



## 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, 16 September 2010

**Time:** 3.00 pm

**Venue:** The Guildhall, York

### **AGENDA**

**Site visits for this meeting will commence at 11.00am on Wednesday 15 September 2010 at Memorial Gardens.**

#### **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 - 34)**

To approve and sign the minutes of the meeting of the West & City Centre Area Planning Sub-Committee held on Thursday 15 July 2010 and Thursday 19 August 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 15 September 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) English Martyrs RC Primary School, Hamilton Drive, York, YO24 4JW (10/01460/FULM) (Pages 35 - 60)**

Erection of school building with associated parking and landscaping, construction of multi-use games area following demolition of existing school building (resubmission). *[Holgate Ward]* **[Site Visit]**.

**b) Catering Support Centre, St Maurices Road, York, YO31 7JA (10/01391/FULM) (Pages 61 - 72)**

Erection of 3 storey building and part retention of existing building to comprise 26 bed hotel with restaurant and associated car parking to rear of 4 Monkgate. *[Guildhall Ward]* **[Site Visit]**.

**Since publication of the agenda, this application has been withdrawn by the applicant and therefore will not be reported to this meeting.**

**c) Temporary Houseboat Mooring, Terry Avenue, York (10/01011/FUL) (Pages 73 - 80)**

Temporary mooring for a residential house boat to the south of the entrance to Rowntree Park Caravan Site. *[Micklegate Ward]* **[Site Visit]**

**d) Stable Block, Chapter House Street, York (10/00619/FUL) (Pages 81 - 94)**

Conversion of coach house to provide 7no. letting bedrooms ancillary to Grays Court. *[Guildhall Ward]* **[Site Visit]**

**e) Stable Block, Chapter House Street, York (10/00620/LBC) (Pages 95 - 104)**

Internal and external alterations in connection with conversion to provide letting accommodation ancillary to Grays Court. *[Guildhall Ward]* **[Site Visit]**

**f) Stable Block, Chapter House Street, York (10/00621/FUL)**  
(Pages 105 - 118)

Conversion to provide a single dwellinghouse with external alterations including porch, new rooflights and solar panels and alterations to windows and doors. *[Guildhall Ward]* **[Site Visit]**

**g) Stable Block, Chapter House Street, York (10/00622/LBC)**  
(Pages 119 - 126)

Conversion of coach house to provide a single dwellinghouse. *[Guildhall Ward]* **[Site Visit]**

**5. Appeals Performance and Decision Summaries** (Pages 127 - 142)

This report informs Members of the Council's performance in relation to appeals determined by the Planning Inspectorate in the 3-month period up to 30<sup>th</sup> June 2010, and provides a summary of the salient points from appeals determined in that period. A list of outstanding appeals as at 31<sup>st</sup> July 2010 is also included.

**6. 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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- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

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### Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

### Access Arrangements

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Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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### **Holding the Executive to Account**

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

### **Who Gets Agenda and Reports for our Meetings?**

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

**SITE VISITS**

**Wednesday 15 September 2010**

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

<b>TIME</b> <b>(Approx)</b>	<b>SITE</b>	<b>ITEM</b>
<b>11:10</b>	<b>English Martyrs RC Primary School, Hamilton Drive</b>	<b>4a</b>
<b>11:50</b>	<b>Temporary Houseboat Mooring, Terry Avenue</b>	<b>4c</b>
<b>12:20</b>	<b>Stable Block, Chapter House Street</b>	<b>4d,e,f &amp; g</b>
<b>12:50</b>	<b>Catering Support Centre, St Maurices Road</b> (This application has been <b>withdrawn</b> by the applicant therefore the site visit will not take place.)	<b>4b</b>

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City of York Council

Committee Minutes

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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	15 JULY 2010
PRESENT	COUNCILLORS HORTON (CHAIR), REID (VICE-CHAIR), CRISP, GALVIN, SUNDERLAND, B WATSON, MORLEY AND WISEMAN (SUBSTITUTE)
APOLOGIES	COUNCILLORS STEVE GALLOWAY AND GILLIES

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## 6. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
Forge House, The Ridings, Wetherby Road, Rufforth	Councillors Crisp, Horton, Reid, Brian Watson and Wiseman.	At the request of Cllr Healy.
Garages to the Rear of 68 Bootham	Councillors Crisp, Horton, Reid, Brian Watson and Wiseman.	As objections had been received and the officer recommendation was for approval.
De Grey Rooms, St Leonards Place	Councillors Crisp, Horton, Reid, Brian Watson and Wiseman.	At the request of Councillor Brian Watson.
Luxury Ice Cream Company, 20 Back Swinegate	Councillors Crisp, Horton, Reid, Brian Watson and Wiseman.	As objections had been received and the officer recommendation was for approval.

## 7. 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.

Councillors Reid and Crisp declared a personal and prejudicial interest in agenda items 5a and b (De Grey Grooms, St Leonards Place) as they are both trustees of York Theatre Royal who are intended future users of the building.

**8. MINUTES**

RESOLVED: That the minutes of the meeting of the West and City Centre Area Planning Sub Committee held on 17 June 2010 be approved and signed as a correct record.

**9. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That Members of the Press and Public be excluded from the meeting during consideration of Annex A to agenda item 6 (Enforcement Cases Update) (Minute 12 refers) on the grounds that it contains information that if disclosed to the public, would reveal that the Authority proposes to give, under any enactment or notice by virtue of which requirements are imposed on a person or that the Authority proposes to make an order or directive under any enactment. This information is classed as exempt under Paragraphs 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

**10. 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.

**11. 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.

**11a De Grey Rooms, St Leonards Place, York, YO1 7HB (10/01089/FUL)**

Members considered a full application from Mr Ian Daniels for use of the building as a theatre workshop and ancillary theatre uses including rehearsal space, costume making, costume hire and storage.

The Chair advised the Committee that Members had not been able to gain access to the building at the planned site visit and suggested that the determination of this application be deferred in order that a site visit could take place first.

RESOLVED: That the application be deferred to a future meeting.

REASON: In order that Members have the opportunity to undertake a site visit before determining the application.

**11b De Grey Rooms, St Leonards Place, York, YO1 7HB (10/01090/LBC)**

Members considered an application for Listed Building Consent from Mr Ian Daniels for internal alterations including disabled access, additional sanitary facilities, insertion of mezzanine floor in the Oak Room, and removal of bar, stage and suspended laylight in the Ballroom.

The Chair advised the Committee that Members had not been able to gain access to the building at the planned site visit and suggested that the determination of this application be deferred in order that a site visit could take place first.

RESOLVED: That the application be deferred to a future meeting.

REASON: In order that Members have the opportunity to undertake a site visit before determining the application.

**11c 5 County House Mews, Monkgate Cloisters, York, YO31 7NR (10/00726/FUL)**

Members considered a full application from Mr Stuart Blackmore for the installation of an air source heat pump to the rear elevation.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the conservation area and residential amenity. As such the proposal complies with Policies GP1, GP18 and HE3 of the City of York Development Control Local Plan.

**11d Luxury Ice Cream Company, 20 Back Swinegate, York YO1 8AD (10/00788/FUL)**

Members considered a full application from Mrs Dawn Argyle for the change of use of the highway to form a seating area to the front of the property in connection with the existing business.

Officers recommended an amendment to the reason to draft condition 1 to delete the reference to the conservation area and the circumstances of the land changing in future.

Representations were received from the agent in support of the application. He advised the Committee that the outside seating area would

be fully staffed and no smoking would be permitted in this area. He raised concerns that the proposed consent was only for a period of 2 years at which point the owner would need to reapply for permission to extend this term at a cost to her. He pointed out that she would have to buy the tables and chairs but would have no guarantee that at the end of the two years the permission would be renewed.

Officers advised that the proposed 2 year trial period had been proposed due to concerns raised by the police traffic management officer that introducing outside seating would increase congestion and could compromise the evacuation of people from the street in an emergency situation and hinder access by emergency vehicles.

Members noted that as the highways licence would be renewable annually, there was no need for a condition limiting permission to 2 years and agreed that this condition should be removed.

Officers advised that a condition be added requiring the development to commence within 3 years of the date of the permission.

RESOLVED: That the application be approved subject to the conditions listed in the report, the removal of condition 1 as listed in the report (temporary permission) and the addition of a new condition 1 (development to start within 3 years)

Condition 1

The development shall be begun not later than the expiration of three years from the date of this permission.

Reason: To ensure compliance with sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by Section 51 of the Compulsory Purchase Act 2004.

Reason: The proposal, subject to the conditions listed in the report and the additional condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the conservation area and highway safety. As such the proposal complies with Policy GP1, HE3 and S6 of the City of York Development Control Local Plan.

**11e 68 Bootham, York, YO30 7DF (10/00016/OUT)**

Members considered an outline application for the erection of two dwellings with access from St Mary's following the demolition of an existing garage block.

Officers stated that the applicant had provided them with further information regarding the usage of the parking area and garage as follows.

Of the eight garages, one is rented to a part-time member of staff for two days a week, another is periodically used by the school GP and the remainder are vacant. In terms of parking spaces one is used on an occasional basis by a former house master of Penn House who will shortly move out, one is rented to an external tenant who has been given notice to quit and one is rented by a Sixth Form student who is shortly to leave the school.

Officers advised that Condition 6 be substituted with an amended condition relating to surface water drainage works and that additional conditions be proposed relating to the height of the proposed development and the level of the land.

Officers circulated e-mail correspondence from a local resident, who also spoke at the meeting, which drew to the Committee's attention to issues including the type of application put forward, the development land, parking for future use of Penn House, the height of proposed buildings, the materials which have been proposed and drainage issues. *(A copy of this correspondence has been attached to the online agenda published for this meeting)*

Representations were heard from a local resident in objection to the application. He made the following points:

- the application land had formed part of curtilage of Penn House for centuries – the land was part of house and gardens so should be dealt with as such.
- Penn House (whether its future use is hotel, offices or dwellings) would have to function without parking, which would impact on residents parking in the area.
- The application is premature until Bootham School come forward with full proposals for Penn House.
- A comprehensive full application is needed rather than an outline application
- The proposed development would harm the conservation area.

Representations were also received from a representative of St Mary's Conservation Group in objection to the application. He raised the following issues:

- Proposed design creates overdevelopment and harms openness of area – green artery is lost
- Inadequate parking for each dwelling
- Loss of 7 car parking spaces and 8 garages
- Lack of sustainability features proposed
- Future use of Penn House is unknown – 15 car parking spaces will be lost if application approved therefore no parking for future users of Penn House.
- Scheme does not enhance or preserve existing conservation area.

Representations were also received from the agent in support of the application. He put forward the following points.

- Original proposals for a terrace of three town houses had been reduced in size to the current proposals and design amended.

- York Conservation Area Advisory Panel raised no objections to the proposal nor did the Guildhall Planning Panel.
- Application site is separate from Penn House and it has always been separated by an access lane therefore the issue of parking for Penn House is not relevant.

The agent responded to Members queries regarding the current use of the garages.

Members acknowledged that whatever Penn House is used for in future, it is likely to require planning permission and that if this application was approved, Penn House would be left with no parking and that would be considered at the time of any future application. However they raised no objections to this application and agreed it was a good use of space and a design suitable for the location. They acknowledged that access was narrow but not impossible and stressed the need to ensure that correct materials are used for the construction.

RESOLVED: That the application be approved subject to the conditions listed in the report and the amended and additional conditions listed below.

Amended Condition 6

Surface water drainage works shall be carried out in strict accordance with the Site Drainage Strategy by Alan Woods and Partners dated 12/07/2010 and to Block Plan Drawing Ref:-BSPH-133-P3 by McNeil Beechy O'Neil dated 12/07/2010.

Reason:- To secure the safe and efficient drainage of the site and to ensure compliance with Policy GP15a) of the York Development Control Local Plan.

Additional Condition 13

Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 6 metres from ground level to the ridge, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

Additional Condition 14

The development hereby authorised shall not be raised above the level of the land adjacent.

Reason:- To ensure that run-off from the development site will not adversely affect adjoining properties and to secure compliance with Policy GP15a) of the York Development Control Local Plan

**REASON:** The proposal, subject to the conditions listed in the report and the amended and additional conditions above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the character and appearance of the Historic Core Conservation Area; impact upon the setting of adjacent Listed Buildings; impact upon the residential amenity of neighbouring properties; impact upon mature trees and landscaping fringing the site; impact upon the safety and convenience of Highway users; impact upon the local pattern of surface water drainage. As such the proposal complies with Policies H4a), HE2, HE3, L1c); GP1; GP4a) GP15a) GP10 of the City of York Development Control Local Plan.

**11f Forge House, The Ridings, Wetherby Road, Rufforth, York (10/00714/FUL)**

Members considered a full application from Mr and Mrs Baker for the construction of a tennis court with a 2.75m high mesh fence.

At the applicant's request, officers drew the Committee's attention to a copy of an appeal decision in response to a decision made by Guildford Borough Council to refuse an application for the installation of a tennis courts with a 2.75 m chain link fence. The appeal was upheld. Officers also informed Members of a number of precedents which had determined that tennis courts were an unsuitable development in the green belt and provided brief details of these cases.

Additional information from the applicant was circulated to Members including e-mails from the owners of neighbouring properties confirming they have no objections to a tennis court being located in the paddock area, and further drawings showing proposed additional hedging to screen the fence.

Representations were received from the applicant in support of the application. She explained that the tennis court would be located in the field well away from neighbouring houses and would not be viewable from any other vantage point. She advised she was willing to add screening and reduce the height of the fence to 2m if required but stressed that the erection of fence was integral to its use. In respect of the objection from the parish council she stated that the village tennis courts are often fully occupied and at the other end of the village from their house. She explained that her intention was to enable her family and close neighbours

to enjoy playing tennis on the court. In response to a query from Members, she confirmed that she did not intend to introduce any lighting to the courts

Officers explained that their recommendation for refusal was because the proposed court was sited outside the domestic curtilage of the building in the green belt and that it would detract from the openness of the green belt. Members discussed the issue of whether the proposed tennis court constituted appropriate development within the greenbelt as it would provide leisure facilities.

Members noted that if the court had been sited closer to the house, within the domestic curtilage, it would impact on neighbouring properties to a much greater extent. Members acknowledged the greenbelt policy but were of the opinion that in this situation where the court would not be in public view, and would be well screened from neighbouring properties, it would not harm the openness of the countryside.

Members discussed the need to condition use of the court to prevent commercial and wider community use and in response to advice from officers agreed that it should be limited to personal use.

RESOLVED: That the application be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

2. The tennis court shall be used only in connection with the residential use of the adjoining Forge House and shall not be used for any commercial purposes.

Reason:-To secure the residential amenity of adjoining properties in accordance with policy GP1 of the Development Control Local Plan.

3. The development hereby permitted shall be carried out in accordance with the following plans:-  
Application Plan ref:1693.1 Rev A and other details submitted on and dated 9th July 2010.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

4. No development shall take place until there has been submitted and approved in writing by the Local Planning Authority details of the number, species, height and position of trees and shrubs shown on drawing 1693.1 (A) dated 9 July 2010. The approved landscaping scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a

period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site in the interests of maintaining the open appearance of the green belt.

- 5 The tennis court shall not be lit by either fixed or mobile lighting.

Reason: To protect the rural character and openness of the green belt and to protect the amenity of the occupants of the nearby dwellings from light disturbance in accordance with policy GP1 and GB1 of the Development Control Local Plan.

REASON:

The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to appropriateness of the development within the Green Belt and the openness of the Green Belt. As such the proposal complies with policy GB1 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

## **12. 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 report be noted.

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

Councillor D Horton, Chair

[The meeting started at 2.00 pm and finished at 3.45 pm].

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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	19 AUGUST 2010
PRESENT	COUNCILLORS HORTON (CHAIR), REID (VICE-CHAIR), CRISP, STEVE GALLOWAY (NOT IN ATTENDANCE FOR PLANS ITEMS 3F, 3G, 3H, 3I, 3J, 3M & 3N) GALVIN, GILLIES, SUNDERLAND, B WATSON (NOT IN ATTENDANCE FOR PLANS ITEMS 3M & 3N) AND MOORE (SUB FOR CLLR MORLEY)
APOLOGIES	COUNCILLOR MORLEY

### 13. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
Bank Guest House, 9 Southlands Road	Councillors Crisp, Gillies, Horton, Reid, B Watson.	As objections had been received and the officer recommendation was for approval.
Knavesmire Primary School, Trafalgar Street	Councillors Crisp, Gillies, Horton, Reid, B Watson.	In order that Members could familiarise themselves with the site.
1 Main Street, Copmanthorpe	Councillors Crisp, Gillies, Horton, Reid, B Watson.	As objections had been received and the officer recommendation was for approval.
Land at corner of Tadcaster Road and Old Moor Lane	Councillors Crisp, Gillies, Horton, Reid, B Watson.	As objections had been received and the officer recommendation was for approval.
39 St Paul's Square	Councillors Crisp, Gillies, Horton, Reid, B Watson.	As objections had been received and the officer recommendation was for approval.
Reel Cinema, Blossom Street	Councillors Crisp, Gillies, Horton, Reid, B Watson.	In order that Members could familiarise themselves with the site.
The French House Antiques, 74 Micklegate	Councillors Crisp, Gillies, Horton, Reid, B Watson.	As objections had been received and the officer recommendation was for approval.
De Grey Rooms, St Leonards Place	Councillors Crisp, Gillies, Horton, B Watson.	In order that Members could familiarise themselves with the site.

**14. 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 prejudicial interest in Plans items 3a and 3b (De Grey Rooms, St Leonards Place, York) as a member of the York Theatre Board and left the room during discussion and voting on the applications.

Councillor Crisp declared a personal prejudicial interest in Plans items 3a and 3b (De Grey Rooms, St Leonards Place, York) as a member of the York Theatre Board and left the room during discussion and voting on the applications.

Councillor Sunderland declared a personal non-prejudicial interest in Plans items 3c and 3d (The French House Antiques, 74 Micklegate, York) as a friend worked on the premises.

Councillor Galvin declared a personal non-prejudicial interest in Plans item 3m (Change of use from shop (A1) to café/teashop (A3)) as he had discussed the proposal with the applicant but confirmed that he had not expressed any view in relation to the application.

**15. 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.

**16. 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.

**16a De Grey Rooms, St Leonards Place, York, YO1 7HB (10/01089/FUL)**

Members considered a full application from Mr Ian Daniels for the use of the building as a theatre workshop and ancillary theatre uses including rehearsal space, costume making, costume hire and storage.

Officers updated that since the agenda had been published a further letter had been received from a local resident who had also attended the site visit. She had raised objections to the proposal and requested the continued use of the ballroom for dancing. It was reported that this objection had since been withdrawn as the objector was to make a direct request to the Theatre Royal. It was also reported that the Guildhall Planning Panel had no objections to either the Full or Listed Building planning applications for the premises.

Representations in objection were received from a local resident who raised concerns at the removal, from public use, of a centrally accessible venue that would accommodate 200 people. He questioned whether it would be possible to share the use with the Theatre with the ballroom being retained for public use.

Members questioned a number of aspects of the application, and referred to the buildings under use and to the proposals to make the building more accessible for all members of the public.

**RESOLVED:** That the application be approved subject to the conditions listed in the report.

**REASON:** In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to compatibility with surrounding uses, the special interests of the Grade II\* listed building, the character and amenity of the conservation area, and improved access to the building. As such, the proposal complies with Policies HE3, HE4, GP12 of the City of York Development Control Local Plan (2005) and national planning guidance contained in Planning Policy Statement 5 "Planning for the Historic Environment".

**16b De Grey Rooms, St Leonards Place, York, YO1 7HB (10/01090/LBC)**

Members considered an application for listed building consent for internal alterations including disabled access, additional sanitary facilities, the insertion of a mezzanine floor in the Oak Room, and the removal of the bar, stage and suspended laylight in the Ballroom.

The representations made in relation to the previous application also related to this listed building application.

**RESOLVED:** That the application be approved subject to the conditions listed in the report.

**REASON:** In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the special interests of the listed building. As such, the proposal complies with Policy HE4 of the City of York Development Control Local Plan (2005) and national planning guidance contained in Planning Policy Statement 5 " Planning for the Historic Environment".

**16c The French House Antiques, 74 Micklegate, York, YO1 6LF  
(10/01094/FULM)**

Members considered a major full application (13 weeks) by LaRock Construction for the change of use and alterations to create 12 residential units at the property to the rear of 74-76 Micklegate and 3 and 4-5 Barker Lane.

Officers updated that amended plans had now been received which addressed concerns relating to the impact of the conversion on the character of the buildings and the wider Conservation Area. They also circulated an update (full details of which are attached to the online agenda for the meeting) which reported:

- Submission of a method statement by a structural engineer;
- Bat emergence report;
- Comments from the drainage engineer;
- Additional conditions required relating to:
  - Materials
  - door and window schedules
  - solar panels
  - details relating to railings, balustrading, roof-lights etc
  - details of the raised north light roof-light
  - landscaping
  - bat mitigation and conservation and
  - removal of permitted development rights

Members questioned the use of the phrase 'making good' in the condition relating to building works and officers confirmed they would amend the condition to make it more robust.

Representations in support of the scheme were received from the applicants agent. She referred to the under use of the premises and to the proposal which would retain the retail unit on Micklegate. The present design had evolved following the guidance of the Planning Officers. It was felt that the design was sympathetic to the integrity of the listed building and its historical context.

Members stated that the proposal was an imaginative use of the premises but went onto question a number of aspects of the application including:

- access to the reception area through the retail unit;
- concern that the retail unit could be lost in the future;
- health and safety issues of the present use;
- details of the access from Barker Lane to the residential units.

Following further discussion it was

**RESOLVED:** That the application be approved subject to the conditions listed in the report and the following additional conditions:

1. Notwithstanding any proposed materials specified on the approved drawings or in the application form

submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Bricks and slates should be carefully dismantled, cleaned and stacked for reuse on site. Rain water goods should be cast iron. The development shall be carried out using the approved materials.

2. Any repairs or refurbishment of existing architectural features shall be carried out to a high standard in materials, methods and details to match surrounding surfaces.
3. A door and window schedule shall be provided to describe both new and adapted joinery. The schedule shall include a description of thresholds, cills, reveals and lintols with the drawings to supplement the text a minimum scale of 1:20. The schedule 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.
4. Full details of the solar panels shall be submitted (manufacturer's literature and sizes) and this should include a typical section showing them in relation to the roof coverings. The solar panels onto Barker Lane should be specified in full, giving maximum dimensions. The details 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.
5. Large scale details of the items listed below 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.
  - a. new railings around the basement lightwell
  - b. timber infill screen to basement lightwell
  - c. external canopies
  - d. protective balustrading to openings at high level
  - e. new gates onto Barker Lane
  - f. new wall and railings onto car-park
6. Full details of the rooflights and verges of the raised north – light rooflight 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.

