conservatory is considered to appear in keeping with the existing dwelling and will not significantly arm residential amenity. Approval is recommended.

## 6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 PLANS1 Approved plans - Drawing 0107-2 received 26.03.10

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the type and colour of the 'trespa' panels to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

## 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 appearance of the dwelling and residential amenity. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

### Contact details:

**Author:** Elizabeth Potter Development Control Assistant

**Tel No:** 01904 551350

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# 20 Weddall Close, YO24 1EG

10/00561/FUL



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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>	07 June 2010
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT****Committee:** West/Centre Area**Ward:** Micklegate**Date:** 17 June 2010**Parish:** Micklegate Planning Panel**Reference:** 10/00736/FUL**Application at:** 32 Thorpe Street York YO23 1NL**For:** Single storey rear extension**By:** Mr And Mrs Harrison**Application Type:** Full Application**Target Date:** 15 June 2010**Recommendation:** Approve**1.0 PROPOSAL**

1.1 This application seeks permission for a single storey rear infill extension to 32 Thorpe Street.

1.2 The dwelling is a two storey mid terraced property situated in an area of similar residential properties.

1.3 The application is being reported to sub-committee as the applicant is an employee of the council.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: Central Area 0002

2.2 Policies:

CYGP1 Design

CYH7 Residential extensions

**3.0 CONSULTATIONS**

3.1 MICKLEGATE PLANNING PANEL - No response has been received to date.

3.2 PUBLICITY - The application was advertised by neighbour notification letter. No responses have been received.

**4.0 APPRAISAL**

KEY ISSUES:-

Visual impact on the dwelling and the area  
Impact on neighbouring property

#### RELEVANT PLANNING POLICY

4.1 Draft Local Plan Policy GP1 states that development proposals will be expected to respect or enhance the local environment, be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials; and ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.2 Draft Local Plan Policy H7 states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality (ii) the design and scale are appropriate to the main building (iii) there is no adverse effect upon the amenities of neighbours (iv) proposals respect the spaces between dwellings; and (v) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

4.3 The City of York Council Supplementary Planning Guidance - Guide to extensions and alterations to private dwelling houses (2001) states that the basic shape and size of the extension should be sympathetic to the design of the original dwelling. The scale of the new extension should not dominate the original building. Proposed extensions should have pitched roofs and the materials should match those of the main property. For single storey extensions, obscured glazing should be fitted to any essential windows facing the neighbouring boundary where there may be a loss of privacy for neighbours.

#### VISUAL IMPACT ON THE DWELLING AND AREA

4.4 The proposed extension will infill the rear yard between the side boundary and the two storey rear offshoot and will measure 4.5m in length and 2.1m in width. It will provide an enlarged kitchen/breakfast area which leads into the open dining room. The mono-pitch roof will match the angle of the two storey element with the design and scale of the proposal being in keeping with the appearance of the existing dwelling with matching materials proposed. The extension will be built adjacent to the shared side boundary wall.

#### IMPACT ON NEIGHBOURING PROPERTY

4.5 The main impact of the extension will be to no. 30 Thorpe Street which is situated to the north of the application site. Due to the location of the extension and the orientation of the two properties there will be little impact in terms of overshadowing as the two storey offshoot already overshadows the rear yard of both properties. With regard to visual amenity, the extension will be built up to the side boundary wall at a height of 2.4m, 0.9m above the existing side boundary wall. Whilst the occupants of no. 30 will look onto the new brick wall from their kitchen window, the lack of windows in the extension's side elevation will result in improved privacy and the structure itself is not felt to be overly harmful to the visual amenity as

the eaves height has been kept as low as possible so as not to further impact on no. 30.

## 5.0 CONCLUSION

5.1 The proposal, by virtue of its size, location and design is in keeping with the appearance of the dwelling and is not considered to significantly harm residential amenity. Approval is recommended.