7. A method statement shall be provided describing how the dismantling and construction of the raised north-light rooflight will be carried out to avoid damage to surrounding structures within the confined environment. The statement 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.
8. Prior to the development commencing, full details of the landscape proposals showing levels (if different from existing), hard and soft materials, samples of materials and details of external lighting, shall be submitted and approved in writing by the Local Planning Authority. The existing cast iron drain covers should be reused. The development shall be carried out in accordance with the approved details.
9. No development shall take place until full details of what measures for bat mitigation and conservation are proposed and have been submitted to and approved by the Council.

The measures should include :

- (i) A plan of how work is to be carried out to accommodate the possibility of bats being present.
- (ii) Details of what provision is to be made within the new building to replace the features lost through the conversion of the original structures. Features suitable for incorporation for bats include the use of special tiles, bricks, soffit boards, bat boxes and bat lofts and should at least replace or substitute for what is existing.
- (iii) The timing of all operations

The works shall be implemented in accordance with the approved details and timing unless otherwise approved in writing by the Council.

If bats are discovered during the course of the work, then work should cease and Natural England consulted before continuing.

10. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A, B,C, D,E and F of Schedule 2 Part 1 of that Order shall not be erected or constructed.

REASON: In the opinion of the Local Planning Authority the proposal,, subject to the conditions listed in the report,

would not cause undue harm to interests of acknowledged importance, with particular reference to the principle of conversion / loss of employment land; design / impact on the conservation area; residential amenity; highway safety; sustainability and contributions. As such the proposal complies with Policies HE2, HE3, HE4, H4A, E3B, GP4A, L1C and ED4 of the City of York Development Control Local Plan.

**16d The French House Antiques, 74 Micklegate, York, YO1 6LF  
(10/01116/LBC)**

Members considered an application for listed building consent from LaRock Construction for internal and external alterations to the building.

Officers updated that amended plans had now been received which addressed concerns relating to the impact of the proposal on the character and appearance of the listed building. They also circulated an update (full details of which are attached to the online agenda for the meeting) of recommended additional conditions relating to:

- Standard plans list condition;
- Materials, brickwork and 'making good';
- Door and window schedule;
- Requirement for large scale details;
- Fire protection, thermal performance and acoustics;
- Protection of the central chimney
- Details of rainwater goods and a repair schedule together with a
- Full photographic record of the existing condition of the building.

The representations made in relation to the previous application also related to this listed building application.

**RESOLVED:** That the application be approved subject to the conditions listed in the report together with the following additional conditions:

1. The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

Dwg No's 010 Rev D (Proposed Basement & Ground Floor Plans), 011 Rev B (Proposed First Floor Plans), 012 Rev B (Proposed Second & Third Floor Plans), 013 Rev A (Proposed Roof Plan), 014 Rev C (Proposed Elevations) received 11 August 2010.

2. Any repairs or refurbishment of existing architectural features shall be carried out to a high standard in materials, methods and details to match surrounding surfaces.

3. Blocking of openings in the external masonry walls shall be in solid brickwork to match adjacent walls. Reclaimed bricks shall be used where exposed. Cills, lintols and reveals shall match existing.
4. A door and window schedule shall be provided to describe both new and adapted joinery (internal and external), secondary glazing and any other works to existing windows and doors. The schedule shall include a description of thresholds, cills, reveals and lintols with the drawings to supplement the text drawn at 1:20 and 1:5 as appropriate. The schedule 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.
5. Large scale details of the items listed below 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.
  - new staircase enclosure and door on ground floor
  - any amendments to lower part of main staircase
  - basement timber infill to lightwell (to include vents)
  - basement timber blocking to interior of rear door
  - new railings around the basement lightwell
  - new first floor rear window (details to match existing multi-pane windows)
  - door canopies
6. Full details of measures for achieving additional fire protection shall be provided, for example, intumescent paint for doors, smoke detection system. The details 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.
7. Full details of measures to improve thermal performance shall be provided, for example, increased loft insulation, secondary glazing and solar panels. The details 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.
8. Full details of measures for enhancing acoustic performance shall be provided. These measures should be non invasive. The details 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.

9. The central chimney at first floor level in the attached two storey building shall not be altered without prior written consent from the Local Planning Authority.
10. Rainwater goods shall be in cast iron and painted to match the existing.
11. No development shall take place until the applicant has submitted a repair schedule. This shall include details of repairs to the pavement light and a method statement for cleaning out the rear basement lightwell. The details 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.
12. Notwithstanding the Historic Buildings Evaluation which has been provided, a full set of photographs showing the existing condition of the interior and exterior of the buildings prior to works commencing on site, shall be provided on CD, to be cross referenced to the existing plans (Ref: English Heritage Guidance: Understanding Historic Buildings - recording at level 1)

**REASON:**

In the opinion of the Local Planning Authority, the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the Grade II listed building. As such the proposal complies with Policy HE4 of the City of York Development Control Local Plan.

**16e 39 St Pauls Square, York, YO24 4BD (10/00646/FUL)**

Members considered a full application submitted by Mr and Mrs Gardiner for the erection of a detached two-storey dwelling with front and rear dormer windows to the side of 39 St Paul's Square.

Officers circulated an update (full details of which are attached to the online agenda for the meeting) in relation to the following:

- Comments of the Conservation Area Advisory Panel;
- Drainage engineers comments;
- Details of a further letter of objection from the occupants of 24 St Paul's Square;
- Additional and amended conditions relating to:
  - Foul and surface water drainage
  - Removal of permitted development rights

- Amendments to Condition 13 requiring large scale details of a number of areas.

Members questioned a number of aspects of the application and report, including:

- Reference to poor ground conditions and piling to a depth of 12m;
- Reference to future access by the occupant of 1A Enfield Crescent;
- Applicant being willing to provide a parking space to the southern side of the dwelling;
- Proposed method of piling;
- Possible amendments to the scheme to allow vehicular access on to the site.

Representations were received from a representative of the St Paul's Square Association. He confirmed that they did not object to the principle of residential development but had three objections to this scheme. These related to the size and height of the dwelling in relation to the site, future maintenance difficulties and concerns at the provision of no off street parking for a 6 bed property. He stated that a more modest dwelling, which reflected No. 39, would be more appropriate as it was important that the details were correct.

Representations in support of the scheme were received from the applicant's agent. He referred to lengthy negotiations with both the Planning and Conservation officers, which had resulted in the present application. He referred to the access/maintenance concerns and confirmed that the applicant would be happy to grant a right of access for neighbours to carry out any necessary works. Regarding the ground stability he confirmed that their structural engineers would be able to design foundations, which overcome any problems. He pointed out that the site was in a sustainable location and that off street parking could be provided if required.

Certain members went onto raise concerns about the possible breach in the front railings required to gain vehicular access to the site and to Highway Officers comments in relation to the property size and multiple car use. They felt that amendments could be made to the scheme to enable off street parking to be provided whilst maintaining the overall width of the property.

Councillor Moore then moved and Councillor B Watson seconded that the application be approved subject to an additional condition requiring details of the method of piling. On being put to the vote the motion was lost.

Following further discussion Councillor Steve Galloway moved and Councillor Gillies seconded that the application be refused on highway grounds.

RESOLVED: That the application be refused.

REASON: The proposed development would result in an increased demand for on-street parking in an area where present demand for available on-street parking in the vicinity of the site is high. The Local Planning Authority considers that the additional demand for parking which would be generated by the development cannot be accommodated within the public highway, without unacceptable compromises being made both in terms of road safety and traffic congestion.

**16f Reel Cinema, Blossom Street, York, YO24 1AJ (10/01316/FUL)**

Members considered a full application submitted by Mr K C Suri for the infill of an alleyway to create a retail unit.

Officers confirmed that they were awaiting elevational details of the frontage from the applicants.

Certain Members requested details of any evidence relating to crime and anti social behaviour and the need for the infill of the alleyway.

Following further discussion it was

RESOLVED: That subject to approval of the elevational details of the application being delegated to the Planning Officer the application be approved subject to the conditions listed in the report.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the listed building and the conservation area and residential amenity. As such the proposal complies with Policies SP7, GP1, HE3, and HE4 of the City of York Development Control Local Plan.

**16g Reel Cinema, Blossom Street, York, YO24 1AJ (10/01317/LBC)**

Members considered an application for listed building consent, submitted by Mr K C Suri for the infill of an alleyway to create a retail unit.

Officers confirmed that they were awaiting elevational details of the frontage from the applicants.

Following further discussion it was

RESOLVED: That subject to approval of the elevational details of the application being delegated to the Planning Officer the application be approved subject to the conditions listed in the report.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the listed building. As such the proposal complies with Policy HE4 of the City of York Development Control Local Plan.

**16h Knavesmire Primary School, Trafalgar Street, York, YO23 1HY (10/01174/FUL)**

Members considered a full application by Mr Colin Macdonald for the siting of a mobile classroom unit.

Officers updated that, if approval was granted an additional condition was needed to require the applicant to provide a full time solution to the provision of the unit within 3 years of the approval. They also confirmed that no classroom accommodation had been utilised with the provision of the Children's Centre on the site in 2009.

RESOLVED: That the application be approved subject to the conditions listed in the report and the following additional condition:

3. Within 3 years of the date of this permission details shall be supplied to the Local Planning Authority of the proposed permanent replacement facility for the temporary building hereby approved. The required details shall include the size of development required, its location and scale, and the timescale for submission of a planning application and its implementation and construction. The development shall occur in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the opinion of the Local Planning Authority proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to visual and residential amenity. As such the proposal complies with Policies GP23 and ED1 of the City of York Development Control Local Plan.

**16i 46 Scarcroft Road, York, YO23 1NF (10/01427/FUL)**

Members considered a full application from Mr Richard Kay for the change of use from 3 flats to 1 dwelling house (use class C3).

Members stated that an application for change of use of a property in the city from flats to one family dwelling was welcomed.

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

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the loss of residential units, the impact on the character of the area, residential amenity and highway safety. As such the proposal complies with Policies GP1 of the City of York Development Control Local Plan(2005).

**16j 23 Clifford Street, York (10/01401/FULM)**

Members considered a major full application (13 weeks) from Mr M Swiers and MDW Hardy for the conversion of existing offices and the erection of 4 additional floors to create a 6 storey building comprising 7 two-bed units and 4 one-bed units (retrospective – amendments to scheme granted permission under ref: 06/00146/FULM).

Officers updated that an amended plan had now been received which addressed the issue of opening doors onto the balcony. It was reported that to make the application acceptable, in terms of air quality, the Environmental Protection Unit had requested that the development should have non-opening windows fronting Clifford Street. Officers also reported that, if approval were granted, Condition 8 should be amended to refer to the provision of 10% of the predicted energy requirements from on-site renewable resources rather than 5% and to require the provision of large scale details of the glazed extension.

Certain Members raised concerns at the changes proposed to the original scheme, which had been approved in 2006. Reference was made to the time taken to gain the sympathetic design for this scheme as the site had listed buildings on either side and was in a conservation area.

In answer to Members questions Officers confirmed that the issue of non opening windows on the frontage had previously been agreed by the Committee. Members indicated that it was intended to improve air quality in this area and they felt it was unfair to condition non opening windows, this should be the occupants choice.

Other Members confirmed that they understood the concerns at the proposed changes to the original scheme but that they now had to consider whether the amendments were acceptable. Officers considered that the amended scheme closely represented the intentions of the approved design.

RESOLVED: That the application be approved subject to the conditions listed in the report and the following additional and amended Conditions:

3. Large scale details (at 1:5 or 1:10 scale) of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the pertinent development and the works shall be carried out in accordance with the approved details.
  - a) to d) as detailed in the report
  - e) The glass extension to apartment 5.
8. Prior to occupation of the building hereby approved, details shall be submitted and approved in writing by the Local Planning Authority, to demonstrate how the development will provide at least 10% of the predicted energy requirements from on-site renewable resources. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority.
10. Deletion of Condition 10.
11. Amended Condition 11: Details of any required mechanical ventilation shall be submitted to and approved in writing by the Local Planning Authority and fully implemented in accordance with the approved details, before the use hereby approved is occupied.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the character and appearance of the Central Historic Core Conservation Area and the historic setting; - Archaeology; the amenity of future occupants and sustainability. As such the proposal complies with Policies GP1, GP4a, HE2, HE3 and HE10 of the City of York Local Plan Deposit Draft.

**16k Bank Guest House, 9 Southlands Road, York, YO23 1NP  
(10/01310/FUL)**

Members considered a full application, submitted by Brothers Property Ltd, for the change of use from a guest house (use class C1) to a house in multiple occupation (sui generis).

Councillor Gunnell, as one of the Local Members made representations on behalf of local residents in the area. She referred to problems of anti social behaviour, intimidation and rubbish, which had existed over a number of years in relation to the use of properties in Southlands Road for hostel purposes. Residents had also raised the issue of parking which they felt would increase with the proposed change of use. She asked that if approval was granted for the change of use that it should include a caveat

that the property would only be used as an HMO and not for short term letting or a hostel.

Members referred to the earlier site visit when neighbours had acknowledged that there had been no problems in the area since the applicant's purchase of the property in April. The applicants had known all the tenants and had also offered to provide neighbours with a contact telephone number to report any future problems.

Officers confirmed that an application for change of use would be required if the property was to revert to a hostel.

**RESOLVED:** That the application be approved subject to the conditions listed in the report.

**REASON:** In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the amenity of occupants of the host premises and surrounding properties, the residential character of the street and highway safety. As such the proposal complies with Policies H8 and GP1 of the City of York Development Control Local Plan.

**16I Land on corner of Tadcaster Road and Old Moor Lane, York (10/01305/FUL)**

Members considered a full application from Mr R Gorwood for a detached single storey dwelling with access from Old Moor Lane (revised scheme).

Representations in objection were received from the Secretary of Dringhouses and Woodthorpe Planning Panel. He confirmed that residents of Aldersyde Court, the flats to the north, would be badly affected by the proposals and referred to the number of letters sent in opposition to the scheme. He stated that the development contravened a number of planning policies as it did not contribute to the setting of the adjacent listed building and did not relate to its neighbours in terms of mass and design and would be detrimental to the amenity of neighbours.

Representations were also received from a representative of Aldersyde Court who referred to the number of elderly and retired residents and the adverse impact the development would have on their quality of life. He stated that residents spent much of their time either in their flat or garden and that the building would be over dominant and result in loss of light and overlooking due to its close proximity to the flats. He also referred to the difference in levels of the two sites and possible flooding issues.

Representations were also received from a further resident of Aldersyde Court who confirmed the points made by the earlier speaker. He pointed out that the only rooms, which did not face the site, would be bedrooms and that residents of the ground floor flats would face a brick wall and tiled

roof. He therefore requested Members to reject the application as the residents quality of life would be eroded.

Representations in support of the application were received from the applicant's agent. She referred to the Officers recommendation for approval, which had been made following consideration of all the issues raised. She stated that the development would not harm the setting of the adjacent listed building and that the reference to resident's loss of views over private land was not a planning issue. She confirmed that the bungalow would only be 2.5m in height with the pitched roof sloping away from the flats, which would not result in any loss of amenity for residents.

Councillor Holvey, as one of the Local Members, stated that he felt strongly that the application should be refused. On behalf of residents he went onto reiterate their concerns and the depth of feeling at the impact the development would have on the elderly residents quality of life.

Some Members referred to the planning guidelines in respect of distance between facing walls and the boundary hedge and due to the separation distances they felt that this would not unduly affect the residents outlook or amenity.

Following further discussion Councillor B Watson moved and Councillor Reid seconded that the application be refused on the grounds of its impact on the character of the area and, the detrimental impact on the amenity of adjacent residents. On being put to the vote it was

RESOLVED: That the application be refused.

REASON: It is considered that the proposed building would detract from the open character of the area by virtue of its incompatibility with the adjacent three storey development at Aldersyde Court. It would also adversely affect the amenity and living conditions of adjacent residents by virtue of its proximity and relationship to the main living accommodation within Aldersyde Court, resulting in an unacceptable loss of outlook.

As such the proposed development would be contrary to national planning advice contained within Planning Policy Statement 1: Delivering Sustainable Development (in particular paragraphs 5 and 34), Planning Policy Statement 3: Housing (in particular paragraph 16) and policies GP1, GP10, H4a and H5a of the City of York Draft Local Plan.

**16m 1 Main Street, Copmanthorpe, York, YO23 3ST (10/01159/FUL)**

Members considered a full application submitted by Mr Dearlove for the change of use from a shop (class A1) to a café/teashop (class A3).

Members pointed out that it had been noted at the site visit that no pavement existed on the site frontage, which required pedestrians to negotiate vehicles parked in the marked spaces to access the property. They expressed safety concerns over the access and requested a possible review of the Highway restrictions to provide a safe access to and from the premises.

RESOLVED: That the application be approved subject to the conditions listed in the report and the addition of the following informative:

**Removal of Parking Bay**

The applicant is recommended to discuss the possible removal of one of the roadside parking bays to allow easier access to and from the premises and in the interests of highway safety.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the character of the area, loss of amenity to neighbouring properties, highway safety or the loss of a local shop. As such the proposal complies with Policies HE3, S6 and S9 of the City of York Development Control Local Plan.

**16n The Old Coach House, Boroughbridge Road, Upper Poppleton, York, YO26 6QB (10/01344/FUL)**

Members considered a full application from Mr G Howe for first floor extensions to the side and rear, pitched roof dormers to the front and side, a porch to the front, conversion of the garage and external alterations to windows, doors and vehicle access.

Officers updated that if planning permission was granted two additional highway conditions and an informative were required. These related to junction widening and surfacing and agreement of details in relation to cycle parking.

RESOLVED: That the application be approved subject to the conditions listed in the report and the following additional highway conditions:

1. The development shall not be begun until details of the junction between the private drive and the highway and its surfacing which should be sealed and positively drained within the site, have been approved in writing by the Local Planning Authority, and the development shall not come into use until the junction has been constructed in accordance with the approved plans.

2. Prior to the development commencing details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

INFORMATIVE: You are advised that prior to starting on site consent will be required from the Highway Authority for the works proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway – Section 171/Vehicle Crossing  
– Section 184 – Stuart Partington (01904) 551361.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the character or the area, the character of the dwelling, neighbours residential amenity or the existing mature trees. As such the proposal complies with Policies NE1 and H7 of the City of York Development Control Local Plan, the Poppleton Village Design Statement and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

**16o 76 Beckfield Lane, York, YO26 5RJ (10/01422/REM)**

Members considered a reserved matters application by Daniel Gath Homes Ltd for the erection of 4 two-bed dwellings to which outline planning permission 09/02103/OUT relates.

Officers circulated an update (full details of which are attached to the online agenda for the meeting) in relation to issues raised since the agenda had been published, which included:

- A further five individual representations had been received, however the majority of issues raised had been covered by earlier correspondents;
- The principle of the development had been considered and approved when outline permission had been granted on 18 February 2010, and could not be reconsidered.

Members questioned a number of points, including:

- The area of the site;

- Dwellings would benefit from the addition of a porch to break up the frontage.

Following further discussion it was

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

REASON: In the opinion of the Local Authority 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 visual amenity of the wider street scene, impact upon on-street parking and traffic generation in the wider area and impact upon the local pattern of surface water drainage. As such the proposal complies with Policies GP1, GP4a), GP10, GP15a), H4a) and L1c) of the City of York Development Control Local Plan.

Councillor D Horton, Chair

[The meeting started at 3.00 pm and finished at 5.55 pm].

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**COMMITTEE REPORT**

**Date:** 16 September 2010      **Ward:** Holgate  
**Team:** Major and Commercial      **Parish:** No Parish  
Team

**Reference:** 10/01460/FULM  
**Application at:** English Martyrs RC Primary School Hamilton Drive York YO24 4JW  
**For:** Erection of school building with associated parking and landscaping, construction of multi-use games area following demolition of existing school building (resubmission)  
**By:** Dr J Whiston  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 11 October 2010  
**Recommendation:** Approve

**1.0 PROPOSAL**

1.1 The application is for the erection of school building with associated parking and landscaping, construction of multi-use games area following demolition of existing school building. The proposed school would be sited to the side/east of the present building. The site of the existing school would be used for vehicle parking and a fenced Multi Use Games Area (MUGA). Playing fields will be retained to the rear of the school, and landscaping to the east of the site is intended to increase the habitat potential of the site in addition to the outside classrooms. There would be landscaping to the front of the building including a sensory garden and two access points to the school, one for the pupils and one for visitors. The car park would be extended, and cycle parking for 90 cycles would be proposed. The existing school is a single storey building built in the 1960s with a recent extension. The extension would be retained to provide ancillary teaching space, a pastoral suite and music room.

1.2 The proposed two storey building would face onto Hamilton Drive and would be set further forward than the existing building. The proposed school would be built up in height to accommodate a void underneath the building. The undercroft is part of the flood mitigation measures of the site as the site is within a Flood Zone 3.

1.3 The site is set within a suburban residential area with dwellings to the east and west boundaries (there is also open space to the eastern boundary) and allotments to the north boundary. The existing school building is set back from Hamilton Road and partially screened by a row of mature trees and a hedge. The other boundaries are also marked by a mixture of fencing, mature trees and deciduous hedging. Holgate Beck runs parallel to the eastern boundary of the site. The existing building has been constructed on a plinth and is raised above the level of the playing fields and street, the rest of the site is level.

1.4 The intention is that the building will be constructed in a single phase and the existing buildings will be in use as school building during the construction process.

1.5 This application is a resubmission of a previous scheme that was withdrawn 2 July 2010. This application differs from the previous application in that compensatory flood measures have been submitted.

1.6 In addition to the plans and elevations the application is supported by the following documentation: -

- Community Involvement Statement
- Design and Access Statement
- Drainage Strategy and SUDS Statement
- PPS25 Sequential Test and Exception Test Report
- Flood Risk Assessment
- Acoustics Report
- Sustainability Report
- Site Waste Management Plan
- Ecological Appraisal for BREEAM Education
- Site Investigation Report
- Watching Brief Report on Geotechnical Trial Pits
- Bat Survey and Assessment
- Thermal Modelling Analysis and Compliance Report
- Archaeological Scheme of Investigation: Watching Brief
- Tree Survey Report
- Transport Assessment
- School Travel Plan Framework

## **2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

Floodzone 2 GMS Constraints: Flood zone 2

Floodzone 3 GMS Constraints: Flood zone 3

Schools GMS Constraints: English Martyrs' RC Primary 0196

2.2 Policies:

CYGP1  
Design

CYGP4A

Sustainability

CYGP9  
Landscaping

CYGP15  
Protection from flooding

CYNE7  
Habitat protection and creation

CYED1  
Primary and Secondary Education

CYGP3  
Planning against crime

CYGP11  
Accessibility

CYNE1  
Trees, woodlands, hedgerows

CYT13A  
Travel Plans and Contributions

### **3.0 CONSULTATIONS**

#### **INTERNAL CONSULTATIONS**

##### **HIGHWAY NETWORK MANAGEMENT - No objections**

- 3.1 90 cycle parking spaces accords with CYC standards and the vehicle parking space for staff of 44 spaces is considered to accord with CYC standards
- 3.2 Surveys undertaken by their transport consultants have shown that 44% of all school trips at Our Lady's and 49% at English Martyrs are currently undertaken by car. The predicted modal shares at the merged School are 55% car trips, 37% walking and 5% cycling. It is expected these figures will be improved upon however as their Green Travel plan initiatives are implemented.
- 3.3 A parking survey undertaken in February 2009 by the consultants showed 41 vehicles parked in the AM drop off period and 31 vehicles in the PM pick up period at our Lady's school. In the case of English Martyrs, the totals were 52 vehicles in the AM drop off period, together with 43 vehicles in the PM pick up. The analysis done by their transport consultants would suggest that an additional 82 car trips would be likely to the new School in the AM drop off period and 68 car trips in the PM pick up period.
- 3.4 An analysis of the operation of the Holgate Road / Hamilton Drive junction at both the current time and 5 years hence, shows that the junction would operate within capacity with the addition of the extra development traffic.

- 3.5 A study of personal injury accident records over the previous five years has shown there is no evidence to indicate that there are any inherent safety issues either in the immediate vicinity of the school or along the main roads used by pupils to access the School.
- 3.6 It is predicted that 5% of pupils will cycle to the merged school which is typical of existing schools in the City and higher than the national average of 1%. The existing English Martyrs School has recently been established as a " Bike It" site ( CYC and Sustrans partnership" and it is hoped to achieve a marked improvement in modal share as a result of this initiative.
- 3.7 The only real concern of highway officers with this development proposal is the extra parking likely to be experienced on Hamilton Drive at school starting and finishing times. The school, in partnership with the Council's travel plan officer, have produced a green travel plan document. The School has taken up the suggestion by highway officers that a monitoring group be established which includes representatives of staff, parents, governors and local residents to assess any difficulties arising from on-street parking and to look at ways these may be addressed.
- 3.8 The relocation of the School's pedestrian entrance further east along Hamilton Drive generates the need to re-examine the locations of the associated zig-zag markings, involving amendments to the associated traffic regulation order, the resisting of the speed table where currently pedestrian crossing movements take place and the positions of the pedestrian guardrail. It is recommended that no-waiting restrictions are also introduced around the junction of Hamilton Drive and Harlow Road (opposite the new School), in the interests of highway safety.
- 3.9 Requested the following conditions: HWAY 19, HWAY 9, HWAY14, HWAY17, HWAY 31, HWAY 40, HWAY 38, and a detailed method of works statement.

**STRUCTURES AND DRAINAGE - No objections**

**ENVIRONMENTAL PROTECTION UNIT - No objections**

- 3.10 Would like information conditioned including a Construction Environment Management Plan, hours of construction, details of all plant and machinery, lighting impact assessment, and contaminated land

**CITY DEVELOPMENT**

- 3.11 No objections, providing the issues of flood risk are appropriately managed and the requirements of Polices ED1 and GP4a are met

**SUSTAINABILITY OFFICER**

- 3.12 rating of 'very good' under the BREEAM scheme is a requirement of the IPS. The applicant has committed to undertaking the BREEAM assessment, but no indication is provided of the rating being aimed for.
- 3.13 Would encourage the applicant to achieve an 'excellent' rating under the BREEAM scheme as this is the benchmark which all Council developments should achieve. The new school is partly a Council development
- 3.14 Require the applicant to commit to the Institute of Civil Engineer Demolition Protocol or equivalent
- 3.15 The applicant must commit to a level of performance equivalent to that required by the Considerate Constructors Scheme, this information is lacking from the sustainability Report

**COUNTRYSIDE OFFICER - No objections**

3.16 Would like habitat enhancement conditioned.

3.17 Would like the pond made shallower in parts to allow for planting

**ARCHAEOLOGIST - No objections**

**LANDSCAPE ARCHITECT - No objections**

3.18 Would like the landscaping conditioned

EXTERNAL CONSULTATIONS/REPRESENTATIONS

**MARSTON MOOR INTERNAL DRAINAGE BOARD - No objections**

3.19 Holgate Beck a EA maintained watercourse

**ENGLISH HERITAGE - No comments to make on the proposal**

**POLICE ARCHITECTURAL LIASON OFFICER - No objections**

**ENVIRONMENT AGENCY - No objections**

3.20 The proposed development will only be acceptable if the following measure(s) undertaken are those detailed in the Flood Risk Assessment, drawings, and Drainage Strategy.

**YORKSHIRE WATER - No objections**

3.21 Would like conditions including no building within 3 metres of the sewer, foul and surface water drainage should be constructed in accordance with the submitted details

**SPORT ENGLAND - No objections**

3.22 The approach on this site would create a minor loss of playing field but would support a more diverse range of sports to be played n the site by virtue of the MUGA

3.23 A ground source heat pump is to be installed under the school playing fields, should be conditioned to ensure the playing field will be restored to the same of better quality

3.24 Would like a conditions for the following: to ensure facilities remain as accessible as present and timetable for implementation; design and layout of facilities, community use, works to the playing field.

**3 LETTERS OF OBJECTION**

3.25 Overlooking from the balcony/terrace to 74 Hamilton Drive East

3.26 The height of the proposed building

3.27 The traffic assessment states that the proposed development will increase the number of vehicles at the school by 82 cars at the am peak and 68 vehicles at the pm peak, an increase of 157% and 158% respectively, this is unsustainable based on the experience of the current situation. The measures to mitigate the increase in on-street parking are insufficient, and in the letter from the CYC Highways Engineer 19.03.2010 appear to query whether this can be implemented. He recommended a working group between the school and the

local residents to discuss the parking issues; objector would like to see this take place

- 3.28 In section 20 of the planning permission the applicant states that the operating times of the scheme will be between 08.00 to 16.30 Monday to Friday. This is incorrect the Design and Access Statement, the acoustic report and other supporting documents state that the scheme to provide sports and other facilities for community use. Without information on the operating hours, residents are unable to make an informed judgment on how they might be affected by noise and disturbance
- 3.29 Unauthorised access to the car park is also a concern. In order to prevent this and the resulting noise and disturbance would like assurance that the gates to the scheme would be locked when the facilities are closed.
- 3.30 The proposed design would be out of keeping with the prevailing character of the area. The exterior finish of the building will deteriorate quickly increasing the issue.
- 3.31 The increase in traffic congestion would exacerbate the existing parking problems. The travel report submitted by the agent states that the traffic congestion will cause problems at the road junctions, causing queuing traffic; further increase would cause further inconvenience. The report says that it would be difficult to provide the necessary controls to allow a two way flow of traffic. Appears to rely on the school and parents to provide the answers to traffic control, which is unlikely to be effective in the long term. The school has sent letters citing complaints made to the Police regarding the parking and blocking of driveways,
- 3.32 The published acoustic report concludes that the potential noise increase is not likely to cause significant disturbance, however it acknowledges that there will be an increased noise level. Question why new building has been sited in the closest position to local houses, could have been sited closer to the allotments
- 3.33 At the consultation meeting the information submitted with the application was not available

## 4.0 APPRAISAL

### RELEVANT SITE HISTORY

10/00643/FULM - Erection of school building with associated parking and landscaping after demolition of existing primary school building - Withdrawn

All other previous applications relate to the extensions and alterations to the existing school

### KEY ISSUES

- Educational Need
- Consultation
- Flood Risk
- Drainage
- Highways
- Impact of Design
- Sustainable Design

- Impact on Neighbouring Properties

## ASSESSMENT

### PLANNING POLICY

4.1 National planning policy contained within PPS1 'Delivering Sustainable Development', states that good design is indivisible from planning. Design which is inappropriate within its context, or which fails to take opportunities for improving the character and quality of an area or the way it functions should not be accepted. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.2 PPS25 Development and Flood Risk: This PPG explains how flood risk should be considered at all stages of the planning and development process. It sets out the importance of the management and reduction of flood risk in planning, acting on a precautionary basis and taking account of climate change.

4.3 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 GOYH.

4.4 The following policies within the Development Control Local Plan (DCLP) are considered to be relevant:-

4.5 Policy GP1 'Design' includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.6 Policy GP3 'Planning Against Crime' states that new development will be required, where deemed appropriate, to incorporate crime prevention measures to achieve: natural surveillance; secure locations for any associated car and cycle parking; satisfactory lighting; and provision of CCTV in certain locations.

4.7 Policy GP4a 'Sustainability' states that proposals for all development should have regard to the principles of sustainable development.

4.8 Policy GP9 'Landscaping' states that where appropriate development proposals will be required to incorporate a suitable landscaping scheme, and this must: be

planned as an integral part of the proposals; and include an appropriate range of indigenous species; and reflect the character of the locality and surrounding development; and form a long term edge to developments adjoining.

4.9 Policy GP11 'Accessibility', in order to achieve satisfactory access to new development planning applications will be required to demonstrate that suitable provision will be made for access and facilities for people with mobility problems sensory impairment and carers with children, including parking facilities and pedestrian routes to and from those parking facilities.

4.10 Policy GP15a 'Development and Flood Risk' states that there will be a presumption against built development (except for essential infrastructure) within the functional floodplain outside existing settlement limits.

4.11 Policy NE1 'Trees, Woodlands and Hedgerows' states that trees, woodlands and hedgerows, which are of landscape, amenity, nature conservation or historical value, will be protected.

4.12 Policy NE7 'Habitat Protection and Creation' states that Development proposals will be required to retain important natural habitats and, where possible, include measures to enhance or supplement these and to promote public awareness and enjoyment of them. Within new developments measures to encourage the establishment of new habitats should be included as part of the overall scheme.

4.13 Policy T13a 'Travel Plans and Contributions' Developments which meet the criteria set down in PPG13, or which are likely to employ more than 30 employees, or a residential site with more than 20 units, will be required to submit a travel plan including; modal split targets, time scales, measures and sanctions to be taken to meet these targets as well as measures to monitor the effectiveness of the plan.

4.14 Policy ED1 'Primary and Secondary Education' states that applications for new/extended primary and secondary education facilities will be granted permission providing that it would meet a recognised need; the proposed development is of a scale and design appropriate to the character and appearance of the locality; an area of open space and planning fields, sufficient to meet the needs of pupils is incorporated in the development; and where a development is capable of a joint or dual use for community benefit, this has been incorporated into the design.

#### EDUCATIONAL NEED

4.15 The proposal is for the merger of two schools at the above site. The merger would be between English Martyrs Primary School and Our Lady's Primary School. Both schools are under the authority of the Diocese of Middlesbrough. The agent has stated that the existing buildings for each school are not fit for the provision of modern education. Furthermore there are issues regarding asbestos, energy leakage, maintenance issues, internal environmental control, and access to parts of the buildings by virtue of the changes in levels and building defects. The agent states that another reason is that they have been unable to recruit new head teachers for these schools. At English Martyrs it is stated there are concerns regarding the

security of the students and the building. In addition the facilities at English Martyrs are considered to be limited for full inclusive education.

4.16 English Martyrs School currently has 204 pupils and Our Lady's Primary School has 211 pupils. The proposed school will have the capacity to accommodate 446 pupils. It is the intention to take 25% of its pupils on a non-faith basis, from the Holgate community. The age of the pupils would range from 3 to 12.

4.17 The agent has stated that it is the intention for a single phase of construction to avoid the existing English Martyrs School being decanted to temporary accommodation and for the minimum level of disruption.

### CONSULTATION

4.18 The pre-application consultation process was a series of meetings hosted by the school and architects with interested parties. Two evening public consultation meetings were undertaken at each school for interested parties in September 2009. The attendees were encouraged to give feedback which has been provided with the application. The applicant wrote to all those that had provided feedback stating if their comments had been taken into account and giving reasoning if they had not. A staff engagement meeting was also held for all the school staff. In addition 2 student meetings were held with 40 students and the architects, pictures were provided to the students and they identified that likes and dislikes.

### FLOODRISK

#### - **Alternative sites**

4.19 The application site, including the existing school is located within Flood Zone 3 (a)ii which is defined as non-functional floodplain in the CYC Strategic Flood Risk Assessment. The education use is classified as a 'more vulnerable' uses in the CYC Strategic Flood Risk Assessment and PPS25 and as such a Sequential test and Exception test are required.

4.20 The Sequential Test was carried out by the agent to identify other sites in lower flood risk areas. The land search was restricted to the western part of the city, as it is the current area from which the pupils travel to school. The following sites were considered:

- Site 1 - Former Lowfield School site, Dijon Avenue. approx 5.7 ha
- Site 2 - Our Lady's School, Windsor Garth.
- Site 3 - Council Depot, Beckfield Lane. The site is 0.4ha
- Site 4 - Manor School, Low Poppleton Lane. The site is 3.7ha
- Site 5 - York Northwest: British Sugar. The site 39.5ha

4.21 The main concentration of the pupils are located within 1600 metres of the Our Lady's and English Martyrs schools. The schools have a long standing relationship to the Holgate. In addition the schools have ties to the affiliated churches: English Martyrs Church is on Dalton Terrace, and the Church of Our Lady at Gale Lane.

4.22 The agent states that there is surplus spaces at a number of existing primary schools located in the western part of York, and therefore as part of the sequential test it was assessed whether a new primary school with 90 community spaces would have an effect on these schools. In addition the agent states that many of the sites assessed are identified for housing and as such could not be considered available by virtue of financial constraints on the Diocese.

4.23 Site 1 was not considered to be a suitable alternative, as the site was not considered to be large enough to accommodate the amalgamated school, (the size of the site was not submitted). In addition its location within a cul-de-sac may cause potential highway issues.

4.24 Site 2. It was considered that the site by virtue of its distance from the English Martyrs church would pose logistical issues for attendance at church and continuing the link with the community. In addition the land has been identified for housing development and as such the cost would be prohibitive. There are also a surplus number of school places in this area. In addition the site has been identified as a site to be taken forward to the next stage of the SHLAA (City of York Council Strategic Housing Land Availability Assessment report) for the provision of residential development as part of the LDF process. As such rendering the site economically unviable

4.25 Sites 3, 4, and 5 are located 1600 metres from the existing school and are set away from the main concentration of pupils and from the affiliated churches. This would also make the intention to take 25% of its pupils on a non-faith basis, from the Holgate Community difficult by virtue of the distance. These sites have also been identified for residential use and as such would exceed the financial constraints of the Diocese. For these reasons the sites were discounted. It is considered that this is a reasonable finding.

**- Exception Test**

4.26 Following on from the sequential test discussed above, if it is not possible, or consistent with wider sustainability objectives, for the development to be located in zones of lower probability of flooding, the Exception Test is applied. Paras D9 - D14 of PPS25 state the LPA must demonstrate that the development provides wider sustainability benefits to the community that outweigh flood risk, the development should be on previously-developed land or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously-developed land; and a FRA must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

4.27 Despite the floodzone the site is within, the agent has made the case that no other site is appropriate for this school and has submitted a sequential test demonstrating this (discussed in the section above). The sequential test and the supporting information and plans demonstrate that flood mitigation measures would be developed, in the form of the undercroft for flooding this is created by building the proposed school on a plinth. The existing school (which is also within flood zone 3) is set on a plinth and will be demolished together with the plinth and the proposed land levels will be just below the level of the car park would the same or just above the

ground level of the adjacent grass football pitches. The Environment Agency and the Structures and Drainage Team are satisfied that the proposed development would not increase the flooding elsewhere. In addition the surface water drainage scheme has taken into account the increase in hardstanding including the car park and the MUGA, and the scheme is considered to be acceptable by the Structures and Drainage Engineer.

#### DRAINAGE

4.28 Structures and Drainage are satisfied that the surface water drainage scheme is appropriate for the size of site. The current proposals include swales and basins, ponds and wetlands, rainwater harvesting, physical attenuation systems.

4.29 A Yorkshire Water sewer runs close to the site, however Yorkshire Water are satisfied that the proposed building would not impact on the proposed sewer. Yorkshire Water would like a condition placed on the planning permission, if granted, preventing any building or obstruction within 3 metres of the sewer.

#### HIGHWAYS

4.30 The vehicle and pedestrian access to the school has been separated. The existing vehicle entrance has been retained and the car park has been increased in size. The pedestrian access is from Hamilton Road, via the front elevation of the building. There is a separate access for the children to the side/east of the building and the access to visitors is via the main entrance to the front of the building, the graduated effect hardstanding guiding the pedestrian. No details of the covered cycle parking along the southern boundary fronting onto Hamilton Road have been submitted and therefore it is considered prudent to condition further details. The area would be partially screened but given its sensitive location further details of the appearance of the cycle storage are considered necessary.

4.31 Objections have been raised regarding the increase in traffic and the present parking issues within the street. The site is located to the north of Hamilton Drive West, approximately 400 metres west of the junction with Holgate Road. Hamilton Drive is a single carriageway road, 6 metres in width with pedestrian footpaths along both sides. The School lies within a 20mph zone and is traffic calmed. There are yellow zig-zag markings in front of the school gates. Waiting restrictions are in place on Hamilton Drive at two junctions to the west of the school, namely Collingwood Avenue and Beech Avenue.

4.32 44 Parking spaces are to be provided within the site including, 3 disabled parking spaces close to the office building. Covered cycle bays for 90 cycles will also be provided between the car park and the southern boundary. The number of parking spaces and cycle parking spaces are within the Council's standards and are considered to be acceptable.

4.33 Surveys were undertaken by the applicant's transport consultants and have shown that 44% of all school trips at Our Lady's and 49% at English Martyrs are currently undertaken by car. The predicted modal shares at the merged School are 55% car trips, 37% walking and 5% cycling. Highways Network Management

consider that the figures will be improved upon once the Green Travel Plan initiatives are implemented.

4.34 A parking survey undertaken in February 2009 by the applicant's transport consultants indicated 41 vehicles parked in the morning drop off period and 31 vehicles in the afternoon pick up period at our Lady's school. In the case of English Martyrs, the totals were 52 vehicles in the morning drop off period, together with 43 vehicles in the afternoon pick up. The analysis done by their transport consultants would suggest that an additional 82 car trips would be likely to the new School in the morning drop off period and 68 car trips in the afternoon pick up period. These numbers would be spread over the relevant time periods rather than all being present at any one time and as such the Highways Network Management team have not raised any objections.

4.35 The applicant recognises that these levels of on-street parking on occasions cause difficulties for the movement of traffic along Hamilton Drive, The applicant has put forward some suggestions for dealing with this issue these include:

- An occasional presence by the Police or civil enforcement officers who can offer appropriate advice where difficulties are found.
- The employment of a school crossing patrol warden, to operate near the school gates, providing safe crossing facilities for pupils.
- Additional part-time waiting restrictions to apply during school starting and finishing times.
- Raising awareness of the issue through the school newsletter.
- With the assistance of the school travel plan co-ordinator, use older pupils to carry out on street parking surveys of parking by parents, and publicise these findings in the school newsletter

4.36 The applicant has submitted an analysis of the operation of the Holgate Road/Hamilton Drive junction at both the current time and 5 years hence, shows that the junction would operate within capacity with the addition of the extra development traffic. Highways Network Management have not raised any concerns regarding the conclusion as they consider the majority of traffic movements to the School will approach from the direction of Green Lane, rather than Holgate Road.

4.37 Some concerns have been raised regarding the current and proposed levels of highway safety in the area. A personal injury accident records over the previous five years has shown there is no evidence to indicate that there are any inherent safety issues either in the immediate vicinity of the school or along the main roads used by pupils to access the School.

4.38 The information submitted by the agent predicts that 5% of pupils will cycle to the merged school which is typical of existing schools in the City and higher than the national average of 1%. The existing English Martyrs School has recently been established as a "Bike It" site (CYC and Sustrans partnership) and the intention is to achieve a marked improvement in modal share as a result of this initiative.

4.39 A concern of this development proposal is the extra parking likely to be experienced on Hamilton Drive at school starting and finishing times. The school, in

partnership with the Council's travel plan officer, have produced a green travel plan document however and the intension is to reduce car trips by promoting sustainable modes of transport by pupils. The School has taken up the suggestion by highway officers that a monitoring group be established which includes representatives of staff, parents, governors and local residents to assess any difficulties arising from on-street parking and to look at ways these may be addressed.

4.40 The relocation of the School's pedestrian entrance further east along Hamilton Drive generates the need to re-examine the locations of the associated zig-zag markings, involving amendments to the associated traffic regulation order, the resiting of the speed table where currently pedestrian crossing movements take place and the positions of the pedestrian guardrail. Highway officers recommend that no-waiting restrictions are also introduced around the junction of Hamilton Drive and Harlow Road (opposite the new School), in the interests of highway safety.

## DESIGN

4.41 The proposed two storey school building will have a central space with an east and west wing to either side of this space. The main entrance would front onto Hamilton Road. The recent extension to the existing school will be retained for a separate teaching space for music and a pastoral suite as well as supporting small group teaching.

4.42 The main entrance of the proposed school opens into a central 'heart space'. On the ground floor there are 7 classrooms to the east (including a nursery), to the west of the central space there is an administrative area, a double height assembly/sports hall and smaller hall separated by a movable screen, and a kitchen. Within the central space there would be smaller rooms presumably for small group teaching etc. The access to the first floor would be to the rear of the building. The first floor also has a central heart space with group rooms. To the east would be a further 8 classrooms with access to full-length balcony area along the eastern elevation. The balcony area is large enough for further outside teaching. To the west of the central area is the upper level of the sports/assembly hall, a plant room, office space, and a staff room with balcony to the front of the building.

4.43 The west wing that includes the assembly hall: is 53 metres in length, 10.8 metres in width; the height of this element would be a maximum of 8.7 metres. The external materials include block work to the ground floor and white render to the first floor. At ground floor level the assembly hall and smaller hall would have a large glazed area, which would provide access to the outdoor eating area (with shade sails) leading to steps down to the Multi Use Games Area (MUGA). There would be a balcony to the front elevation, to the front of the staff room.

4.44 The east wing at ground floor would be 62.3 metres in length, and 68 metres in length at first floor level. The height of this wing would be a maximum of 7.8 metres in height. The first floor would overhang the ground floor to the front elevation. The width varies, as there is a large balcony area along the full length of the eastern elevation. The balcony varies in width to accommodate areas for outside teaching. Each classroom, on both floors, has external access. The external materials to the ground floor would be reconstructed stone facing and different colour render to each

classroom. The first floor would be timber cladding; no indication has been given as to the materials to be used for the balustrades and handrail to the balcony area. It is considered reasonable to request details of the materials as a condition, if planning permission is granted

4.45 The central heart space has a roof that is taller than the east and west wings. The roof has a gentle curve from the front of the building to the rear. The roof would be partially screened by the walkways and handrails for maintenance access to the roof, which is not considered to contribute positively to the overall visual appearance of the building. The maximum height of this central area is 11.3 metres in height (not including the build up of the plinth, the height of the plinth is approx 1 metre above existing land levels)). The roof of this element creates a canopy to the front of the building over the full height glazed central elevation/entrance. The central area is set back from the east and west wings, although the canopy would extend further forwards than the west wing by approx 4.5 metres (8.7 metres from the central glazed) elevation.

4.46 The design of the building is eclectic with a lot of different elements; the design is of its time. The mixture of materials together with the variation in height of the different parts of the building creates visual interest. The front elevation is relatively narrow when viewed in context of the overall scale of the building and the impact of the side elevation would be limited on the streetscene. The proposed school is set back from the Hamilton Drive (west wing is set back 18 metres and the east wing is set back 7 metres) and this together with the proposed soft landscaping would mitigate the impact of the building on the streetscene.