## 6.0 RECOMMENDATION: Approve

- |   |        |  |
|---|--------|--|
| 1 | TIME2  | Development start within three years                       |
| 2 | PLANS1 | Approved plans - Drawings 2010:001:01-08 received 19.04.10 |
| 3 | VISQ1  | Matching materials   |

## 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 appearance of the dwelling and residential amenity. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

### Contact details:

**Author:** Elizabeth Potter Development Control Assistant  
**Tel No:** 01904 551350

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# 32 Thorpe Street, YO23 1NL

10/00736/FUL



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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>	07 June 2010
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Committee:** West/Centre Area                      **Ward:** Guildhall  
**Date:** 17 June 2010                                      **Parish:** Guildhall Planning Panel

**Reference:** 10/00579/FUL  
**Application at:** Penleys House 59A Monkgate York  
**For:** Change of use from offices to 2no. flats (use Class C3) with estate agents office at part ground floor. Erection of single storey extension to rear and new wall and gates following demolition of existing garage  
**By:** Mr Jonathan Morley  
**Application Type:** Full Application  
**Target Date:** 10 June 2010  
**Recommendation:** Approve

**1.0 PROPOSAL**

1.1 Penleys House is a three storey terraced property located on the corner of Monkgate and Penley's Grove Street in the Central Historic Core Conservation Area. Penleys House was built as 2 houses in the early to mid 19th Century with a shop introduced on the ground floor in the early 20th Century. The building appears to have been converted for use as offices in the mid 20th Century with the shopfront having been infilled in brickwork. The deep fascia which wraps around the building above ground floor has been retained. The yard wall has been increased in height and roofed over to form a garage with a shallow monopitch roof of corrugated asbestos cement sheeting. Until recently, all floors of the building have been in Class A2 office use.

1.2 Permission is sought to change the use of the building to form a large two bedroomed residential unit on the upper floors of the property and a one bedroomed unit on the ground floor. An office measuring 4.8 metres by 4.3 metres, to accommodate an estate agency, would be retained at ground floor. The proposal involves the demolition of the existing single storey outbuildings and garage and the removal of the existing fire escape. A single storey extension measuring 4.8 metres by 5 metres would be erected together with bin / cycle stores and a new boundary wall and gates.

1.3 The application has been brought to Committee as the applicant is an elected member of the council.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: Central Area 0002

Floodzone 2 GMS Constraints: Flood zone 2

Schools GMS Constraints: St. Wilfrid's RC Primary 0230

## 2.2 Policies:

CYHE2

Development in historic locations

CYHE3

Conservation Areas

CYE3B

Existing and Proposed Employment Sites

CYL1C

Provision of New Open Space in Development

CYGP1

Design

CYH4A

Housing Windfalls

## 3.0 CONSULTATIONS

### INTERNAL

3.1 Design and Conservation - Overall proposals represent a slight enhancement of the conservation area. Proposals are supportable in principle though it must be demonstrated that the much reduced office area is viable as a single space. We would also see further enhancements by introducing some landscape into the yard and by replacing the corner door with a better quality timber door with a raised and fielded bottom panel. All materials must match existing.

3.2 Highway Development - There are no objections in principle, however it is noted that the one bedroom flat will have no off street parking, but cycle storage will be retained in a new cycle store. It is considered that a recommendation of refusal based on the inability of vehicle parking could not be substantiated especially having regard to the sites proximity to the City Centre and public transport links.

3.3 Environmental Protection Unit - No objections in principle. The site is located on a main road close to the city walls and is located in an area of mixed, residential and commercial use. With an estate agents occupying part of the ground floor with opening hours of 9am - 5 pm, it is not anticipated that the future occupants of the building will be disturbed by their activities.

#### EXTERNAL

3.4 Guildhall Planning Panel - No objections

3.5 Letter received from local resident detailing general support for the application but noting that if additional ResPark places are required, it is important to consider where they should be as Monkgate R8 is frequently fully occupied.

### 4.0 APPRAISAL

#### 4.1 Key Issues

- loss of employment space
- impact on the character and appearance of the Central Historic Core
- Conservation Area
- residential amenity

#### POLICY

4.2 Policy HE2 of the Local Plan states that within or adjoining conservation areas, development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials. Policy HE3 requires external alterations in conservation areas to have no adverse effect on the character and appearance of the conservation area. Policy E3b states that sites or premises either currently or previously in employment use, will be retained within their current use class. Permission for other uses will only be given where (i) there is a sufficient supply of employment land to meet immediate and longer term requirements, (ii) unacceptable environmental problems exist: or (iii) the development of the site for other appropriate uses will lead to significant benefits to the local economy; or (iv) the use is ancillary to an employment use. Policy H4a relates to housing windfalls and states that proposals for residential development will be granted permission where the site is within the urban area and is vacant, derelict or underused or it involves infilling, redevelopment or conversion of existing buildings. Policy L1c refers to the provision of new open space in development and stipulates that for sites of less than 10 dwellings, a commuted sum payment will be required towards off site provision.

#### PRINCIPLE OF CHANGE OF USE TO RESIDENTIAL

4.3 The application site is located on a main road close to the city walls, in an area of mixed residential and commercial uses. Whilst Draft Policy E3b seeks to safeguard existing employment sites, Officers acknowledge that the property was built as two houses and furthermore consider that the building is not of strategic importance or is in a location or of a size or type to be sought after by potential office occupiers. On

this basis, and given the character of the area and the fact that part of the ground floor would be retained in office use, no objections are raised to the principle of the change of use.

#### IMPACT ON THE CONSERVATION AREA

4.4 The removal of the large scale vertically boarded garage doors and the monopitch roof of corrugated asbestos cement sheeting over the yard area, together with the removal of the fire escape attached to the rear elevation, would improve the appearance of this property in views from Penley's Grove Street. The proposed pitched roof extensions to accommodate part of the ground floor flat and the cycle and bin stores would be considered to be sympathetic in the streetscene and with the remaining yard to be used for parking, sliding metal gates would be provided. Officers consider that the proposals have no adverse impact on the character and the appearance of the conservation area and therefore consider the proposals to be in accordance with Local Plan Policies HE2 and HE3.

#### IMPACT ON RESIDENTIAL AMENITY

4.5 Local Plan Policy GP1 (i) states that development proposals will be expected to ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures. The existing garage at No.59A Monkgate extends the length of the boundary with No. 61 Monkgate, whilst the proposed replacement extension would extend only 2.8 metres beyond the building line of the neighbouring property. Whilst it is noted that the proposed extension would be smaller in footprint, the remaining yard would be used for parking. As such, Officers consider the impact on the residential amenity of the neighbour in terms of the proposed change of use and the extension, as compared to the existing situation, to be negligible.

#### OPEN SPACE

4.6 In accordance with Local Plan Policy L1c, the applicant has been advised of the requirement to pay a contribution of £1602 towards children's equipped play space, informal amenity open space and outdoor sports facilities.

### **5.0 CONCLUSION**

5.1 In terms of the principle of the proposed development, Officers acknowledge that the property was built as two houses and furthermore consider that the building is not of strategic importance nor is in a location or of a size or type to be sought after by potential office occupiers. On this basis, and given the character of the area and the fact that part of the ground floor would be retained in office use, no objections are raised to the principle of the change of use.

5.2 The proposed extension and alterations would be considered to be sympathetic to the character and appearance of the conservation area and residential amenity would not be adversely affected. The proposal is considered to be in accordance with Local Plan policy and therefore is supported subject to the following conditions.

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

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

Dwg No 2212 - 3 received 25 March 2010

Dwg No 2212 - 4 received 25 March 2010

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 Large scale details of the corner timber door to incorporate a raised and fielded bottom panel and details of the conservation rooflights, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with these details.

5 HWAY19 Car and cycle parking laid out

6 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the Local Planning Authority. The Open space shall thereafter be provided in accordance with the approved scheme or the alternatives arrangements agreed in writing by the Local Planning Authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1c of the Development Control Local Plan which requires that all new housing sites make provision for the open space needs of future occupiers.

**INFORMATIVE:**

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £1602.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

**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 supply of employment accommodation in the City
- impact of proposed changes on the character and appearance of the Central Historic Core Conservation Area,
- the impact on the residential amenity of neighbouring residents.

As such the proposal complies with Policies HE2, HE3, E3b, L1c, H4a and GP1 of the City of York Development Control Local Plan.

2. CONTAMINATED LAND

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

3. CONTROL OF POLLUTION ACT 1974

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

- (i) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays.	

- (ii) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: 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".

(iii) 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.

(iv) 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.

(v) 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.