- **External Areas and Landscaping**

4.47 The external areas provide include a fenced hardstanding MUGA, potential use for Basketball, Netball, and Tennis on the site of the original school building (the agent has submitted plans indicating that the this area will be reduced in height to the height of the surrounding playing fields and car park), two grassed football pitches to the rear of the site, and 44 space car park with cycle shelter between it and the southern boundary fronting onto Hamilton Drive. In addition there would be a sensory garden, and a nursery and play area to the front of the proposed school building. To the east of the building would be informal play spaces and outdoor seating areas that could also be utilised as outdoor classrooms (will have shade sails) and there would be a significant element of planting in this area, including allotment areas. The agent has stated that the flexible external learning environment follows the ethos of the 'Learning through Landscapes' organisation which aims to transform school grounds into educational spaces. To the north east of the site are two ponds that are for the surface water drainage of the site but also help to increase the habitat potential of the site.

4.48 Some trees will be felled, however most are not considered to be of significant amenity value and there are no tree preservation orders on the site, however the increase in planting and habitat is considered to outweigh the loss of the trees. The landscaping plans have been submitted they indicate very little detail, and there is some concern regarding damage to existing trees, it is considered that this can be overcome by a landscaping scheme condition. Connected to the landscaping is the

habitat creation and it is considered that this should also be conditioned, the agent has indicated that they are happy to comply.

4.49 The intention is for the site to be secure and the proposal includes substantial fencing to the boundaries of the site. A 2 metre high wire mesh fence is intended along each boundary, on the southern boundary the fencing would be to the north of the existing and proposed hedging. This type of fencing is visible on other schools in the York area. Whilst this fencing is a substantial height the nature of the fencing still allows views through the fencing and thus not creating a large blank impact within the streetscene. There would be primary and secondary secure fenced areas. The primary secure area would encompass the vehicle parking area and sensory garden. The secondary secure area would be the rest of the site, the area used by the pupils. A 3 metre high chain link sports fence would be sited around the MUGA and a 2 metres high timber board fence would enclose the pond and swale area. It is considered that the colour of the fencing be conditioned.

4.50 The Design and Access Statement states that there would be external lighting to the north and west elevations and lights under the east wing balcony, and a column light on the front elevation. The MUGA will not be lit and the car park will be lit via lighting columns. It is considered that the further details should be provided via a condition so no light disturbance to the surrounding properties is caused and also to prevent unnecessary lighting and light pollution in what is an open, green space within a suburban location.

4.51 The building footprint of the existing school building is 1263.4sqm, of this 140.6 sqm is to be retained as part of the new school and community space. The proposed building footprint will be 1492.1sqm Therefore there is a difference of 369.3sqm. Whilst the footprint of the building is larger than the existing, the outdoor facilities are not considered to have been significantly reduced. Sport England has not objected as the quality and variety of the facilities will be improved. In addition the intention is to improve the drainage of the eastern football pitch, following the construction of the ground source heat pump.

### SUSTAINABLE DESIGN

4.52 The Sustainability Statement has very little detail in how sustainability principles were designed into the building. The teaching areas would be naturally ventilated. The radiator and under floor heating will be provided by a high gas condensing boiler installation. Rainwater harvesting and a ground source heat pump are also intended. The design of the roof is a missed opportunity in terms of a green roof. In addition given the size of the site the scale of renewable technologies proposed is disappointing. The CYC interim planning statement for sustainable design and construction states for the development of this size (over 500m<sup>2</sup>) should demonstrate at least 10% of the energy demand can be met on-site renewables. It is considered that this can be conditioned is planning permission is granted.

4.53 The Sustainability Officer has expressed concern that whilst the applicant has committed to undertaking a BREEAM assessment, there is no indication what rating is being aimed for. A 'very good' rating is the minimum that would be expected on a building of this type although the Sustainability Officer would like the 'excellent' rating

to be encouraged as this is on Council land. There is no policy requirement for an 'excellent' rating and as such it is considered unreasonable to request this, also land ownership is not a material consideration.

#### IMPACT ON NEIGHBOURING PROPERTIES

4.54 The current school building is a single storey structure, and has little visual impact either within the street scene or to the dwellings to the south and west of the site. The new structure would be set to the east of the existing school on an open area of land and will be two storeys high. The structure in its siting and design will be much more visually significant to 74 Hamilton East, and 77 and 79 Hamilton Drive. The front elevation would face 77 and 79 Hamilton Drive and would significantly alter the outlook from these two dwellings. The distance between these dwellings and the proposed school building is 28 metres; in addition there would be some landscaping to the front of the proposed school. The distance is considered to be sufficient that the building would not be overbearing, it is not considered to result in a loss of residential amenity to the occupants of these dwellings

4.55 74 Hamilton East is to the east of the proposed school. There is a line of mature trees and shrubs along the boundary between the two, in addition to Holgate Beck. The school would be visible through the deciduous screening however by virtue of its education use and the school hours it is not considered to result in a loss of privacy to the users of the dwelling and garden. The distance between the proposed school building and the dwelling is 27 metres (measurement taken from the widest part of the proposed balcony). The proposed school building is to the west of the No. 74, however it is not considered to result in a significant loss of light above the existing (caused by the existing screening along the school boundary and the river bank), in addition the distance also mitigates the potential impact of the proposed building.

4.56 The objections raised by nearby occupants regarding the traffic issues have been considered in the highway section.

4.57 The lighting has been discussed in a previous section, lighting is intended along the eastern elevation and the parking areas as such further details of the lighting can be requested by virtue of a condition to make sure there is no light disruption to the surrounding dwellings.

4.58 The Environmental Protection Unit have not expressed any concerns regarding the noise emanating from the school and outdoor facilities, despite the increase in pupil numbers. Any noise would be during the day and unlikely to cause any undue disruption to the neighbouring dwellings. The school will be open during normal school hours and it is presumed that if it is open for community use then the school will be open on a night time. There is no lighting intended to the MUGA or football pitches and as such it is presumed this are would not be used on an evening and the community use would be contained within the school buildings and as such there would be no undue disruption from light or noise. In addition it is considered that it would be too restrictive to condition operational hours to the building, as this may restrict the community use of this facility.

## 5.0 CONCLUSION

5.1 The applicant/agent has demonstrated a need for the proposed amalgamated school. The proposed development is considered to be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces, and the character of the area. The playing fields and sports facilities will be improved and incorporated into the development, and the development is capable of joint or dual use for community benefit and as such complies with Policies ED1 and GP1.

5.2 Highway Network Management has concluded that the increased school role will generate an increase in traffic movements. Parental parking at the start and end of the school day will have some impacts however, in highway terms, it is expected that they can be largely mitigated and managed through the measures in the submitted Travel Plan and the following conditions.

5.3 The proposed building is within Flood Zone 3, it is considered that the details submitted regarding the flood mitigation measures and the surface water drainage are acceptable and would not cause flooding issues elsewhere. The outstanding details can be dealt with by a condition and as such the proposal is complies with Policies GP15a, the CYC Strategic Flood Risk Assessment, and PPS25.

5.4 In all other respect the details of the scheme, subject to appropriate conditions, are considered to accord with the requirements of local and national policies. Approval is recommended.

## COMMITTEE TO VISIT

### 6.0 RECOMMENDATION: Approve

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

Drawing Number WSP-1375-P-103 Revision T12 received 2 September 2010

Drawing Number 3822-10-PL01A received 9 July 2010

Drawing Number 3822-10-PL02A received 9 July 2010

Drawing Number 3822-10-PL03A received 9 July 2010

Drawing Number 3822-10-PL04A received 23 July 2010

Drawing Number 3822-10-PL05A received 9 July 2010

Drawing Number 3822-10 PL10 received 9 July 2010

Drawing Number 3822-10-PL11 received 9 July 2010

Drawing Number 2776.00001.16.001 Revision PL03 received 9 July 2010

Drawing Number 2776.00001.16.002 Revision PL10 received 25 August 2010

Drawing Number FL/002 Revision B received 2 September 2010

Flood Risk Assessment received 9 July 2010

Drainage Strategy and SUDS Statement received 23 August 2010

Drawing Number S2000 Revision T4 received 9 July 2010

Drawing Number S.2007 Revision P1 received 9 July 2010

Drawing Number S2032 Revision T3 received 9 July 2010;

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

2 TIME2 Development start within three years

3 VISQ8 Samples of exterior materials to be app

4 The development hereby approved shall be constructed to a minimum of BREEAM standard of 'very good'. No building work shall take place until a BREEAM Pre-Assessment Estimator (Design and Procurement Stage) is submitted to the Local Planning Authority documenting a 'very good' rating. A formal Post Construction assessment by a licensed BREEAM assessor shall be carried out and a copy of the certificate shall be submitted to the Local Planning Authority prior to occupation of the building. Should the building fail to achieve a "very good" BREEAM rating a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a "very good" rating. The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposal complies with the principles of sustainable development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction

5 No building work shall take place until details have been submitted and approved in writing by the Local Planning Authority, to demonstrate how the development will provide from on-site renewable energy sources, 10 per cent of the developments predicted energy requirements. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of the development. The site thereafter must be maintained to the required level of generation.

Reason: To ensure that the proposal complies with the principles of sustainable development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction

6 The foul and surface water drainage works shall be carried out only in accordance with the following plans and details:

Drawing number WSP-1375-P-103 Revision T12 received 2nd September 2010  
Drainage Strategy and SUDS Statement received 25 August 2010  
Flood Risk Assessment received 9 July 2010.

No development shall take place until there has been submitted and approved in writing by the Local Planning Authority the following details:

- Construction details of the storm water attenuation pond providing minimum 192.0m<sup>3</sup> storage volume to include overflow weir.
- Construction details of the secondary storm water attenuation pond providing minimum 56.0m<sup>3</sup> storage volume.

- Hydro-brake outfall manhole detail restricting surface water discharge to a maximum of 30.0 l/sec

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

7 HWAY14 Access to be approved, details reqd

8 HWAY40 Dilapidation survey

9 There shall be adequate facilities for the treatment and extraction of cooking odours from kitchens in the school. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason. To protect the amenity of local residents.

10 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible at any business, residential or hotel accommodation, shall be submitted to the local planning authority for written approval. These details shall include maximum ( $L_{Amax(f)}$ ) and average sound levels ( $L_{Aeq}$ ), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

Reason. To protect the amenity of local residents

11 Notwithstanding the submitted plans and prior to the commencement of the development hereby permitted full details of the method and design of external illumination for the site including light spillage calculations shall be submitted to and approved in writing by the Local Planning Authority. A full Lighting Impact Assessment for all proposals involving floodlighting, shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Impact Assessment shall include the following:

- o A description of the proposed lighting: number of lighting columns and their height, and proposed lighting units.
- o Drawings showing the illuminance levels (separate drawings for each item listed):
  - o A plan showing horizontal illuminance levels ( $E_h$ ), showing all buildings within 100 metres of the site boundary
  - o A plan showing vertical illuminance levels ( $E_v$ ), showing all buildings within 100 metres of the site boundary.
  - o A specification of the Environmental Zone of the application site, as defined in The Institution of Lighting Engineers' Guidance Notes for the Reduction of Light Pollution.
  - o A statement of the need for floodlighting.

Reason: In order to protect the amenities of neighbours and the character and appearance of the area from excessive illumination.

12 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscape and wildlife enhancement scheme which shall include the species, density (spacing), stock size, and position of trees, shrubs and other plants; seeding mix for wildflower areas, ground preparation, sowing rate, and mowing regimes where applicable, and other wildlife features. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority agrees alternatives in writing.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site, since the landscape scheme is integral to the amenity of the development.

13 Before the commencement of development, including demolition, site clearance, building, or other operations, including the importing of materials, installation of utilities, and/or any excavations, a method statement regarding protection measures for the existing trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include the following: details and locations of protective fencing to BS 5837 to be shown on a plan; phasing of works; site access during development operations; type of machinery/vehicles to be used (including excavators, delivery and collection lorries, and arrangements for loading/off-loading); parking arrangements for site vehicles; locations for storage of materials; location of site cabin and marketing cabin if applicable. It shall include construction details including the creation of formation levels and methodology of changes in surface materials within the crown spread or root protection area of existing trees.

The protective fencing line shall create exclusion zones that will be adhered to at all times during operations associated with the development. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, mechanical cultivation, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles, mixing of cement, disposing of washings, storage of fuel. Within the exclusion zone there will be no new trenches or pipe runs for utilities or drains, and no site huts et al.

The fencing shall remain secured in position throughout the construction process including the implementation of landscaping works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing. All contractor's staff on site shall be made aware of the content of the method statement and its gravity.

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area and/or development.

14 No development shall take place until full details of what measures for bat mitigation and conservation are proposed and have been submitted to and approved by the Council .

The measures should include :

- i. A plan of how demolition work is to be carried out to accommodate the possibility of bats being present.
- ii. Details of what provision is to be made within the new building to replace the features lost through the demolition of the original structure. Features suitable for incorporation for bats include the use of special tiles, bricks, soffit boards, bat boxes and bat lofts and should at least replace or substitute for what is existing.
- iii. The timing of all operations

The works shall be implemented in accordance with the approved details and timing unless otherwise approved in writing by the Council.

Reason - To take account of and enhance habitat for a protected species. It should be noted that under PPS9 the replacement/mitigation proposed should provide a net gain in wildlife value.

15 Prior to commencement of the development, an Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, precautions to be taken to ensure 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 materials, and the hours during which this will be permitted site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason. To protect the amenity of local residents and to ensure that the works are carried out in a safe manner and with minimum disruption to users of the adjacent highway.

16 Prior to the commencement of development on site details of the colour of the fences shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenities of the area

17 Prior to the commencement of the development a community use scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-school users/non- members, management responsibilities and include mechanisms for review. The approved scheme shall be implemented upon the development being brought into use.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with policy ED1 of the City of York Development Control Local Plan approved for development control purposes in 2005.

18 No building or other obstruction shall be located over or within 3 metres either side of the centre line of the sewer, which crosses the site.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

19 The development hereby permitted shall not come into use until the following highway works (which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works) have been carried out in accordance with the approved plans, or arrangements entered into which ensure the same.

- amendments to school keep clear markings
- re-siting of speed table on Hamilton Drive
- re-siting of pedestrian guardrail over school frontage
- no waiting restrictions at the junction of Hamilton Drive with Harlow Road;

Reason: In the interests of the safe and free passage of highway users.

20 In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken, and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21 HWAY18 Cycle parking details to be agreed

22 HT1 IN Height - 11.3

23 HWAY19 Car and cycle parking laid out

24 The outdoor classrooms situated to the east of the proposed school and on the first floor balcony shall only be used between 08.30 hours and 17.00 hours.

Reason: To protect the residential amenity of the occupants of the neighbouring dwellings.

25 The development shall not come into use until all existing vehicular crossings not shown as being retained on the approved plans have been removed by reinstating the road to match adjacent levels.

Reason: In the interests of good management of the highway and road safety.

26 HWAY9 Vehicle areas surfaced

## **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 principle of the proposal, design and landscape considerations, highway issues, impact on the amenity of the occupants of the surrounding dwellings, playing field provision and community use, drainage/flood risk, sustainability. As such the proposal complies with Policies GP1, GP3, GP4a, GP9, GP11, GP15a, NE1, NE7, T13a and ED1 of the City of York Council Development Control Local Plan, and national planning guidance set out in PPS1 and PPS25.

#### 2. HIGHWAYS 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). For further information please contact the officer named:

Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

#### 3. INFORMATIVE:

You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior ro works commencing.

#### 4. Environmental Protection Unit Informative

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".

a. 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.

b. 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.

c. 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.

d. There shall be no bonfires on the site.

**Contact details:**

**Author:** Victoria Bell Development Management Officer

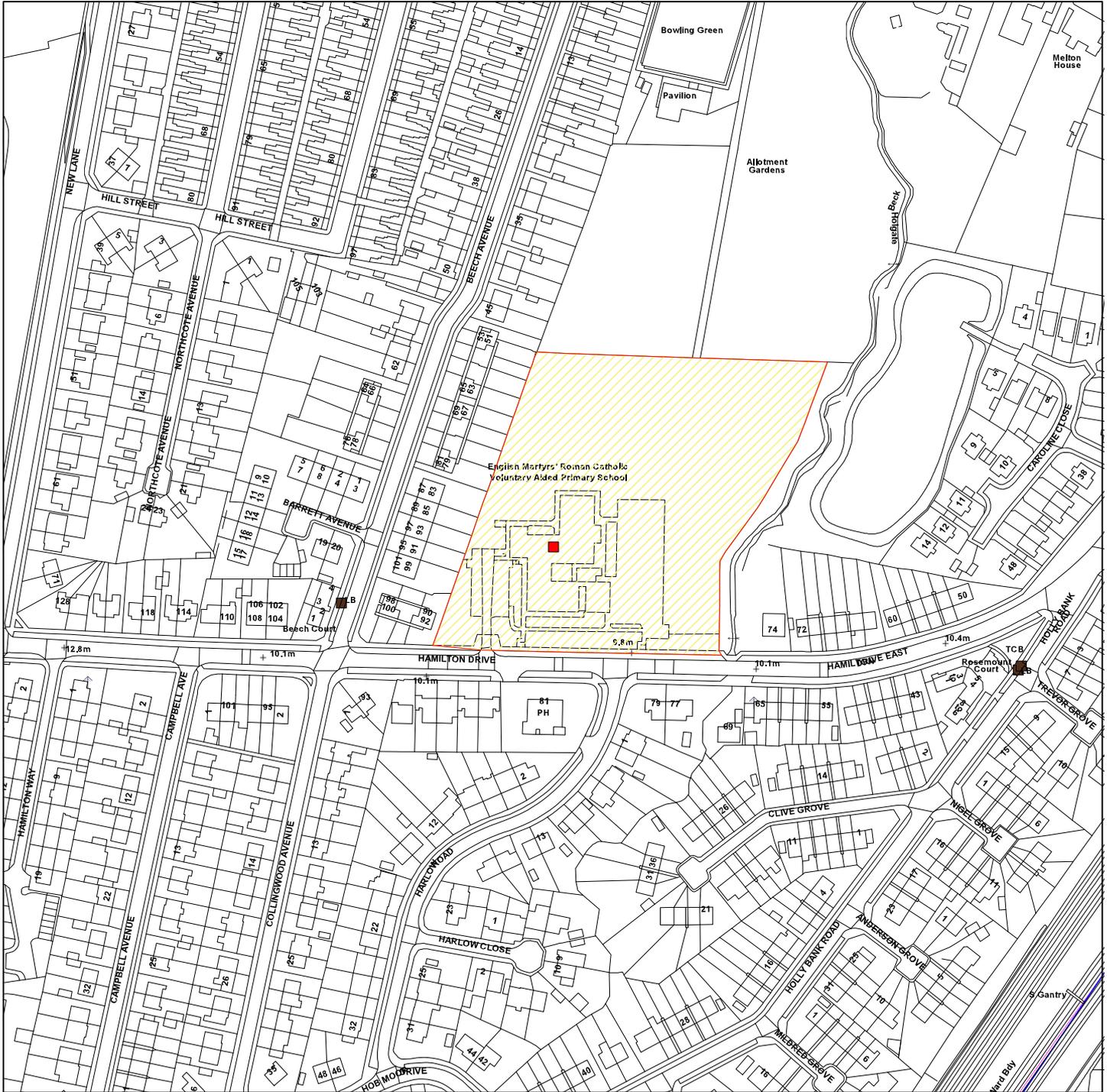
**Tel No:** 01904 551347

# English Martyrs RC Primary School, YO24 4JW

10/01460/FULM



GIS by ESRI (UK)



Scale : 1:2500

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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>	03 September 2010
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Date:** 16 September 2010      **Ward:** Guildhall  
**Team:** Major and Commercial      **Parish:** Guildhall Planning Panel  
 Team

**Reference:** 10/01391/FULM  
**Application at:** Catering Support Centre St Maurices Road York YO31 7JA  
**For:** Erection of 3 storey building and part retention of existing building to comprise 26 bed hotel with restaurant and associated car parking to rear of 4 Monkgate  
**By:** S A Properties  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 1 October 2010  
**Recommendation:** Refuse

**1.0 PROPOSAL**

1.1 The application relates to land between the City Walls and St Maurices Road, to the SE of Monkbar. The land presently accommodates a vacant row of predominantly single, part 2-storey brick buildings and a car park. The buildings were constructed at the turn of the C20, they were then extended/alterd after 1996, when permission was granted to use the buildings as a training centre. The site is within the Central Historic Core conservation area. There are a row of Ash trees along the NE edge of the site, the Ice House is located on the rampart to the city walls, which is grade 2 listed and designated as a Scheduled Ancient Monument, the public house to the NW is also grade 2 listed.

1.2 Planning permission is sought to introduce a 3-storey building onto the site that would accommodate a hotel and restaurant. Part of the existing building at the NW end would be retained (used as storage). The Ash Trees that run alongside St Maurices Road would be removed, and replaced with a dense row of Lime trees, that would screen the first floor level of the building. There would be car parking for 26 vehicles at the SE end of the site.

**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
- Scheduled Ancient Monuments GMS Constraints: SMR 30 City Walls Jewbury To Monk Bar
- Schools GMS Constraints: St. Wilfrid's RC Primary 0230

2.2 Policies:

CYV1      Criteria for visitor related development  
 CYV3      Criteria for hotels and guest houses

CYSP3	Safeguarding the Historic Character and Setting of York
CYHE2	Development in historic locations
CYHE3	Conservation Areas
CYHE4	Listed Buildings
CYGP1	Design
CYGP4A	Sustainability
CYNE1	Trees, woodlands, hedgerows

### **3.0 CONSULTATIONS**

#### **City Development**

3.1 Advise that the key issues are the loss of the employment site, the setting of the historic environment, the amenity of neighbours and sustainable development. Officers report that this location is appropriate for hotel development, however in accordance with policy E3b of the Local Plan, the applicants should demonstrate there are alternative sites available over the plan period, to compensate for the loss of employment land.

#### **Design, Conservation and Sustainable Development**

##### Design and Conservation

3.2 Officers do not support the scheme. It is considered it would have an unacceptable impact on the city walls, which are grade 1 listed, and the proposal by virtue of its design would detract from the appearance of the conservation area.

3.3 The open setting of the city walls would be removed by the proposed building, due to its volume and location. There would be an undue loss of views of the city walls. From the city walls the varied view of the surrounding townscape would be replaced, with views of the proposed building. Also this would have an adverse impact on the role of the city walls. The ice house would appear enclosed, and there would be a detrimental impact on its setting.

3.4 Advise that contemporary architecture can be accommodated in the Central Historic Core Conservation Area, however it needs to be in context, with connections to its place and time. Officers consider this scheme does not respect its context. Officers are unconvinced that integrating part of the existing brick buildings into the new building would be successful. The single storey building was constructed at the turn of C20; its merits lie in its symmetry and simplicity. Officers consider this would be lost by attempting to integrate it into the proposed new building, and the resultant building would be difficult to understand.