(vi) There shall be no bonfires on the site.

**Contact details:**

**Author:** Rachel Tyas Development Control Officer (Wed - Fri)

**Tel No:** 01904 551493

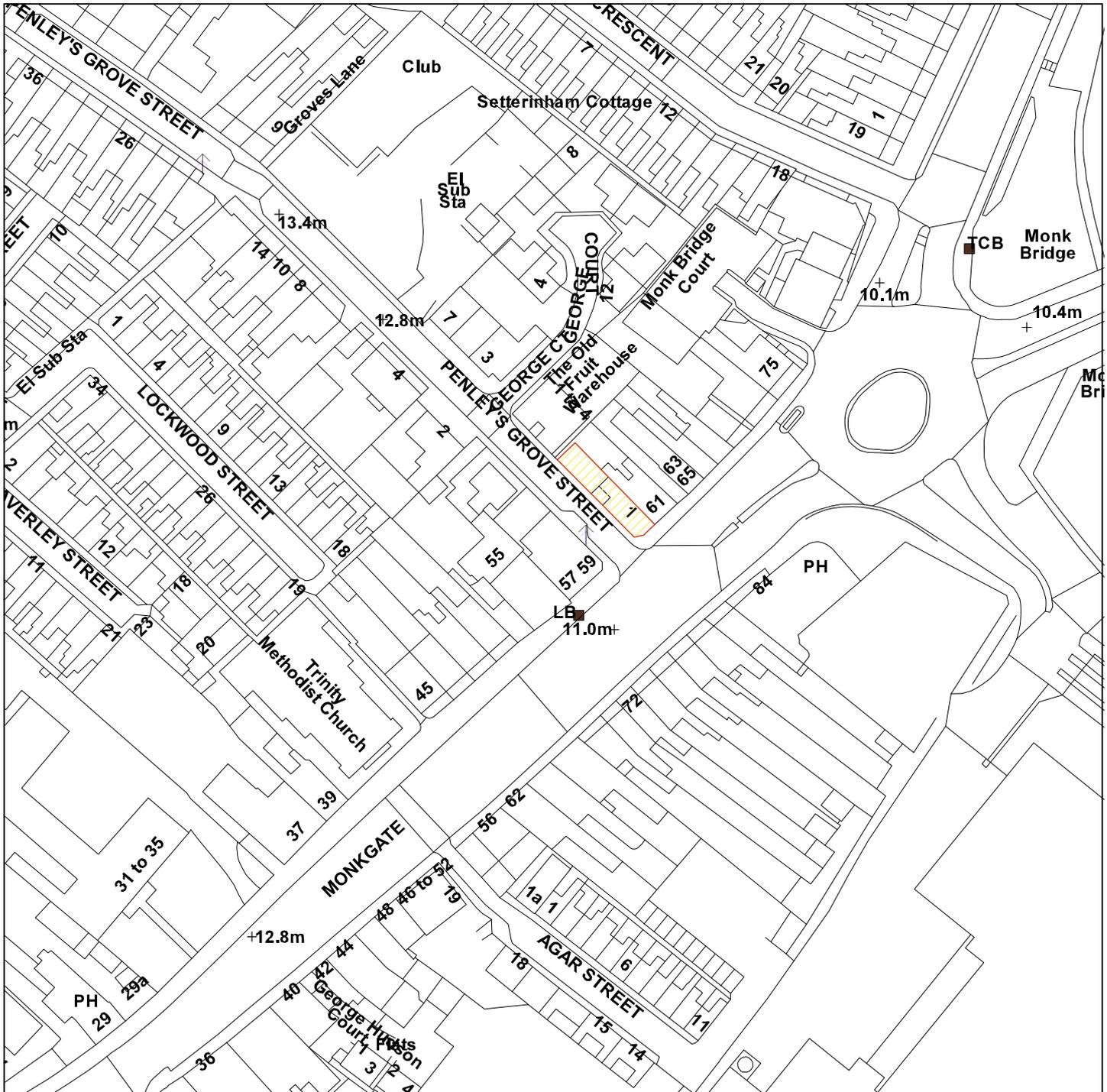
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# Penleys House, 59A Monkgate