##### Landscape Architect

3.5 Officers advise the preference would be to retain the existing Ash trees onsite, which do not appear to be causing damage to existing buildings, and make a positive impact on the character of the area/setting.

3.6 Officers consider the scheme for replacement planting; a row of trees that would screen the proposed building would be of a lesser amenity value. Any replacement scheme would preferably similar to the existing situation, retaining views beyond, of the building(s) behind and the city walls. The design officer also shared the opinion that the formal structured landscape approach proposed would be inferior to the existing arrangement.

Sustainability officer

3.7 Advise that policy requires a BREEAM 'very good' rating for the building and that 10% of the energy demand for the proposed building is from renewable resources. The expected demand for energy from the building, and the amount that would be generated by on-site renewable energy, and how the energy would be generated has not been clarified.

Archaeology

3.8 Object to the application submitted as there is no Statement of Significance (SoS) dealing with the below ground heritage assets, the information in the supplied supporting statement does not provide the necessary information to make an informed decision on this application.

3.9 In order to produce an adequate SoS there must be a desk-based assessment which sets the site in its archaeological context and an archaeological evaluation of the site which identifies the date, character, and significance of the archaeological deposits on the site. Neither a desk-based assessment nor an archaeological evaluation have been carried out. Therefore there is insufficient information which can be used to produce an SoS and a Mitigation Strategy which would address how the significance of the deposits on this site can be preserved.

### **Environmental Protection Unit**

3.10 No objection. Ask for details of:

- Any plant and equipment to be installed, in the interests of noise impact.
- Noise insulation for the rooms facing onto the road.
- How cooking smells/odour would be dealt with.

3.11 It is asked also that times of delivery be restricted to daytime hours, a construction management scheme be provided, including times of construction. There are no records of contamination at the site though an informative is requested in case unexpected contamination were found.

### **Highway Network Management**

3.12 Ask for details of the servicing, how, when and to what extent it would occur. Officers advise that they would want servicing to occur within the site, and not have vehicles parked on the highway, as the street is busy, used by public transport and emergency service vehicles. Clarification on the car parking spaces is also requested as on plan some are not large enough (need to be 4.8m length) and there is

inadequate space for manoeuvring into some of the spaces on the layout shown. There are no details of staff cycle parking facilities. Spaces should be covered and secure, with the amount required dependent on staff numbers (which have not been supplied).

### **Guildhall Planning Panel**

3.13 Object to the scheme. On the following grounds:

- Too close to city walls, impact on views of, and from city walls.
- Design and materials inappropriate for this location.
- No outdoor cycle parking/storage space.

### **Conservation Areas Advisory Panel**

3.14 Strongly object. Do not feel the location is appropriate for the development proposed. Consider the scheme has no regard to, and would unduly detract from the setting of the city walls. It is suggested only single storey may be appropriate on this site.

### **Police Architectural liaison Officer (ALO)**

3.15 Police statistics show that crime and anti-social behaviour in the area is particularly high, of note graffiti and car crime.

3.16 Advise that no details of crime prevention measures have been supplied. Officers would like to see crime prevention measures with regards prevention of crime in the building and within the car park. Suggestions include:

- Lighting and surveillance of car park.
- CCTV to main entrance and vulnerable areas of the hotel.
- Secure windows.
- Secure covered cycle storage.

### **York Civic Trust**

3.17 Object to the scheme. The city walls have the status of being a Scheduled Ancient Monument. They are of national importance and are a defining feature of the city. It is considered the proposed building is inappropriate to its setting in that it would detract from the setting of the city walls, Monkbar and the conservation area in general. Views of and from the city walls would be lost.

### **Publicity**

3.18 Ten letters in objection received. Grounds for objection are as follows:

- Impact on the historic setting as a consequence of removing views of the city walls and a loss to the open character of the area. Subsequent detrimental impact on the city as a whole and its economy.

- The architecture is not appropriate to York in general and in particular this part of the city. The building's scale means it would appear overdominant.
- Noise due to traffic and deliveries.
- Impact on highway network and ability of emergency services to operate. The road is already occasionally blocked by vehicles, including coaches, due to the Monkbar Hotel opposite.

## **4.0 APPRAISAL**

### **4.1 Key issues**

- Principle of the proposed development
- Impact on the historic setting
- Sustainability
- Highway network management
- Crime prevention

### **Principle of the proposed development**

4.2 The buildings at the application site were formally used as a training centre and are within the city centre area, as defined in the Draft Local Plan (DLP). The former use is (under the use classes order) classed as a 'non-residential institution' rather than an employment use. As such policy E3b of the Local Plan, which relates to the loss of employment land, does not apply. The proposed use fits with national policy contained in PPS4: Planning for Economic Growth. PPS4 defines economic growth as development that either provides employment opportunities, generates wealth, or produces or generates an economic output. PPS4 (and also policies V1 and V3 of the DLP) seeks to direct economic growth and main town centre uses to existing centres. Re-use of vacant sites is also welcomed. To this extent the proposed use is compliant with policy. However the objectives established in PSS4 advise that economic growth must be sustainable and promote the vitality and viability of town centres. In order to do so, PPS4 recognises that historic, archaeological and architectural heritage needs to be conserved. Policy EC10 of the PPS also advises that in determining applications for economic development, a material consideration is whether 'the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions'.

### **Impact on the historic setting**

4.3 PPS5: Planning for the Historic Environment advises that the Government's overarching objective, as established in PPS5 is that heritage assets should be conserved. To deliver sustainable development, policies and decisions affecting heritage assets are to be informed by the importance of the heritage asset affected. Policy HE9 of the PSS advises that the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. In order to allow harm, there must be clear and convincing justification, and significant loss, or harm to grade 1 or grade 2 star listed buildings should be wholly exceptional. PPS5 advises that LPA's should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic

environment. The consideration of design should include scale, height, massing, alignment, materials and use.

4.4 PPS1: Delivering Sustainable Development states that it is the Government's objective to "ensure high quality development through good and inclusive design" and "design which is inappropriate to its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted". Relevant companion guidance to an historic site such as this would be the CABE / English Heritage Design in Context document. The guidance advises that a successful project will: respect the geography and history of the place, and lie of the land; sit happily in the pattern of the existing development; respect important views; respect the scale of surrounding buildings; use materials that are of as high a quality as those used in existing buildings; create new views and juxtapositions which add to the variety and texture of the setting.

4.5 Policy SP3 of the DLP: Safeguarding the Historic Character and Setting of York advises a high priority will be given to the protection of the historic character and setting of York. When considering planning applications the Council will seek to protect of key historic townscape features, particularly in the city centre, that contribute to the unique historic character and setting of the city.

4.6 Policy HE2 states that within conservation areas, or locations which affect the setting of listed buildings development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regards to local scale, proportions, details and materials. Proposals will be required to maintain or enhance existing urban spaces, views, landmarks and other townscape elements, which contribute to the character or appearance of the area.

4.7 Officers consider the proposed scheme is unacceptable, it would fail to comply with the aforementioned design policies and have a detrimental impact on the historic setting.

4.8 Due to a combination of the height, shape and width of the building, and its proximity to the City Walls and the Ice House (both listed buildings and Scheduled Ancient Monuments) the proposed building would significantly detract from the setting of these buildings. The key historic townscape features and unique historic setting polices SP3 and HE2 of the DLP specifically seek to protect would suffer an adverse impact. The open character of the site, public views of the city walls from the east side of St Maurices Road would be lost along with vistas from the city walls of the varied townscape beyond, in exchange for views of the proposed building.

4.9 The overall form of the building, its horizontal emphasis, scale / massing and detailing, would make it appear out of scale and character with the established appearance of the conservation area setting. The scheme pays no regard to its context and is not of any outstanding design quality to justify allowing such a development when it would have an adverse impact on the surrounding heritage assets. In addition to the concerns established in 4.8, plant rooms are proposed on the NW corner of the building, resulting in a substantial area of the exterior of the building that would be finished in louvred grills. These would be adjacent the Ice House, within 12m of the city walls and evident in views from Monkbar, beyond the

public house's beer garden. This part of the building, and the north end elevation, would appear visually overbearing and out of character with the existing townscape.

4.10 It is proposed to remove the row of Ash trees which line St Maurices Road. The Ash trees would be replaced with Lime trees which would be cut in an ordered manner, forming a screen between the proposed building and the road. The replacement trees would appear alien in the street scene, due to their formal/uniform appearance. Policy NE1 of the Local Plan seeks to protect trees which are of amenity or historic value. It requires that when it is proposed to remove such trees, appropriate re-planting take place. It is considered the proposed development would not achieve such.

4.11 The site is within the city centre area of archaeological importance as such HE10 is relevant. The policy seeks to preserve important archaeological remains. PPS5 requires that where an application site includes heritage assets with archaeological interest, at least an appropriate desk-based assessment will be required. No details of archaeology have been supplied.

### **Sustainability**

4.12 It is a requirement of policy GP4a of the Local Plan that a sustainability statement is submitted with development proposals. The development should meet the requirements of the Council's planning guidance Interim Planning Statement (IPS) on Sustainable Design and Construction. This development would according to the IPS be required to achieve a BREEAM rating of 'very good' and provide at least 10% of its energy demand from on-site renewable resources. The preferred options supplied in the application are either a ground source heat pump or roof panels. In this case, further clarification is required on the final approach for renewable resources, as a ground source heat pump could have significant implications for archaeology, whilst the visual impact of the solar panels (how many would be required\_) needs assessment due to the proximity of the building to the city walls.

### **Highway network management**

4.13 Policies V1 and V3 of the DLP, which relate to visitor related development, require that such developments have adequate servicing arrangements, are accessible by public transport and have an acceptable impact on the public highway. PPG13: Transport seeks to promote alternative means of transport to the private car, as does York's Local Plan.

4.14 The site is in a sustainable location, being within the defined city centre. However there are concerns over servicing arrangements and the subsequent impact on the public highway and no details of the amount or location of cycle parking have been provided. Further information is required to demonstrate vehicles servicing the proposed building could do so from within the site. Due to the size of the car park area, this could occur onsite. However the layout of the building locates all the service/storage areas at the opposite side of the building, which gives concern that servicing could have an adverse effect on safety.

### **Crime prevention**

4.15 GP3 advises that crime prevention is a material planning consideration and identifies measures which should be considered in developments in order to create safer environments.

4.16 This development itself would aid crime prevention in that it would lead to increased levels of natural surveillance that would deter criminals. Other measures such as CCTV and lighting could be secured through condition if necessary.

## **5.0 CONCLUSION**

5.1 The building proposed would not respect its context and have an undue adverse impact on the historic character and setting of the city, in particular over the city walls which are of the utmost importance, being listed at Grade 1. There are also concerns, due a lack of information, over the proposed servicing and any subsequent impact on highway safety, the approach to cycle parking, and sustainable energy generation and any subsequent impact on heritage aspects. As such refusal is recommended.

### **Committee to visit**

## **6.0 RECOMMENDATION:** Refuse

1 The proposed building due to its design, scale, height and proximity to the Grade one listed city walls and the grade two listed ice house, both of which are Scheduled Ancient Monuments, would have a significant detrimental impact on the setting of these protected buildings.

As such the proposed development would be contrary to national policies PPS1: Delivering Sustainable Development, PPS4: Planning For Sustainable Economic Growth (in particular paragraph 10), PPS5: Planning for the Historic Environment and of the Draft Local Plan policies SP3, GP1, HE2, HE3 and HE8.

2 The proposed building, due to its footprint, size, shape, detailing and materials would appear out of scale and out of context with its setting. Furthermore the proposed removal of existing trees and the replacement row of Lime trees along St Maurices Road would result in the loss of trees which make a positive impact to the visual amenity of the area and setting, whilst the proposed scheme for replacement would, due to the uniform layout, appear out of place.

As such there would be a detrimental impact on the character and appearance of the Central Historic Core conservation area, contrary to national policies PPS1: Delivering Sustainable Development, PPS4: Planning For Sustainable Economic Growth and PPS5: Planning for the Historic Environment and of the Local Plan, policies SP3, GP1, HE2, HE3 and HE8.

3 Inadequate details have been provided on the servicing arrangements for the proposed use. Due to volumes of traffic and the type of traffic that uses St Maurices Road (i.e. buses and emergency service vehicles) there is the potential that the proposed use could lead to obstruction of the highway that would have an unacceptable adverse impact on highway safety, contrary to policies V1 and V3 of the

Draft Local Plan.

4 The site is within the city centre area of archaeological importance and inadequate information has been supplied that demonstrates important archaeological remains will not be unduly destroyed. In particular due to the footprint of the proposed building and as a ground source heat pump has been identified as a preferred source of sustainable energy. As such the proposal is contrary to PPS5: Planning for the Historic Environment and policy HE10 of the Draft Local Plan.

## **7.0 INFORMATIVES:**

### **Contact details:**

**Author:** Jonathan Kenyon Development Management Officer  
**Tel No:** 01904 551323

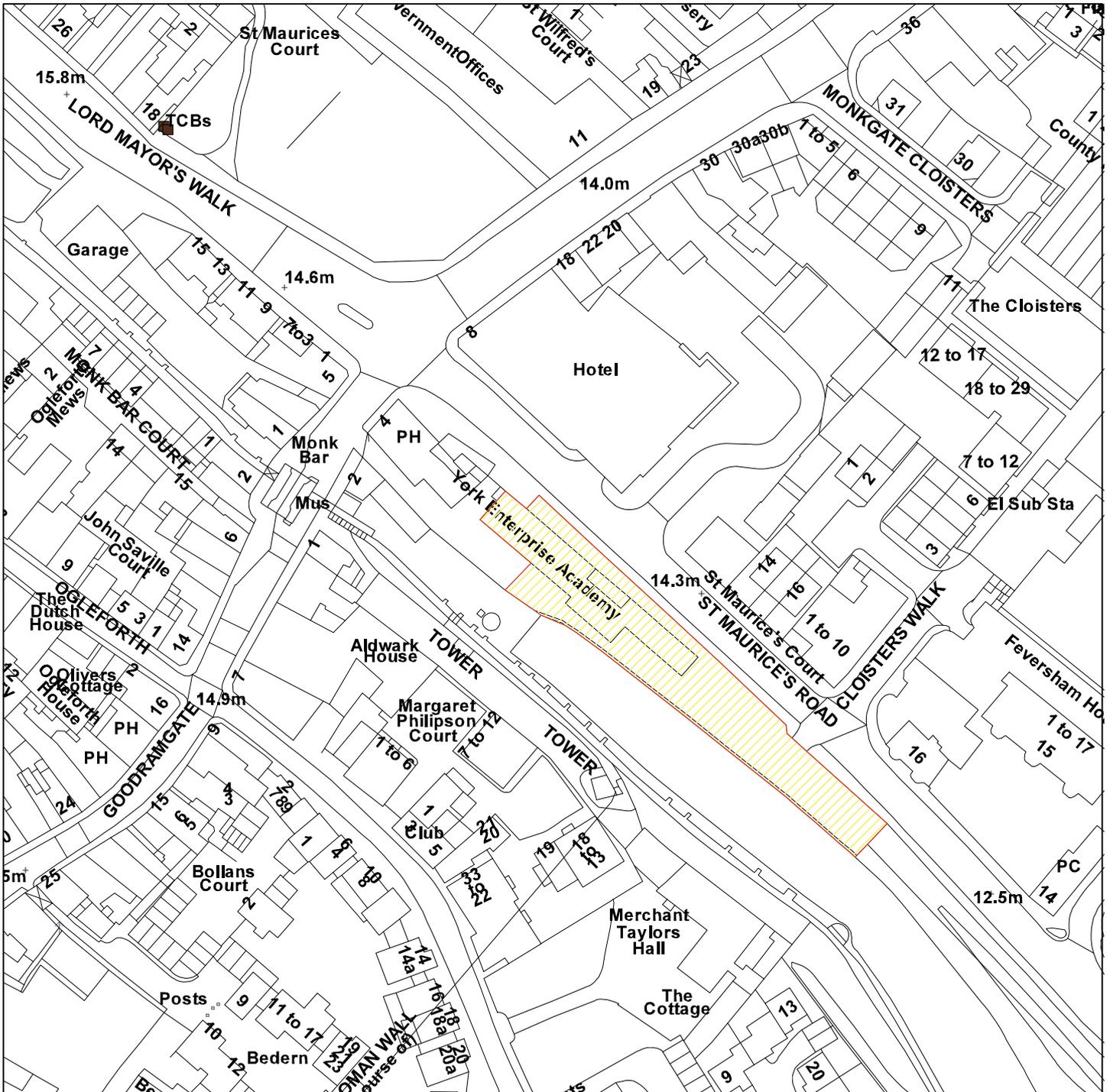
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# Catering Support Centre, St Maurices Road

10/01391/FULM



GIS by ESRI (UK)



Scale : 1:1250

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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>	03 September 2010
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Date:** 16 September 2010      **Ward:** Micklegate  
**Team:** West/Centre Area      **Parish:** Micklegate Planning Panel

**Reference:** 10/01011/FUL  
**Application at:** Temporary Houseboat Mooring Terry Avenue York  
**For:** Temporary mooring for a residential house boat to the south of the entrance to Rowntree Park Caravan Site  
**By:** Mr Richard Musk  
**Application Type:** Full Application  
**Target Date:** 19 July 2010  
**Recommendation:** Approve

**1.0 PROPOSAL**

1.1 The application is for temporary planning permission (of at least three years) for a mooring and storage of a houseboat. The location of the mooring is on the west side of the River Ouse, by the Caravan Park where Terry Avenue runs south toward Rowntree Park. This site is in the green belt and the New Walk Terry Avenue conservation area.

1.2 Although yet to be implemented, a temporary permission (until July 2012) has already been given for a houseboat (the MV Cormallen) and mooring in this location (09/00596/FUL). As such, should both permissions be implemented, there would be two houseboats at the shared mooring. The boats would be held in position by three steel piles and an access ramp is required between each houseboat and the top of the riverbank.

1.3 The houseboats were formally located around 200m north of the application site, at Bishops Wharf, outside Waterfront House. The houseboats seek to relocate due to an increase in annual rent.

**2.0 POLICY CONTEXT**

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006  
Conservation Area Central Historic Core CONF

2.2 Policies:

CYSP3	Safeguarding the Historic Character and Setting of York
CYNE2	Rivers and Stream Corridors, Ponds and Wetland Habitats
CYNE8	Green corridors
CYHE3	Conservation Areas
CYGP1	Design
CYGB1	Development within the Green Belt
CYL4	Development adjacent to rivers

### **3.0 CONSULTATIONS**

#### **Design, conservation and sustainable development**

3.1 No objection. The application site is close to the built-up stretch on the west bank, southwards towards the tree-lined area in the vicinity of the caravan park. The river is wide in this location, being beyond the confluence of the Foss and Ouse; and the presence of some boats, for recreational or residential purposes, would add to the special character of the riverside here without preventing general access to the riverbank. Officers ask that further details of the associated works are supplied should the application be supported.

#### **Highway Network Management**

3.2 No objection.

#### **British Waterways**

3.3 No objection. Advise the applicant would need to obtain relevant consents from British Waterways.

#### **Environment Agency**

3.4 Ask for the following, which can be secured by condition if necessary - flood warning and evacuation plan to be submitted for approval, and the gangway to be installed as shown on the supplied plans.

#### **Micklegate Planning Panel**

3.5 No objection in principle and wish to encourage the use of the river; however, ask that appropriate steps have been taken to ensure that navigation will not in general terms be affected by the location of this houseboat.

#### **Publicity**

3.6 The deadline for comments was 24.8.2010. One objection has been made. It is considered the proposed development would be an eyesore. The objector was of the opinion that the Council had ruled that no more moorings would be permitted planning permission on this stretch of the river.

### **4.0 APPRAISAL**

#### **Key issues**

4.1 The key issue in this case is the visual impact of the scheme, with regards to whether it is appropriate development in the green belt, the impact on the conservation area and the waterway setting.

## **Relevant planning policy**

4.2 National policy established in PPG2: Green Belts advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. PPG2 lists the types of development that is acceptable in the green belt (these are re-iterated in policy GB1 in the Local Plan). Other development is deemed inappropriate, which is by definition harmful to the green belt, and should therefore not be granted planning permission. Inappropriate development may only be approved when the applicant can demonstrate 'very special circumstances', that outweigh any harm to the openness of the green belt.

4.3 The site is within the New Walk/Terry Avenue conservation area. The conservation area includes the river walkway from Skeldergate Bridge south to the Millennium Bridge on the west side of the river. The area is characterised by the relationship between the natural form of the river and the landscapes which border it, and the way the river opens out onto the Foss Basin to the north and Fulford Ings to the south. In the area where the mooring is proposed the tree-lined recreational pedestrian/cycle route along the river is referred to as contributing to the character of the conservation area. Local Plan policy HE3 states that within conservation areas, proposals will only be permitted where there is no adverse effect on the character or appearance of the area.

4.4 The site is regarded as being within a green corridor. Such areas are discussed in policies SP3 and NE8 of the Local Plan. Policy SP3: Safeguarding the Historic Character and Setting of York advises a high priority will be given to the protection of the historic character and setting of York, which includes environmental assets and landscape features, including the river corridors and green wedges which run into the heart of the city from the surrounding countryside. NE8 also seeks to protect these features from development and advises that planning permission will not be granted for development which would destroy or impair the integrity of green corridors.

4.5 L4 relates to development adjacent rivers. L4 states that planning permission will only be granted for development adjacent to rivers where there would be no loss to established recreational interests and uses, the proposed development would complement the existing character of the area and the navigational capacity of the river would not be decreased.

## **Impact on the green belt**

4.6 The proposed houseboat is a residential use. Such development is, according to policies PPG2 and GB1 inappropriate, which is by definition harmful to the green belt. The area is also within a green corridor, where the green belt runs north from Nun Ings, along the river, past Rowntree Park, terminating in line with Lower Ebor Street / Blue Bridge Lane, where the river forks into being the Ouse and the Foss. The introduction of features, that have an urbanising effect on this area would be contrary to policies SP3 and NE8 of the DLP.

4.7 Due to the size of the houseboat and its proposed mooring (steel piles around 6.2m higher than summer water level, 1.5m higher than top of river bank, and

gangway) there would be a harmful effect on the openness of the green belt, in particular in views from the east side of the river. As such it has to be considered whether special circumstances exist, which outweigh the harm to the openness of the green belt.

### **Whether special circumstances can be demonstrated**

4.8 The applicants advise that rents at the existing site (Bishop's Wharf) have increased from £2,700 to £5,400. This is a significant increase and has already led to relocation of the other houseboat formerly at that site (MV Cormallen). Both houseboats have been located in the city for sometime. As there are no other permanent moorings available in the city, they have essentially been made homeless. Permission for a temporary basis has been granted for the MV Cormallen to relocate to this site and it is asked that the MV Earnest, the subject of this application, can relocate also.