10/00579/FUL



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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>	07 June 2010
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Committee:** West/Centre Area                      **Ward:** Guildhall  
**Date:** 17 June 2010                                      **Parish:** Guildhall Planning Panel

**Reference:** 10/00582/CAC  
**Application at:** Penleys House 59A Monkgate York  
**For:** Demolition of garage  
**By:** Mr Jonathan Morley  
**Application Type:** Conservation Area Consent  
**Target Date:** 10 June 2010  
**Recommendation:** Approve

**1.0 PROPOSAL**

1.1 This Conservation Area Consent application seeks consent for the demolition of a garage at Penleys House, a three storey terraced property located on the corner of Monkgate and Penley's Grove Street in the Central Historic Core Conservation Area. The application is associated with a proposal to change the use of the building from offices to 2 No. residential units and for a single storey extension and alterations to the boundary treatment. Full details of this proposal are contained under the previous item ( 10/00579/FUL).

1.2 The application has been brought to Committee as the applicant is an elected member of the council.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006  
Conservation Area GMS Constraints: Central Historic Core CONF  
DC Area Teams GMS Constraints: Central Area 0002  
Floodzone 2 GMS Constraints: Flood zone 2

2.2 Policies:

CYHE5 Demolition of Listed Buildings and Buildings in Conservation Areas

**3.0 CONSULTATIONS**

## INTERNAL

3.1 Design Conservation and Sustainable Development - The garage is of poor quality construction and its loss would not undermine the significance of the building. By removing the roof and lowering the yard walls to their original position, there would be a slight enhancement of the conservation area.

EXTERNAL

3.2 Conservation Areas Advisory Panel - No objection to the demolition of the garages

3.3 Guildhall Planning Panel - Support the application

**4.0 APPRAISAL**

4.1 Key Issues

- impact on the character and appearance of the Central Historic Core Conservation Area

4.2 Local Plan Policy HE5 states that conservation area consent will not be granted for the demolition of buildings which positively contribute to the character or appearance of conservation areas.

4.3 As discussed under the previous item, a proposal for the change of use of the building from offices to residential with alterations to the boundary treatment is considered to be acceptable. The existing garage proposed for demolition is of poor quality construction and its loss would not undermine the significance of the building. By removing the roof and lowering the yard walls to their original position, it is considered that the appearance of this part of the Conservation Area would be improved.

**5.0 CONCLUSION**

5.1 The application accords with Local Plan Policy HE5 as the character and appearance of the conservation area would be enhanced.

**6.0 RECOMMENDATION:** Approve

1 TIMEL2 Development start within 3 yrs (LBC/CAC)

**7.0 INFORMATIVES:**

**Notes to Applicant**

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the Central Historic Core Conservation Area. As such the proposal complies with Policy HE5 of the City of York Development Control Local Plan.