4.9 There are no plans for dedicated sites on the River Ouse but city development officers are working towards providing such facilities on the River Foss. Officers consider that the circumstances the applicants find themselves in amount to special circumstances. In weighing these against the effect on the openness of the green belt, the special circumstances are deemed to outweigh the identified harm, in particular as only a temporary consent is required, and the site can be restored afterwards, and should the other consent for a temporary mooring be implemented (09/00596/FUL) then the visual impact on the green belt, of this scheme alone, would be limited.

### **Impact on the setting**

4.10 The character of this part of the conservation area is discussed in 4.3. The relevant policies of the DLP, HE3, SP3, NE8 and L4 all require a sympathetic approach to development in this area. It thus needs to be considered whether the proposed mooring and houseboat complements/is in character with the area, or whether its introduction detracts from the area's appearance.

4.11 Conservation officers' advice is that a limited introduction of moorings in this particular area would generally be acceptable, where the river is wider. However in officers' opinion considering the cumulative impact of two houseboats (one 18m long, the other 22.5m), and the requirement for steel piles which would be 6.2m above the summer water level, there would be a material impact on the character of the area. As such it is deemed that granting permanent permission would be inappropriate as there would be a detrimental impact on the character of the area, contrary to SP3, NE8 and HE3 of the DLP.

4.12 The proposal is deemed to comply with policy L4 as on the west side of the river, only the gangway would connect the houseboat to the riverbank. There is no evidence that wildlife would be adversely affected, there would be some loss of space from where recreation (fishing in this case) would be affected, however there are adequate alternatives, and the walkway and cycle way along the river would not be affected.

### **Navigational capacity of the river**

4.13 Consent is also required from British Waterways, whom would consider safety and navigation of the river. The Local Planning Authority has no credible evidence that this scheme would have any adverse impact on navigation of the river.

## 5.0 CONCLUSION

5.1 Officers consider that the visual harm caused to this part of the green belt/green corridor is outweighed in this case as only a temporary permission is sought and given the special circumstances of the applicants. A temporary consent would be appropriate, considering Circular 11/95 guidelines, because the applicants have specifically volunteered this intention and as it is expected that the planning circumstances will change by the end of the temporary period, as it is an aspiration of the Council to provide alternative, more appropriate mooring facilities in the city.

## COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 Approved plans - Piled mooring approach shown on drawing dated 9/7/09.

2 TEMP2 ITemporary consent for use - 01.10.2013

3 Within 6 months of the expiration of this consent the mooring (piling/gangway and any ancillary additions) shall be fully removed.

Reason: To preserve the appearance of the setting, which is in the green belt and the conservation area.

4 Large scale details of the gangway (1:20 scale) and how it is fixed to the riverside and the colour finish to the gangway 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: To preserve the appearance of the setting, which is in the green belt and the conservation area.

5 No ancillary equipment shall be stored on the riverbank unless justification and details of such are supplied to and approved in writing by the Local Planning Authority and the development carried out in accordance with the approved details.

Reason: To preserve the appearance of the setting, which is in the conservation area.

6 The occupants shall sign up to the Environment Agency's Flood Warning Service for the area. An evacuation plan shall be submitted to the Local Planning Authority and approved in writing (for further information on the requirements of the required evacuation plan, you should contact the Emergency Planners at the Council).

Reason: In the interests of safety of the occupants given the nature and location of this development.

7 The gangway of the mooring shall be tied securely to the top of the verge/river bank to ensure access/egress from the boat in times of flood.

Reason: In the interests of safety, to ensure access and egress is available to future occupants in the event of a flood.

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

1. Planning permission is granted for a temporary period only while a permanent mooring location is sought in a more appropriate location and as special circumstances have been put forward, which, in addition to the requirement for a temporary consent only, outweigh the harm that would occur to the openness of the green belt and character and setting of this part of the Terry Avenue New Walk conservation area.

### **2. FURTHER ADVICE**

#### **Environment Agency**

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the River Ouse, designated a 'main river'.

For further information and to request an application form, please contact Sam Watson, Development And Flood Risk Officer (Consents) on 01904 822559 or email to [sam.watson@environment-agency.gov.uk](mailto:sam.watson@environment-agency.gov.uk).

#### **British Waterways**

The applicant/developer is advised to contact third party works engineer, Alan Daines (0113 2816800) in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways' "Code of Practice for Works affecting British Waterways

#### **Contact details:**

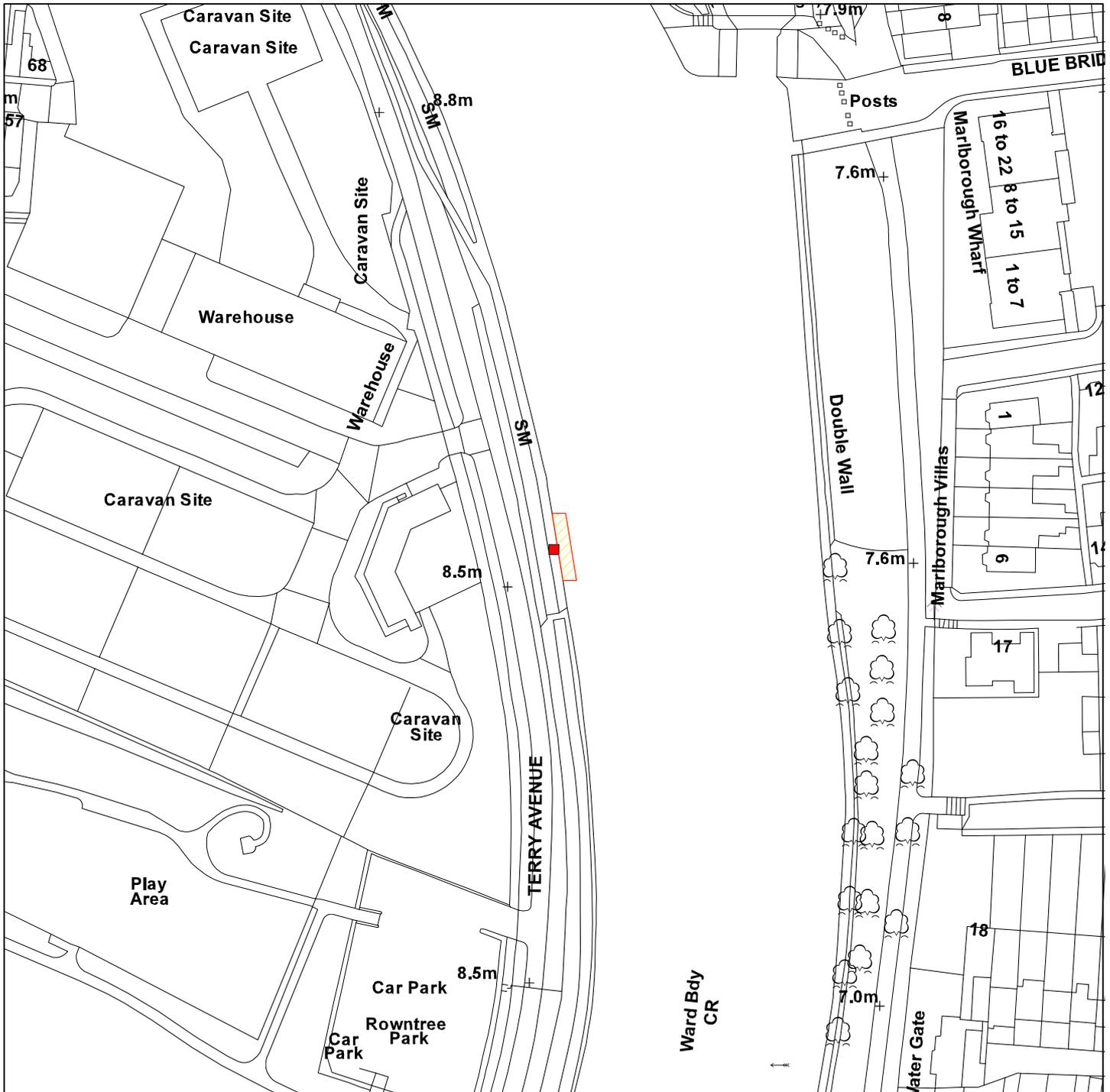
**Author:** Jonathan Kenyon Development Management Officer  
**Tel No:** 01904 551323

# Temporary Houseboat Mooring, Terry Avenue

10/01011/FUL



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<b>Organisation</b>	City of York Council
<b>Department</b>	Planning and Sustainable Development
<b>Comments</b>	Application Site
<b>Date</b>	07 September 2010
<b>SLA Number</b>	Not Set

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**COMMITTEE REPORT**

**Date:** 16 September 2010      **Ward:** Guildhall  
**Team:** West/Centre Area      **Parish:** Guildhall Planning Panel

**Reference:** 10/00619/FUL  
**Application at:** Stable Block Chapter House Street York  
**For:** Conversion of coach house to provide 7no. letting bedrooms ancillary to Grays Court  
**By:** Mr John Edwards  
**Application Type:** Full Application  
**Target Date:** 7 June 2010  
**Recommendation:** Refuse

**1.0 PROPOSAL**

1.1 This application seeks planning permission for the conversion of the former stable block within the grounds of Gray's Court for 7 No. letting bedrooms ancillary to the single dwellinghouse and bed and breakfast letting and self-contained holiday dwelling that were approved as part of a planning consent at Gray's Court in March 2006 (LPA ref. 05/01557/FUL ). The building and the adjacent garage is currently used as storage for Gray's Court and can be accessed from the courtyard of Gray's Court by a garden driveway and from Monk Bar Court through a pair of double gates. It is intended that meals would be provided within Gray's Court. The existing car parking areas and garaging would be designated for visitors, accessed via the garden driveway. Cycle racks and bicycles would be available to guests. The applicant indicates that the proposal would result in the creation of 5 No. full time jobs in conjunction with Gray's Court.

1.2 The Coach House is located in the north east corner of the "Minster Precinct" at the head of Monk Bar Court on the site of a former foundry built adjacent to the City Walls. The building was introduced in the second half of the C19th to serve Gray's Court, and its construction appears to have allowed the demolition of stabling previously attached to the east wing of the main house. This demolition enabled the new drive to be formed linking Gray's Court itself with the new Coach House. The entrance to the drive is marked by C18th gate piers which were relocated from Treasurer's House in 1902. Gray's Court is a Grade 1 Listed Building. The whole site lies within the Central Historic Core Conservation Area. The ground around the Coach House and the adjacent City Walls are classified as a Scheduled Ancient Monument.

1.3 The application is supported by a Design and Access Statement, Heritage Statement (19 May 2010). Additional supporting information that addresses a request from English Heritage for further information was submitted on 11 June 2010 and includes a conservation area character assessment and further details of the service provision. Revised plans have been submitted that give details of the drainage and a designated parking area adjacent to the City Walls.

## RELEVANT PLANNING HISTORY

1.4 Related listed building consent application- Ref. No. 10/00620/LBC Conversion of coach house to provide accommodation ancillary to Gray's Court.

1.5 Pending applications- LPA Ref Nos. 10/00621/FUL and 10/00622/LBC Conversion of Coach House to provide a single dwellinghouse.

1.6 Planning permission was granted by the City Centre Area Planning Sub-Committee in March 2006 for the change of use of Gray's Court to a dwellinghouse, with bed and breakfast accommodation and a self-contained flat (LPA ref. 05/01557/FUL).

1.7 The application has been called-in to Sub-committee for consideration by Councillor Brian Watson because of the sensitivity of the site and surrounding historic buildings.

## 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

Listed Buildings GMS Constraints: Grade 1; City Walls Bootham Bar To Monk Bar 0577

Listed Buildings GMS Constraints: Grade 1; 1 Grays Court Chapter House Street York 0723

Listed Buildings GMS Constraints: Grade 2; 6 Chapter House Street York YO1 2JH 0725

Scheduled Ancient Monuments GMS Constraints: SMR 13280 York Minster Precinct Inc. Section Of City Walls

2.2 Policies:

CYHE2 Development in historic locations

CYHE3 Conservation Areas

CYHE4 Listed Buildings

CYHE10 Archaeology

CYGP4A Sustainability

CYGP15 Protection from flooding

CYHE11 Trees and landscape

CYHE9 Scheduled Ancient Monuments

CYV3 Criteria for hotels and guest houses

### **3.0 CONSULTATIONS**

#### **INTERNAL CONSULTATIONS**

##### Design, Conservation and Sustainable Development (Conservation Architect)

3.1 Objections to the proposals in terms of their impact upon the character and appearance of the building and the impact upon the setting of nearby listed buildings and the city walls and upon the character and appearance of the conservation area. Considers that the conversion of the building to provide 7 no. additional double bedrooms and bathrooms is most likely to change the quiet atmosphere surrounding the building and it would place further pressure on the immediate area outside the building for resident's car parking. The applicant has not provided exact information of where displaced parking for the owners and staff would be accommodated and any additional requirement from 7 letting bedrooms could cause a further demand for hard-standing within this sensitive site. The supporting statement confirms that access to the site would be along the driveway through the garden rather than from the access from Monk Bar Court. The increased number of arrivals, and daily "comings and goings" in the area, and the servicing and waste requirements associated with the intensification of use are also likely to adversely affect the side garden of Gray's Court and the setting of the National Trust Herb Garden at the rear of the Treasurer's House.

3.2 No improvements are shown to the landscape or surfacing immediately surrounding the building. The immediate environs of the Coach House are in a poor state and the relocation of existing storage has not been specified. There is inadequate information to properly assess the full impact of the intensified use on the character and appearance of the conservation area and on the setting of other heritage assets which are experienced from the vicinity of the Coach House. Other assets affected by proposals include buildings and structures of the highest heritage value such as the City Walls, the garden setting of Gray's Court and its drive, and views of the Minster.

3.3 This part of the conservation area is away from the bustling commercial heart of the city. Its extensive open areas of landscape allow for recreation and visual relief. It is dominated by the Minster and has quiet streets, courtyards and other semi-private and private residential enclaves bounded by high walls, railings and mature trees. The proposals would blur the distinction between the commercial activity of the city centre and the quiet recreational or residential uses of the Minster Precinct.

Design, Conservation and Sustainable Development (Natural Environment)

3.4 No objections following the submission of a bat survey and advise that the recommendations of the survey would be acceptable to the Local Planning Authority. Any permission would require a condition that ensures that details of measures for bat mitigation and conservation are approved by the Local Planning Authority and the applicant obtains a Natural England Protected Species Licence for the works.

Design Conservation and Sustainable Development (Archaeology)

3.5 Watching brief required.

Environmental Protection Unit

3.6 The applicant has submitted a Screening Assessment of Land Contamination and no comments have been received from the Environmental Protection Unit. Proposed use for ancillary accommodation would be unlikely to cause harmful noise levels.

Structures and Drainage

3.7 The development is situated within low risk Flood Zone 1 and should not suffer from river flooding. Insufficient information has been provided by the Developer to determine the potential impact the proposals may have on the existing drainage systems.

Highway Network Management

3.8 No highway objections.

City Development

3.9 Comments on relevant policies to consider in the determination of the application

EXTERNAL CONSULTATIONS/ REPRESENTATIONS

Guildhall Planning Panel

3.10 Supports the planning application

Conservation Area Advisory Panel

3.11 The Panel considers there should be no exterior alterations to building. The Panel considers that the scheme to convert the stable block into 7 double bedrooms as bed and breakfast accommodation would be inappropriate in that it would introduce a large commercial enterprise into the heart of one of the quietest and most sensitive areas of York. It was felt that one of the most cherished and famous views of York would be adversely affected if this scheme was approved.

### Civic Trust

3.12 Supports the proposal to restore and re-use neglected building, but would strongly object to the increased use of the driveway through the garden of Gray's Court. The garden has not been used for this purpose; and its role in the settings of Gray's Court, the Minster, and its proximity to the City Walls would be harmed by the use for vehicular traffic. The conversion for bedrooms associated with Gray's Court would be likely to encourage vehicular access and parking, and would therefore not be acceptable.

### English Heritage

3.13 Any comments will be reported verbally.

### Publicity

3.14 Five letters have been received objecting or commenting on the proposal. They raise the following points:

- Support the principle of restoring the building ( 2)
- Access through the grounds of Gray's Court should be used as Monk Bar Court is congested (2)
- Concern about increased noise from parking
- Long term adverse impact on area
- Bat survey required as evidence of bats
- Proposed porch and solar panels would be incongruous with building and location, and prominent from the City Walls
- Lack of curtilage details does not allow proper assessment of impact of dwelling in sensitive, historic location
- Car parking should be restricted to use of existing garage
- Local Planning Authority should investigate the loss of the planting area adjacent to the City Walls that is being unlawfully used as a parking area/ Object to car parking adjacent to City Walls ( 2 )
- Additional bat survey and sustainability required to assess the application
- Fire hazard from unsupervised guest rooms remote from the main house with restricted access and water supply

## **4.0 APPRAISAL**

### **4.1 KEY ISSUES**

- Land use
- Impact on listed buildings and the character and appearance of conservation area/ design
- Archaeology/ Scheduled Monument
- Impact on neighbouring residential amenity
- Impact on highway safety
- Sustainable development
- Drainage

## RELEVANT PLANNING POLICY

### LOCAL PLAN POLICIES

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 GOYH.

4.3 Policies HE2, HE3 and HE4 of the Local Plan state that consent will only be granted for new developments and changes of use when there is no adverse effect on the character, appearance or setting of listed buildings and the conservation area. Policy HE11 seeks to ensure that trees and landscaping which are part of the setting of any heritage asset will not be harmed by new development. Policy GP4a requires all new developments to have regard to the principles of sustainable development. Policy GP15a: Development and Flood Risk requires that sustainable drainage is encouraged. Otherwise discharge from new development should not exceed the capacity of receptors and water run-off should, in relation to existing run-off rates, be reduced. Policies HE9 and HE10 of the Local Plan seek to preserve scheduled ancient monuments and archaeological remains from harmful development. Policy V3 allows for extensions to existing guest houses provided that the proposal would not have an adverse effect on the residential character of an area and is well related to the city centre and other visitor attractions.

### NATIONAL POLICY

4.4 Planning Policy Statement 5 " Planning for the Historic Environment " seeks to ensure that the special characteristics of listed buildings are not adversely affected by inappropriate developments. The PPS has a companion Historic Environment Planning Practice Guide (March 2010) that gives further guidance. Central Government Guidance on economic growth is contained in Planning Policy Statement 4 "Planning for Sustainable Economic Growth" and Planning Policy Statement 1 " Delivering Sustainable Development " advises that planning should facilitate sustainable development that will ensure high quality development through good and inclusive design, and the efficient use of resources.

## ASSESSMENT

### LAND USE

4.5 Planning policy as contained in Policy V3 of the Local Plan allows for appropriately located visitor accommodation and Planning Policy Statement 4 "Planning for Sustainable Economic Growth" seeks to promote growth in sustainable locations and specifically encourages new uses for vacant or derelict historic buildings. In principle, the proposed ancillary use in this sustainable city centre

location could be acceptable provided all other material considerations can be satisfied.

4.6 The area that immediately surrounds the application site at the Coach House is mainly residential in character, with the properties on either side and at the rear of the application site are in residential use. There are visitors to the adjacent City Walls, the Treasurer's House and now to Gray's Court that introduce daytime activity to the area but the Coach House relates to the smaller scale residential developments in Monk Bar Court. The proposed introduction of a commercial activity that would generate considerably more comings and goings than associated with a single dwelling or the existing use and would impact on the neighbouring land uses. Despite the close relationship with neighbouring residential development, the application site is reasonably well contained by walling etc. In isolation, the use of the property for letting bedrooms would not create significant levels of activity that would harmfully impinge on the neighbouring uses provided the use is contained to the building itself, and the character of the area and the quality environment is retained. However Members will note from para 1.1 above that the proposal is for letting bedrooms ancillary to the use granted, but not yet completed, at Gray's Court. This planning permission allowed for the use of Gray's Court as private dwelling house with bed and breakfast accommodation along with a separate dwelling in the east wing and the retained former caretaker's flat. The private dwelling/bed and breakfast was shown with up to 15 bedrooms. While it is known that the owner's plans in respect of Gray's Court have changed since the 2006 approval, that approval remains as the planning permission for the development. The addition of 7 further letting bedrooms within the planning unit will alter the use of the premises significantly away from that envisaged in the 2006 approval with the private dwelling forming a very limited part of the use, effectively changing the use of Gray's Court. Such a proposal would be more properly considered as part of a comprehensive application covering the use of Gray's Court and the Stable Block which would allow the assessment of the use as a whole on the character and appearance of the Conservation Area and on neighbouring residential amenity.

#### DESIGN/ LISTED BUILDING/ CONSERVATION AREA

4.7 Gray's Court is situated within a highly sensitive part of the Central Historic Core conservation area which contains heritage assets of the highest architectural, historic and archaeological value. The area forms part of the wider setting of the Minster. The extensive landscape gardens, within which Gray's Court and Minster Court sit, provide a beautiful foreground to the City Walls (Grade 1 and Scheduled Ancient Monument) and they also enrich the experience of the City Wall Walk and views from it. Pevsner regarded this stretch of the walls as providing one of the most agreeable walks in York (Pevsner N & Neave D "Yorkshire: York and the East Riding").

4.8 The Coach House is a two storey structure situated remote from the main house. It is physically associated with the group of smaller scale residential buildings at Monk Bar Court and Gowland Court. The main aspect of the building faces towards the City Walls which are only 4-6m away. Architecturally the building is of its time, having a distinctive roof-form with pronounced gables and decorative bargeboards, though larger openings of a utilitarian nature have been formed in the

ground floor external walls. The supporting statement for the proposals refers to the Coach House having housed the first privately owned car in York; so the building has been adapted to house cars although it currently appears to be in use for storage and it is in need of repair.

4.9 The area around the building is of poor quality concrete and tarmac and an adapted outbuilding forms the separate garage. Recently car-parking arrangements at Gray's Court have been re-ordered and this has affected the area immediately to the north-west of the Coach House where part of the green border/embankment has been grubbed up to provide a standing area for cars adjacent to the City Walls. The Local Planning Authority would not support the use of this area for car parking because of the adverse visual impact on the City Walls, the conservation area, and the setting of listed buildings. The proposed car parking due to its close proximity to the City Walls would be obtrusive and prominent, and would harmfully impact in the open character of this part on the conservation area, the visual amenity of and from the adjacent scheduled monument, and the visual amenity of important landscape and iconic views.

4.10 Whilst the spatial configuration of the building would appear to suit the new use, other heritage impacts must be taken into account such as:- the direct effect of physical changes on the nature of the building; the effect of changes on the setting of the building and the contribution of the changed setting to the wider area. PPS 5 and the companion Historic Environment Planning Practice Guide (March 2010) reinforce the importance of understanding these wider impacts.

#### Impact on the significance of the Coach House Building-

4.11 Although the proposals would fit within the existing layout without altering many of the main structural walls, there is a greater degree of subdivision (than in the related proposal for a single dwelling) to accommodate individual bathrooms for the letting bedrooms. Currently there is insufficient information to be able to assess the impact of proposals on the character of the interior. Building services would be intensified and it is unclear how these services would integrate into the building.