**Contact details:**

**Author:** Rachel Tyas Development Control Officer (Wed - Fri)

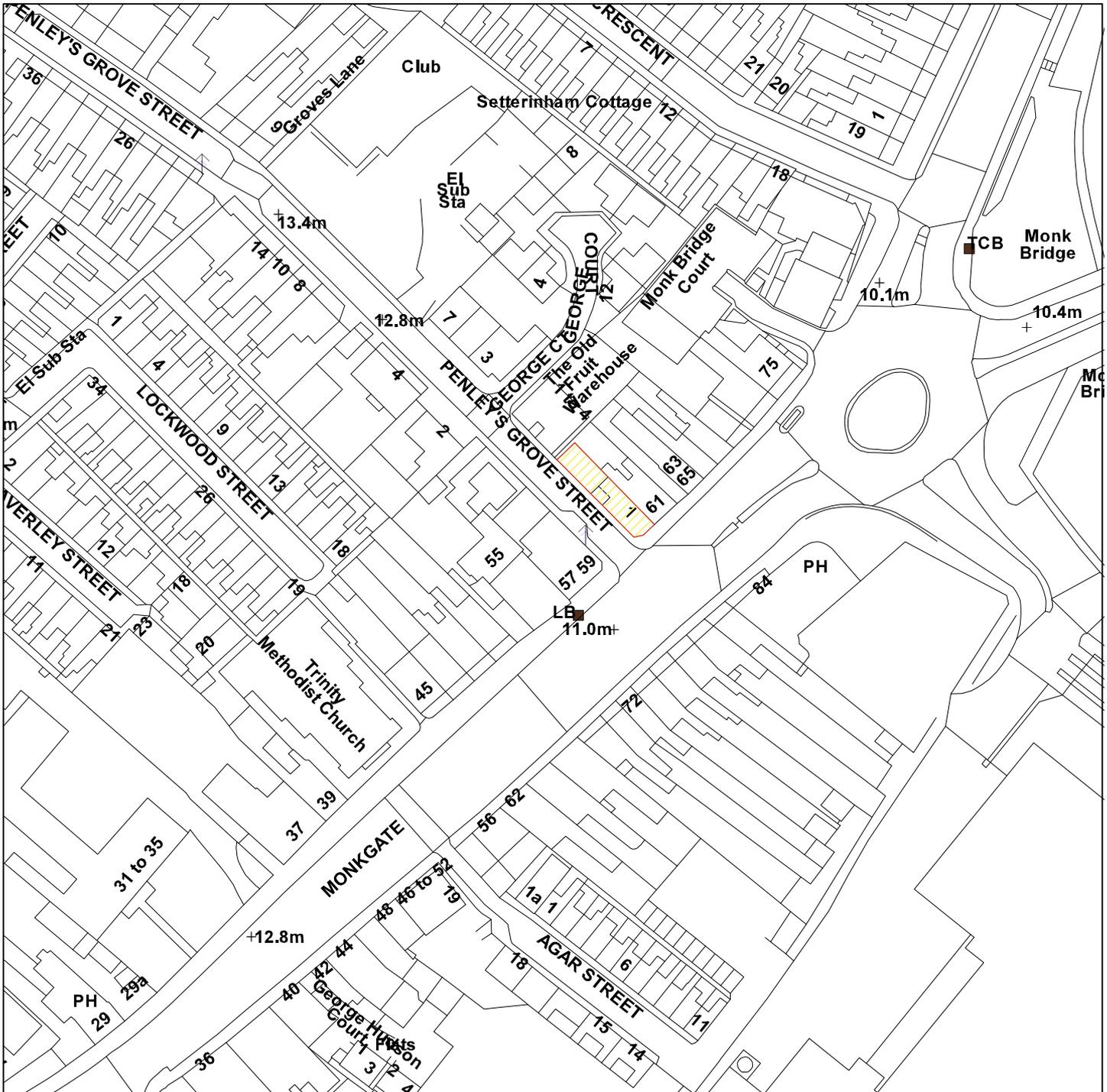
**Tel No:** 01904 551493

# Penleys House, 59A Monkgate

10/00582/CAC



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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>	07 June 2010
<b>SLA Number</b>	Not set

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Additional info circular  
Plans Item 4a

thing in respect of

West and Centre Sub Planning Committee Meeting – 17.06.2010

**Committee Update – 10/00450/FUL – Land adjacent to 92 Tadcaster Road**

The address of the development has been altered, it is now 'Land adjacent to 92 Tadcaster Road'

1 Letter of support received by the occupant of 92 Tadcaster Road

- The site has not been used as garden since 2002, and does not have any attachment to 92 Tadcaster Road.
- Concerned that the relationship she has with her neighbours is negatively affecting this application.
- The access road is owned by the owner/occupants of 92 Tadcaster Road with other properties having a right of way.
- Developers have shown interest in the site.
- Covenant for a single storey dwelling and garage only, and that the proposed dwelling would not unduly impact on the existing sewer.
- There is no other use for the site apart from garages and storage, and as such would be an eyesore.
- There would be sufficient parking within the proposed development, and the construction of the dwelling would not result in obstruction to the access road.
- All other developments of land off Tadcaster Road have 3 or more properties.
- A small family dwelling that is in keeping with the design of the surrounding properties and by virtue of its proximity to local amenities could be used as a retirement home.
- The comments received by the Dringhouses/ Woodthorpe Planning Panel should not be taken into account as some members know one of the objectors. Officer *Note - The panel verbally confirmed that some members did know one of the objectors and as such had not taken part in the discussion at the planning panel meeting.*
- The objections are subjective and have no basis in fact.

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