4.12 Some of the alterations to exterior openings reduce the utilitarian character of the building by introducing elements which are domestic in appearance, such as the addition of a porch. The new windows and doors would be vertical in emphasis and would cause the loss of the more generously proportioned openings. In addition there would be the loss of the stable doors, taking-in hatches, and the glazed and timbered screen at the bottom of the central stair. It is important that these characteristic elements of the original building are retained even if glazing has to be introduced (paras. 185 & 186 of the Practice Guide).

4.13 The number, size and disposition of rooflights and solar panels on the rear roof slope would harm the simple appearance of the slated roof. These elements need to be reduced in number and rationalized in alignment and design.

#### Setting and Wider Environment of the Conservation Area

4.14 When determining planning applications within conservation areas, the Council has a statutory duty to consider the desirability of preserving or enhancing the character and appearance of the area. This duty is reflected in Policies HE2 and HE3 of the Local Plan and remains a key requirement in the recent PPS5 and its Practice Guide. The new guidance on planning for the historic environment (PPS 5) gives added weight to the importance of preserving or enhancing the setting of heritage assets. The Practice Guide explains that the experience of setting is usually more extensive than the immediate curtilage of a building. In some cases, an asset's setting may be affected by a scheme at some distance away. Policy HE11 of the Local Plan seeks to preserve landscapes that are part of the setting of the conservation area, listed buildings and scheduled monuments.

4.15 The conversion of the building to provide 7 no. additional double bedrooms and bathrooms is most likely to change the quiet atmosphere surrounding the building and it would place further pressure on the immediate area outside the building for resident's car parking. The applicant has not provided exact information of where displaced parking for the owners and staff would be accommodated and any additional requirement from 7 letting bedrooms could cause a further demand for hard-standing within this sensitive site. The supporting statement confirms that access to the site would be along the driveway through the garden rather than from the access from Monk Bar Court. The increased number of arrivals, and daily "comings and goings" in the area, and the servicing and waste requirements associated with the intensification of use are also likely to adversely affect the character and appearance of the conservation area, views from the city walls and the setting of nearby listed buildings.

4.16 No improvements are shown to the landscape or surfacing immediately surrounding the building. The immediate environs of the Coach House are in a poor state and the relocation of existing storage has not been specified. There is inadequate information to properly assess the full impact of the intensified use on the character and appearance of the conservation area and on the setting of other heritage assets which are experienced from the vicinity of the Coach House. Other assets affected by proposals include buildings and structures of the highest heritage value such as the City Walls, the garden setting of Gray's Court and its drive, and views of the Minster.

4.17 This part of the conservation area is away from the bustling commercial heart of the city. Its extensive open areas of landscape allow for recreation and visual relief. It is dominated by the Minster and has quiet streets, courtyards and other semi-private and private residential enclaves bounded by high walls, railings and mature trees. The proposals would blur the distinction between the commercial activity of the city centre and the quiet recreational or residential uses of the Minster Precinct.

4.18 The proposals would harm the special character and appearance of the conservation area and would conflict with the statutory duty of the Local Planning Authority and Policies HE2, HE3 and HE11 of the Local Plan that seeks to retain the quality of the landscape as an essential component in the character of the conservation area.

## ARCHAEOLOGY/ SCHEDULED MONUMENT CONSENT

4.19 The site is within the city centre area of archaeological importance. Policy HE10 of the Local Plan seeks to preserve important archaeological remains and requires that applications demonstrate no more than 5% of archaeological deposits are disturbed or destroyed during works. A watching brief is required via a condition as the site has been developed previously and it is understood that the applicant will be applying for Scheduled Monument Consent. The existing car parking adjacent to the City Walls is likely to have an adverse impact on the scheduled monument and would not be supported by Policy HE9 of the Local Plan that seeks to preserve the significance of heritage asset.

## RESIDENTIAL AMENITY

4.20 The area is predominantly residential and local residents have expressed concern about the introduction of a commercial residential use with its associated increased activity levels. Whilst it is likely that the currently peaceful ambience of the site and its surroundings would be altered by use as 7 No. separate bedrooms, the Environmental Protection Unit consider that there should be no significant loss of amenity due to people coming and going from the Coach House.

## HIGHWAY SAFETY

4.21 The site is in a very sustainable location and Highway Network Management would support no further car parking being suggested by the applicant. The level of traffic that would be generated by the proposed level of ancillary accommodation with the existing 2 no. car parking spaces is considered to be negligible and could be accommodated on the adjacent highway. Details of the provision of cycle parking would be required if planning permission is granted.

## SUSTAINABLE DEVELOPMENT

4.22 The building is situated in a sustainable location within the City Centre, would re-use a redundant building without the need for substantial rebuilding or alteration, and would include energy efficient solar panels on the rear ( SW) slope of the building that would contribute to the provision of hot water for the guest accommodation.

## DRAINAGE

4.23 The proposed development is situated in the low risk Flood Zone 1 and should not suffer from river flooding. However, insufficient information has been provided by the Developer to determine the potential impact the proposals may have on the existing drainage systems. The applicant should provide a topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties and existing and proposed surfacing should be specified. In this instance, because of the relatively limited proposals for additional hard surfacing it is considered that these details could be required by condition.

## 5.0 CONCLUSION

5.1 While the use of the stable block as letting accommodation could be acceptable in principle under policy V3, the application has failed to demonstrate that the proposals would not harm the character and appearance of the conservation area and the setting nearby listed buildings by the provision of additional parking spaces and the displacement of existing parking and storage facilities. Furthermore the proposed external alterations to the building would harm appearance of the building and the conservation area. As such the proposal fails to meet the objectives of Policies HE2, HE3, HE4, and HE11 of the Local Plan and policies HE 6.2, HE 7.2, HE 9.4 and 10.2 of Planning Policy Statement 5 " Planning for the Historic Environment ", by altering the character of the building as a coach house, by undervaluing the significance of the heritage asset as a whole, by failing to acknowledge the contribution of the proposals to the wider setting and views of some of York's most valued heritage assets.

5.2 The proposed 7 letting bedrooms would be ancillary to the private dwellinghouse with bed and breakfast accommodation allowed at Gray's Court under the 2006 permission. This extended planning unit will alter the use of the Gray's Court as a whole significantly away from that originally envisaged with the private dwelling forming a very limited part of the use, effectively changing the use of Gray's Court. Such a proposal would be more properly considered as part of a comprehensive application covering the use of Gray's Court and the Stable Block which would allow the assessment of the use as a whole on the character and appearance of the Conservation Area and on neighbouring residential amenity.

## COMMITTEE TO VISIT

### 6.0 RECOMMENDATION: Refuse

1 The application proposals fail to demonstrate that parking for the proposed use and the displacement of existing parking and storage facilities from the building would not harm the character and appearance of the conservation area, the setting of nearby listed buildings and views from the adjacent city walls. Car parking in such close proximity to the City Walls would be obtrusive and prominent, and would harmfully impact in the open character of this part on the conservation area. As such the proposals would not meet the objectives of Policies HE2, HE3, HE4 and HE11 of the City of York Local Plan ( 2005 ) and policies HE 6.2, HE 7.2, HE 9.4 and 10.2 of Planning Policy Statement 5 " Planning for the Historic Environment, " by undervaluing the significance of the heritage asset as a whole, and by failing to acknowledge the contribution of the proposals to the wider setting and views of some of York's most valued heritage assets.

2 The proposed use of the building as 7 letting bedrooms in association with the private dwellinghouse at Gray's Court would intensify the commercial use of Gray's Court as a whole, and would materially change the approved planning use which is that of a private dwellinghouse including bed and breakfast letting, as part of the

planning permission dated 7th March 2006 (LPA ref: 05/02557/FUL). As such the proposal can only properly be considered as part of a planning application for the use of Gray's Court and the Stable Block as a whole.

3 The proposed external alterations to the building including the size and number of rooflights, the introduction of solar panels, the erection of a porch, the vertical emphasis of new windows and doors and the loss of characteristic features such as the stable doors and taking-in hatches would reduce the utilitarian character of the building and harm the appearance of the building adversely affecting the character and appearance of the conservation area and the setting of nearby listed buildings. As such the proposals would not meet the objectives of policies HE2, HE3 and HE4 of the Development Control Local Plan or of policies contained within Planning Policy Statement 5 "Planning for the Historic Environment".

## **7.0 INFORMATIVES:**

### **Contact details:**

**Author:** Fiona Mackay Development Management Officer (Wed - Fri)

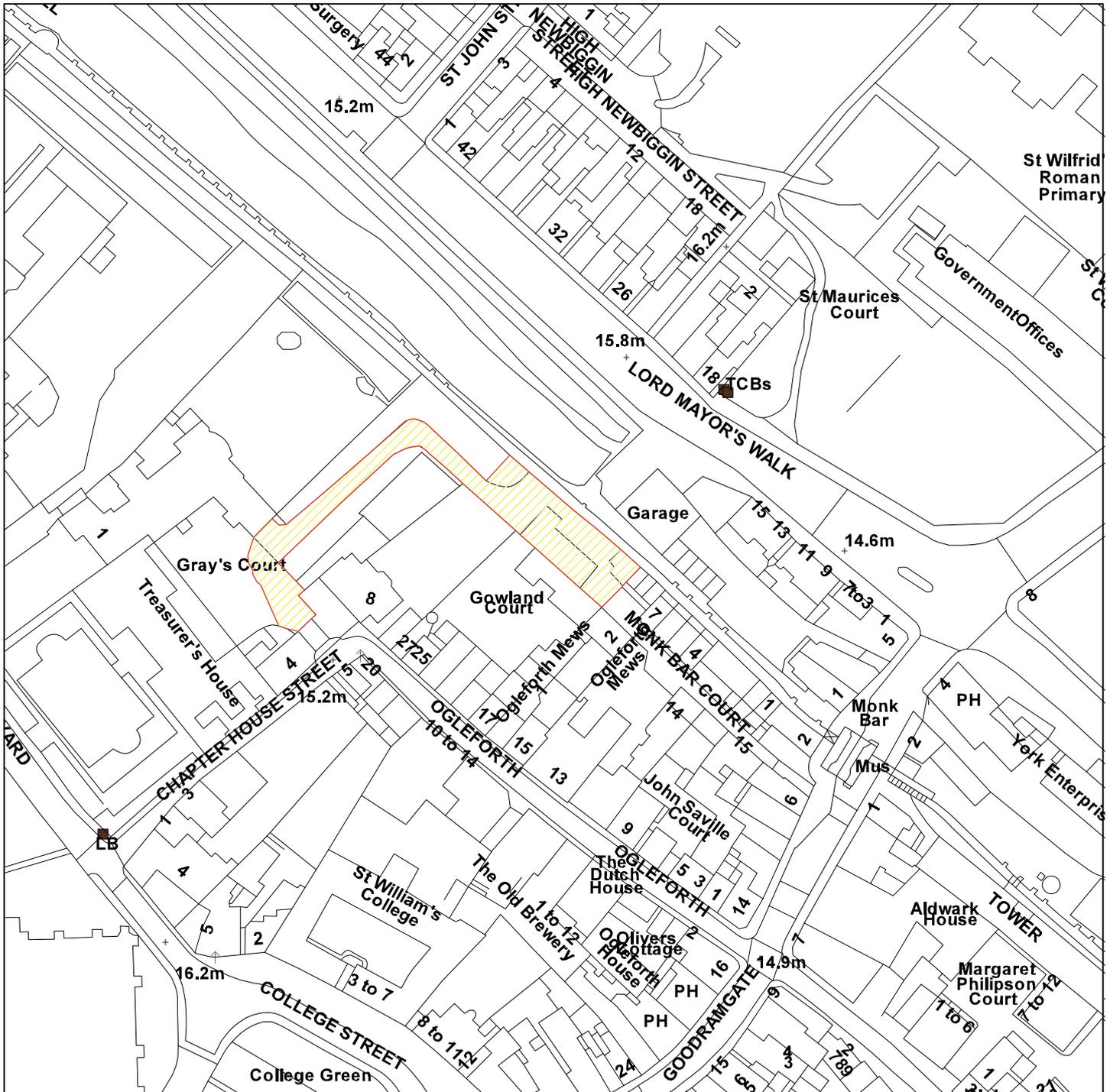
**Tel No:** 01904 552407

# Stable Block, Chapter House Street

10/00619/FUL



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Scale : 1:1250

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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>	03 September 2010
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Date:** 16 September 2010      **Ward:** Guildhall  
**Team:** West/Centre Area      **Parish:** Guildhall Planning Panel

**Reference:** 10/00620/LBC  
**Application at:** Stable Block Chapter House Street York  
**For:** Internal and external alterations in connection with conversion to provide letting accommodation ancillary to Grays Court  
**By:** Mr John Edwards  
**Application Type:** Listed Building Consent  
**Target Date:** 7 June 2010  
**Recommendation:** Refuse

**1.0 PROPOSAL**

1.1 This application seeks listed building consent for the conversion of the former stable block within the grounds of Gray's Court to ancillary bedroom accommodation in association with Gray's Court. The building and the adjacent garage is currently used as storage for Gray's Court. The Coach House can be accessed from the courtyard of Gray's Court by a garden driveway and from Monk Bar Court through a pair of double doors.

1.2 The Coach House is located in the north east corner of the Minster Precinct at the head of Monk Bar Court on the site of a former foundry built adjacent to the City Walls. The building was introduced in the second half of the C19th to serve Gray's Court, and its construction appears to have allowed the demolition of stabling previously attached to the east wing of the main house. This demolition enabled the new drive to be formed linking Gray's Court itself with the new Coach House. The entrance to the drive is marked by C18th gate piers which were relocated from Treasurer's House in 1902. The Coach House is a curtilage building for the purposes of Section 1(5) of the Planning ( Listed Buildings and Conservation Areas) Act 1990 and as such is subject to Listed buildings control. Gray's Court is a Grade 1 Listed Building. The whole site lies within the Central Historic Core Conservation Area. The ground around the Coach House and the adjacent City Walls are classified as a Scheduled Ancient Monument.

1.3 It is proposed to convert the coach house to provide 7 no. additional double ensuite bedrooms ancillary to Gray's Court. The works would include the following alterations-

- a) a pitched roof porch extension to include a linen store
- b) new windows and doors to the former garage door openings and insertion of rooflights
- b) solar panels on the south west roof slope
- c) tidying up the site and making good of hard standing areas and surrounding boundary walls
- d) repair works that include new slate roofs and new painted timber joinery

## RELEVANT PLANNING HISTORY

1.4 Related planning application - LPA Ref. No.10/00619 /FUL Conversion to provide 7 letting bedrooms ancillary to Gray's Court

1.5 Pending applications- LPA Ref Nos. 10/00621/FUL and 10/00622/LBC Conversion of Coach House to single dwellinghouse

1.6 The application is reported to Sub-Committee at the request of Councillor Brian Watson because of the sensitivity of the site.

## 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

Listed Buildings GMS Constraints: Grade 1; 1 Grays Court Chapter House Street York 0723

Listed Buildings GMS Constraints: Grade 2; 4 Chapter House Street York YO1 2JH 0726

Listed Buildings GMS Constraints: Grade 1; City Walls Bootham Bar To Monk Bar 0577

Listed Buildings GMS Constraints: Grade 2; 6 Chapter House Street York YO1 2JH 0725

Scheduled Ancient Monuments GMS Constraints: SMR 13280 York Minster Precinct Inc. Section Of City Walls

2.2 Policies:

CYHE4  
Listed Buildings

CYHE11  
Trees and landscape

## 3.0 CONSULTATIONS

### INTERNAL CONSULTATIONS

Design, Conservation and Sustainable Development (Conservation Architect)

3.1 Although the proposals would fit within the existing layout of the building without altering many of the structural walls, there is a greater degree of sub-division to accommodate individual bathrooms. The level of detail is insufficient to determine the full impact of the proposals on the character of the interior. Building services would be intensified and added care would be needed to carefully integrate these into the building. Object to the alterations to exterior openings which would reduce the utilitarian character of the building by introducing elements which are domestic in appearance such as the porch and remove characteristic features such as stable doors, taking-in hatches and the glazed and timbered screen at the bottom of the central stair. Object to the detail of the new windows and doors and the loss of the existing larger openings. The number and size of the rooflights should be reduced.

## EXTERNAL CONSULTATIONS/ REPRESENTATIONS

### Guildhall Planning Panel

3.2 Supports the planning application

### Publicity

3.3 Two representations have been received from neighbours that raise the following points:

- Support the principle of the development
- Access through the grounds of Gray's Court should be used as Monk Bar Court is congested
- Concern about increased noise from parking
- Longterm adverse impact on area
- Bat survey required as evidence of bats
- Proposed porch and solar panels would be incongruous with building and location, and prominent from the City Walls
- Lack of curtilage details does not allow proper assessment of impact of dwelling in sensitive, historic location
- Car parking should be restricted to use of existing garage
- Local Planning Authority should investigate the loss of the planting area adjacent to the City Walls that is being unlawfully used as a parking area
- Additional bat survey and sustainability required to assess the application

## **4.0 APPRAISAL**

### 4.1 KEY ISSUES

- Impact on the special interests of the listed building

### RELEVANT PLANNING POLICY

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 GOYH.

4.3 Policy HE4 of the Local Plan states that consent will only be granted when there is no adverse effect on the character, appearance or setting of listed buildings.

4.4 Policy HE11 seeks to ensure that trees and landscaping which are part of the setting of any heritage asset will not be harmed by new development/ uses.

4.5 Planning Policy Statement 5 " Planning for the Historic Environment " seeks to ensure that the special characteristics of listed buildings are not adversely affected by inappropriate developments. The PPS has a companion Historic Environment Planning Practice Guide (March 2010) that gives further guidance.

## ASSESSMENT

4.6 Gray's Court is situated within a highly sensitive part of the Central Historic Core conservation area which contains heritage assets of the highest architectural, historic and archaeological value. The area forms part of the wider setting of the Minster. The extensive landscape gardens within which Gray's Court and Minster Court sit, provide a beautiful foreground to the City Walls (Grade 1 and Scheduled Ancient Monument) and they also enrich the experience of the City Wall Walk and views from it. Pevsner regarded this stretch of the walls as providing one of the most agreeable walks in York ( Pevsner N & Neave D "Yorkshire: York and the East Riding").

4.7 The Coach House is a two storey structure situated remote from the main house. It is physically associated with the group of smaller scale residential buildings at Monk Bar Court and Gowland Court. The main aspect of the building faces towards the City Walls which are only 4-6m away. Architecturally the building is of its time, having a distinctive roof-form with pronounced gables and decorative barge-boards, though larger openings of a utilitarian nature have been formed in the ground floor external walls. The supporting statement for the proposals refers to the Coach House having housed the first privately owned car in York; so the building has been adapted to house cars although it currently appears to be in use for storage and it is in need of repair.

4.8 The area around the building is of poor quality concrete and tarmac and an adapted outbuilding forms the separate garage. Recently car parking arrangements at Gray's Court have been re-ordered and this has affected the area immediately to the north west of the Coach House where part of the green border/embankment has been grubbed up to provide a standing area for cars adjacent to the City Walls. Revised plans have been submitted showing this area as disabled/ car parking provision for the ancillary accommodation. The Local Planning Authority would not

support the use of this area for car parking because of the visual impact on setting of listed buildings. The proposed car parking due to its close proximity to the City Walls would be obtrusive and prominent, and would harmfully impact on the landscape setting of important listed buildings.

4.9 Whilst the spatial configuration of the building would appear to suit the new use, other heritage impacts must be taken into account such as:- the direct effect of physical changes on the nature of the building; the effect of changes on the setting of the building; the contribution of the changed setting to the wider area; and the detachment of the new use from its historic role as a service area for Gray's Court. PPS 5 and the companion Historic Environment Planning Practice Guide (March 2010) reinforce the importance of understanding these wider impacts.

#### IMPACT ON THE COACH HOUSE BUILDING

4.10 The floor plans appear to fit with the existing layout of the building. However, the level of detail submitted by the applicant is insufficient to determine the full impact of the proposals on the character of the interior (including services) so large scale details and schedules would be required by way of conditions if listed building consent is granted.

4.11 Some of the alterations to exterior openings reduce the utilitarian character of the building by introducing elements which are domestic in appearance, such as the addition of a porch. The new windows and doors would be vertical in emphasis and would cause the loss of the more generously proportioned openings. The proposed roof would introduce a number of rooflights that have not been clearly justified by the applicant. The distribution of the rooflights to the rear of the property makes sense practically though two rooflights have not been shown on the drawing of the rear elevation - one over the master bedroom and one over bedroom 3. The number, size and disposition of rooflights together with the proposed solar panels would give a cluttered appearance to the rear roofslope of the building.

4.12 In addition there would be the loss of the stable doors, taking-in hatches, and the glazed and timbered screen at the bottom of the central stair. It is important that these characteristic elements of the original building are retained even if glazing has to be introduced (paras. 185 & 186 of the Practice Guide).

#### IMPACT OF SEPARATE USE ON UNDERSTANDING OF THE LISTED BUILDING

4.13 Since it was constructed the Coach House has provided a service function ancillary to Gray's Court, first housing coaches and stabling and then private vehicles and storage. The building is not related architecturally or physically to the main house but the historical connection is important to our understanding of the use of the site over approximately 150 years. The building has particular connections with Edwin Gray, former Lord Mayor of York, and his pioneering relationship with the motor car. The proposed new use as an independent house would sever these connections and remove the building from the wider estate as a potential service resource. This would lessen our understanding of the heritage asset as a whole.

#### IMPACT ON THE SETTING OF LISTED BUILDINGS AND WIDER ENVIRONMENT

4.14 The new guidance on planning for the historic environment (PPS 5) gives added weight to the importance of preserving or enhancing the setting of heritage assets. The Practice Guide explains that the experience of setting is usually more extensive than the immediate curtilage of a building. In some cases an asset's setting may be affected by a scheme at some distance away. In addition Para 114 explains how our experience of the environment is not only visual as it is influenced by other factors such as noise, smell, vibration, spatial associations and other perceptions.

4.15 The conversion of the building to provide 7 no. additional double bedrooms and bathrooms is most likely to change the quiet atmosphere surrounding the building and it would place further pressure on the immediate area outside the building. The supporting statement and revised plans imply that the existing car parking spaces which are presently used by the owners and staff of Gray's Court would be designated for use of the residents of the ancillary accommodation; so additional requirement for car parking would be required for the owners and staff of Gray's Court would be required elsewhere. It is unclear where the relocated parking would be provided and it is likely that the provision of two car parking spaces would result in pressure for a further increase in hard-standing near the Coach House for 7 No. units.

4.16 The supporting statement confirms that access would be along the driveway rather than from Monk Bar Court. The increased number of arrivals, and daily "comings and goings" in the using the garden driveway and the application site, and the servicing and waste requirements associated with the intensification of use are likely to adversely affect the character of the setting of the Coach House. Local Plan Policy HE11 advises that many buildings have gardens that are fundamental to the quality of their setting. The quality of this garden setting is an essential component in the setting of Gray's Court as a listed building and the dramatic townscape setting of the Minster, and the impact of a new dwelling and its incumbent uses could have future impacts on this treasured setting. No improvements are shown to the landscape or surfacing immediately surrounding the building apart from the provision of a footpath. The detail have the footpath has not been provided. The immediate environs of the Coach House are in a poor state. The relocation of existing storage that is used by Gray's Court has not been specified.

## **5.0 CONCLUSION**

5.1 The proposed external alterations to the building would harm appearance and special interest of the building. As such the proposal fails to meet the objectives of Policies HE2, HE3, HE4, and HE11 of the Local Plan and policies HE 6.2, HE 7.2, HE 9.4 and 10.2 of Planning Policy Statement 5 " Planning for the Historic Environment ", by altering the character of the building as a coach house, by undervaluing the significance of the heritage asset as a whole, and by failing to acknowledge the contribution of the proposals to the wider setting and views of some of York's most valued heritage assets.

## **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Refuse

1 The proposed external alterations to the building including the size and number of rooflights, the introduction of solar panels, the erection of a porch, the vertical emphasis of new windows and doors and consequential loss of the more generously proportioned openings, and the loss of characteristic features such as the stable doors and taking-in hatches would adversely affect the utilitarian character of the building and harm the appearance of the building. As such the proposals would not meet the objectives of policies HE4 of the Development Control Local Plan or of policies contained within Planning Policy Statement 5 "Planning for the Historic Environment".

**7.0 INFORMATIVES:**

**Contact details:**

**Author:** Fiona Mackay Development Management Officer (Wed - Fri)  
**Tel No:** 01904 552407

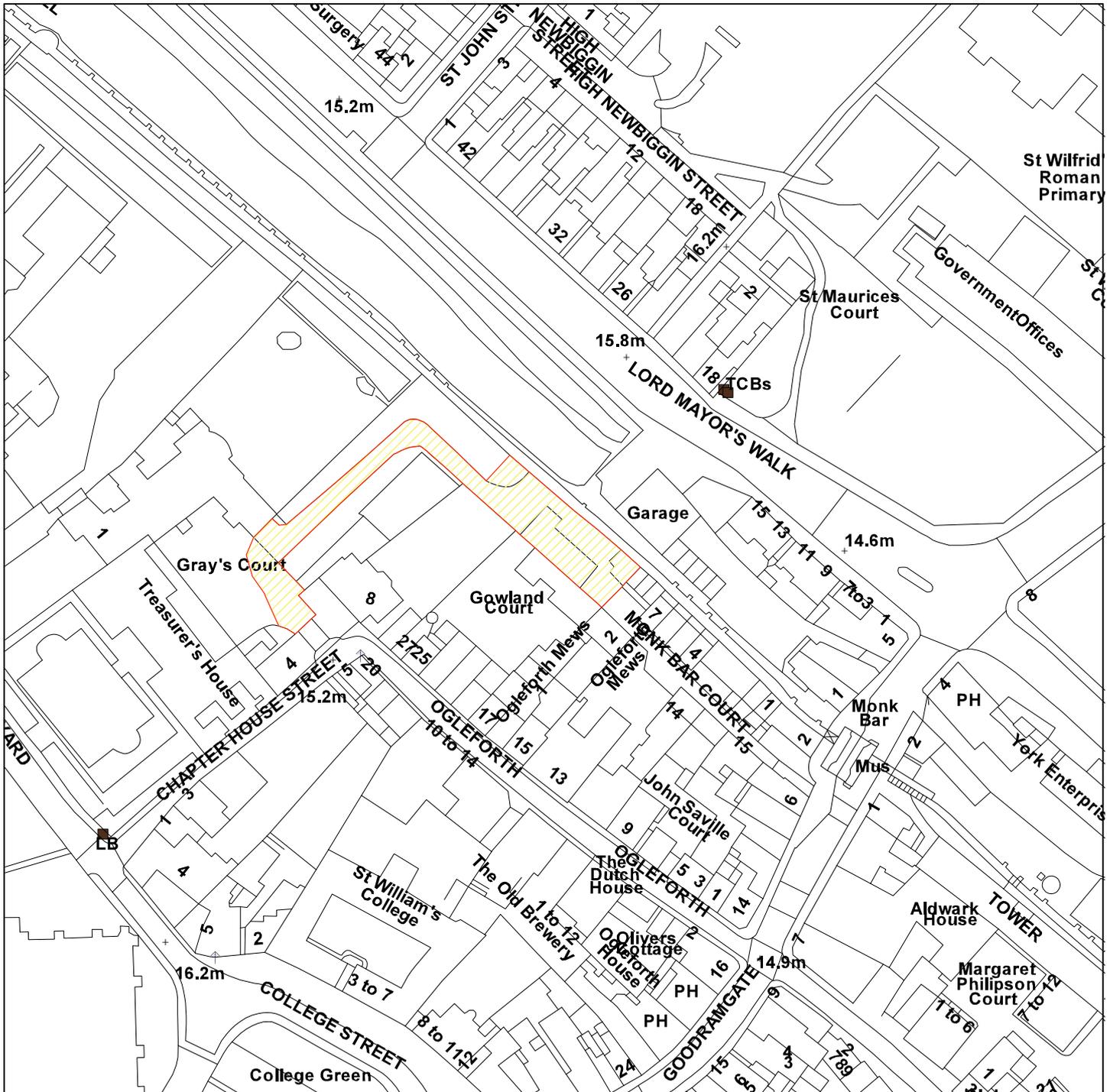
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# Stable Block, Chapter House Street

10/00620/LBC



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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>	03 September 2010
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Date:** 16 September 2010      **Ward:** Guildhall  
**Team:** West/Centre Area      **Parish:** Guildhall Planning Panel

**Reference:** 10/00621/FUL  
**Application at:** Stable Block Chapter House Street York  
**For:** Conversion to provide a single dwellinghouse with external alterations including porch, new rooflights and solar panels and alterations to windows and doors.  
**By:** Mr John Edwards  
**Application Type:** Full Application  
**Target Date:** 7 June 2010  
**Recommendation:** Refuse

**1.0 PROPOSAL**

1.1 This application seeks planning permission for the conversion of the former stable block within the grounds of Gray's Court to a single 4 bedroom dwellinghouse. The building and the adjacent garage is currently used as storage for Gray's Court. The Coach House can be accessed from the courtyard of Gray's Court by a garden driveway and from Monk Bar Court through a pair of double doors.

1.2 The Coach House is located in the north-east corner of the "Minster Precinct" at the head of Monk Bar Court on the site of a former foundry built adjacent to the City Walls. The building was introduced in the second half of the C19th to serve Gray's Court, and its construction appears to have allowed the demolition of stabling previously attached to the east wing of the main house. This demolition enabled the new drive to be formed linking Gray's Court itself with the new Coach House. The entrance to the drive is marked by C18th gate piers which were relocated from Treasurer's House in 1902. Gray's Court is a Grade 1 Listed Building. The whole site lies within the Central Historic Core Conservation Area. The ground around the Coach House and the adjacent City Walls are classified as a Scheduled Ancient Monument.

1.3 The proposed conversion to a dwelling would involve the following alterations -

- a) a pitched roof porch extension
- b) new windows and doors to the former garage door openings and insertion of rooflights
- b) solar panels on the south west roof slope
- c) tidying up the site and making good of hard standing areas and surrounding boundary walls
- d) repair works that include new slate roofs and new painted timber joinery

**RELEVANT PLANNING HISTORY**

1.4 Related planning application - LPA Ref. No. 10/00622/LBC Conversion of Coach House to provide a single dwellinghouse.

1.5 Pending applications- LPA Ref N0s. 10/00619/FUL and 10/00620/LBC Conversion of Coach House to provide accommodation ancillary to Gray's Court.

1.6 Planning permission was granted by the City Centre Area Planning Sub-Committee in March 2006 for the change of use of Gray's Court to a dwellinghouse with bed and breakfast accommodation, and a self-contained flat ( LPA Ref. 05/01557/FUL ).

1.7 The application is reported to Sub-Committee at the request of Councillor Brian Watson because of the sensitivity of the site.

## **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

Listed Buildings GMS Constraints: Grade 1; 1 Grays Court Chapter House Street York 0723

Listed Buildings GMS Constraints: Grade 1; City Walls Bootham Bar To Monk Bar 0577

Listed Buildings GMS Constraints: Grade 2; 6 Chapter House Street York YO1 2JH 0725

Scheduled Ancient Monuments GMS Constraints: SMR 13280 York Minster Precinct Inc. Section Of City Walls

2.2 Policies:

CYHE2 Development in historic locations

CYHE3 Conservation Areas

CYHE4 Listed Buildings

CYH4a Housing Windfalls

CYHE10 Archaeology

CYHE11 Trees and landscape

CYGP4A Sustainability

CYGP15 Protection from flooding

CYHE9 Scheduled Ancient Monuments

### **3.0 CONSULTATIONS**

#### INTERNAL CONSULTATIONS

##### Design, Conservation and Sustainable Development (Conservation Architect)

3.1 Objections to the external alterations to the building which would reduce the characteristic utilitarian character of the building and the impact of the roof alterations. Inadequate information has been submitted to show that the conversion would not be harmful to the character and appearance of the conservation area and the understanding of the heritage asset as a whole, in terms of the requirement for and displacement of car parking, plot sub-division and loss of the existing storage facility for Grays Court.

##### Design, Conservation and Sustainable Development (Natural Environment)

3.2 No objections following the submission of a bat survey and advise that the recommendations of the survey would be acceptable to the Local Planning Authority. Any permission would require a condition that ensures that details of measures for bat mitigation and conservation are approved by the Local Planning Authority and the applicant obtains a Natural England Protected Species Licence for the works.

##### Design Conservation and Sustainable Development (Archaeology)

3.3 Watching brief required

##### Environmental Protection Unit

3.4 The applicant has submitted a Screening Assessment of Land Contamination and no further comments have been received from the Environmental Protection Unit.

##### Lifelong Leisure and Learning

3.5 The developer would require to pay a commuted sum to the Council as a result of the development. This money would be targeted towards the improvement of local amenity open space and play space such as Clarence Gardens, and the improvement of sports pitches within the East Zone of the Sport and Active Leisure Strategy.

##### Structures and Drainage

3.6 The development is situated within low risk Flood Zone 1 and should not suffer from river flooding. Insufficient information has been provided by the Developer to

determine the potential impact the proposals may have on the existing drainage systems.

Highway Network Management

3.7 No objections

EXTERNAL CONSULTATIONS/ REPRESENTATIONS

Guildhall Planning Panel

3.8 Supports the planning application

Conservation Area Advisory Panel

3.9 The Panel considers there should be no exterior alterations to building. The Panel has concerns about the lack of access and curtilage issues. The Panel also makes the point that should the storage and garaging facilities to the main house be lost that this could have a further impact on the area should more storage be required in the future.

Environment Agency

3.10 No comment.

English Heritage Comments

3.11 Do not object to the principle of converting the Coach House to dwelling and are happy to defer matters of detail on the conversion and listed building consent to the local authority.

York Civic Trust

3.12 Supports the proposal to restore and re-use neglected building to dwellinghouse, but would not support the increased use of the driveway through the garden of Gray's Court. The garden has not been used for this purpose; and its role in the settings of Gray's Court, the Minster, and its proximity to the City Walls would be harmed by the use for vehicular traffic. Access should be via Monk Bar Court. Issues affecting the Scheduled Monument should be resolved before any change of use is granted.

Yorkshire Water

3.13 No comments

Publicity

3.14 Five representations from surrounding residents have been received that object or comment on the proposal. They raise the following points:

- Support the principle of restoring the building ( 2 )
- Access through the grounds of Gray's Court should be used as Monk Bar Court is congested, historic, narrow, noisy, cobbled access (3)
- Concern about increased noise from parking
- Long term adverse impact on area
- Bat survey required as evidence of bats
- Proposed porch and solar panels would be incongruous with building and location, and prominent from the City Walls
- Lack of curtilage details does not allow proper assessment of impact of dwelling in sensitive, historic location
- Car parking should be restricted to use of existing garage
- Local Planning Authority should investigate the loss of the planting area adjacent to the City Walls that is being unlawfully used as a parking area/ Object to car parking adjacent to City Walls ( 2 )
- Additional bat survey and sustainability required to assess the application
- Remedial works would impact on foundations of adjoining property

#### **4.0 APPRAISAL**

##### **4.1 KEY ISSUES**

- Land use
- Impact on listed buildings and the character and appearance of conservation area/ design
- Archaeology/ Scheduled Monument
- Impact on neighbouring residential amenity
- Impact on highway safety
- Open space provision
- Sustainable development
- Drainage

##### **RELEVANT PLANNING POLICY**

##### **LOCAL PLAN POLICIES**

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 GOYH.

4.3 Policies HE2, HE3 and HE4 of the Local Plan states that consent will only be granted for new developments and changes of use when there is no adverse effect on the character, appearance or setting of listed buildings and the conservation area. Policy HE11 seeks to ensure that trees and landscaping which are part of the setting of ant heritage asset will not be harmed by new development. Policy H4 would

support residential conversions provided the site has good accessibility, is appropriate to the character of the area without harming existing landscape features, and would not harm the amenity of neighbours. Policy GP4a requires all new developments to have regard to the principles of sustainable development. Policy GP15a: Development and Flood Risk requires that sustainable drainage is encouraged. Otherwise discharge from new development should not exceed the capacity of receptors, and water run-off should, in relation to existing run-off rates, be reduced. Policies HE9 and HE10 of the Local Plan seek to preserve scheduled ancient monuments and archaeological remains from harmful development. Policy H4a allows for the conversion of existing buildings to residential use where the site has good access to jobs, shops and services by non-car modes and would not have a detrimental impact on existing landscape features.

## NATIONAL POLICY

4.4 Planning Policy Statement 5 " Planning for the Historic Environment " seeks to ensure that the special characteristics of listed buildings are not adversely affected by inappropriate developments. The PPS has a companion Historic Environment Planning Practice Guide (March 2010) that gives further guidance. Central Government Guidance on housing developments is contained in Planning Policy Statement 3 "Housing" and Planning Policy Statement 1 " Delivering Sustainable Development " advises that planning should facilitate sustainable development that will ensure high quality development through good and inclusive design, and the efficient use of resources.

## ASSESSMENT

### LAND USE

4.5 The surrounding area forms a largely quiet residential area within the City Centre and the properties on either side and at the rear of the application site are in residential use. Therefore, in principle the use of the application property for a single dwelling house would be a compatible use with the surrounding area and would be in general accordance with policy H4a.

### DESIGN/ LISTED BUILDING/ CONSERVATION AREA

4.6 Gray's Court is situated within a highly sensitive part of the Central Historic Core conservation area which contains heritage assets of the highest architectural, historic and archaeological value. The area forms part of the wider setting of the Minster. The extensive landscape gardens, within which Gray's Court and Minster Court sit, provide a beautiful foreground to the City Walls (Grade 1 and Scheduled Ancient Monument) and they also enrich the experience of the City Wall Walk and views from it. Pevsner regarded this stretch of the walls as providing one of the most agreeable walks in York (Pevsner N & Neave D "Yorkshire: York and the East Riding").

4.7 The Coach House is a two storey structure situated remote from the main house. It is physically associated with the group of smaller scale residential buildings at Monk Bar Court and Gowland Court. The main aspect of the building faces

towards the City Walls which are only 4-6m away. Architecturally the building is of its time, having a distinctive roof-form with pronounced gables and decorative barge-boards, though larger openings of a utilitarian nature have been formed in the ground floor external walls. The supporting statement for the proposals refers to the Coach House having housed the first privately owned car in York; so the building has been adapted to house cars although it currently appears to be in use for storage and it is in need of repair.

4.8 The area around the building is of poor quality concrete and tarmac and an adapted outbuilding forms the separate garage. Recently car-parking arrangements at Gray's Court have been re-ordered and this has affected the area immediately to the north west of the Coach House where part of the green border/embankment has been grubbed up to provide a standing area for cars adjacent to the City Walls. The Local Planning Authority would not support the use of this area for car parking because of the visual impact on the City Walls, conservation area, and the setting of listed buildings. The submitted drawings for the proposed dwellinghouse do not indicate this area as a designated parking area.

4.9 Whilst the spatial configuration of the building would appear to suit the new use, other heritage impacts must be taken into account such as:- the direct effect of physical changes on the nature of the building; the effect of changes on the setting of the building; the contribution of the changed setting to the wider area; and the detachment of the new use from its historic role as a service area for Gray's Court. PPS 5 and the companion Historic Environment Planning Practice Guide (March 2010) reinforce the importance of understanding these wider impacts.

#### Impact on the Coach House Building-

4.10 Some of the alterations to exterior openings reduce the utilitarian character of the building by introducing elements which are domestic in appearance, such as the addition of a porch. The new windows and doors would be vertical in emphasis and would cause the loss of the more generously proportioned openings. The proposed roof alterations would introduce a number of rooflights that have not been clearly justified by the applicant e.g. the one on the front roof slope facing the City Walls does not relate practically to the interior. The number and disposition of rooflights together with the proposed solar panels would give a messy appearance to the rear roofslope of the building.

4.11 In addition there would be the loss of the stable doors, taking-in hatches, and the glazed and timbered screen at the bottom of the central stair. It is important that these characteristic elements of the original building are retained even if glazing has to be introduced (paras. 185 & 186 of the Practice Guide).

4.12 Since it was constructed the Coach House has provided a service function ancillary to Gray's Court, first housing coaches and stabling and then private vehicles and storage. The building is not related architecturally or physically to the main house but the historical connection is important to our understanding of the use of the site over approximately 150 years. The building has particular connections with Edwin Gray, former Lord Mayor of York, and his pioneering relationship with the motor car. The proposed new use as an independent house would sever these

connections and remove the building from the wider estate as a potential service and storage resource. This would lessen our understanding of the heritage asset as a whole.

#### Setting and Wider Environment of the Conservation Area

4.13 When determining planning applications within conservation areas, the Council has a statutory duty to consider the desirability of preserving or enhancing the character and appearance of the area. This duty is reflected in Policies HE2 and HE3 of the Local plan and remains a key requirement in the recent PPS5 and its Practice Guide. The new guidance on planning for the historic environment (PPS 5) gives added weight to the importance of preserving or enhancing the setting of heritage assets. The Practice Guide explains that the experience of setting is usually more extensive than the immediate curtilage of a building. In some cases an asset's setting may be affected by a scheme at some distance away. Policy HE11 of the Local Plan seeks to preserve landscapes that are part of the setting of the conservation area, listed buildings and scheduled monuments.

4.14 It is considered that the conversion of the building into a four bedroom house is most likely to place further pressure on the immediate area outside the building but within the grounds of the setting of the Grade 1 Listed Building. The supporting statement implies that the existing car parking spaces for the owners and staff of Gray's Court would remain in this location; so any additional requirement for car parking associated with the new dwelling would be likely to cause a further increase in hard-standing near the dwelling. The supporting statement clarifies that there would be no physical boundary constructed to demarcate the area owned/used by the new house from Gray's Court. Although it is the intention of the applicant to retain ownership of the proposed dwellinghouse and control of the land uses within the site, this may alter in the future with the Local Planning Authority having no control over the land uses within the site and their potential impact in this sensitive location. Furthermore the loss of the building as a storage building would be likely to increase the need to provide storage for the uses at Grays Court elsewhere, no details have been provided to allow an analysis of this. Local Plan Policy HE11 advises that many buildings have gardens that are fundamental to the quality of their setting. The quality of this garden setting is an essential component in the setting of Gray's Court as a listed building and the dramatic townscape setting of the Minster, and the impact of a new dwelling and its incumbent uses could have future impacts on this treasured setting.

4.15 It is concluded that the information submitted is inadequate to properly assess the full impact of the proposals on the immediate curtilage of the building and other heritage assets of the highest significance, such as the City Walls, the garden setting of Gray's Court and its drive, and views of the Minster. The proposal would therefore be contrary to Policy HE11 of the Local Plan seeks to preserve landscapes that are part of the setting of the conservation area, listed buildings and scheduled monuments.

#### ARCHAEOLOGY/ SCHEDULED MONUMENT CONSENT

4.16 The site is within the city centre area of archaeological importance. Policy HE10 of the Local Plan seeks to preserve important archaeological remains and requires that applications demonstrate no more than 5% of archaeological deposits are disturbed or destroyed during works. A watching brief would be required via a condition as the site has been developed previously and it is understood that the applicant will be applying for Scheduled Monument Consent.

#### RESIDENTIAL AMENITY

4.17 The area is predominantly residential. The design and layout proposed provides reasonable private amenity space for future occupants, discreetly located waste storage, and due to the relationship with surrounding buildings, the development would not lead to undue overlooking. There is unlikely to be any additional harm to the amenity that adjoining neighbours can reasonably expect to enjoy with the occupation of the building as a single dwelling.

4.18 The party wall, construction methods and fire safety concerns raised by the occupier of the adjoining property are separate matters from planning legislation and would be covered by Building Control and Party Wall legislation.

#### HIGHWAY SAFETY

4.19 The proposed use as a single dwelling house would have no adverse impact on highway safety in terms of traffic generation and theoretically any increased demand for vehicle parking could be physically accommodated on the site or within the ownership of the applicant, subject to other material considerations. As there are no cycle parking facilities shown on the plans for residents use, this could be conditioned as part of any approval.

#### OPEN SPACE PROVISION

4.20 The development would require a commuted sum of £3006 towards the provision of open space within the area to comply with Policy L1c of the Local Plan.

#### SUSTAINABLE DEVELOPMENT

4.21 The applicant has submitted a sustainability statement in accordance with Policy GP4a of the Local Plan and the Council's interim planning statement on sustainable design and construction that promotes sustainability in new dwellings. The building is situated in a sustainable location within the City Centre, would re-use a redundant building without the need for substantial rebuilding or alteration, and would include energy efficient measures solar panels on the rear ( SW) slope of the building that would hopefully provide hot water for the guest accommodation.

#### DRAINAGE

4.22 The proposed development is situated in the low risk Flood Zone 1 and should not suffer from river flooding. However, despite the information submitted on the revised plans, there is insufficient information has been provided by the Developer to determine the potential impact the proposals may have on the existing drainage

systems. The applicant should provide a topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties, and existing and proposed surfacing should be specified. Without this important information, the Local Planning Authority cannot make an assessment as to what effect the development will have on the downstream watercourse. However given the scale of the proposal it is considered that in this case a planning condition could be imposed should permission be granted.

## **5.0 CONCLUSION**

5.1 While the use of the stable block as a single dwelling could be acceptable in principle under policy H4a, the application has failed to demonstrate that the proposals would not harm the character and appearance of the conservation area and the setting nearby listed buildings by the provision of additional parking spaces and the displacement of existing parking and storage facilities and the lack of clarity regarding the sub-division of the site. Furthermore the proposed external alterations to the building would harm appearance of the building and the conservation area. As such the proposal fails to meet the objectives of Policies HE2, HE3, HE4, and HE11 of the Local Plan and policies HE 6.2, HE 7.2, HE 9.4 and 10.2 of Planning Policy Statement 5 " Planning for the Historic Environment ", by altering the character of the building as a coach house, by undervaluing the significance of the heritage asset as a whole, by failing to acknowledge the contribution of the proposals to the wider setting and views of some of York's most valued heritage assets.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Refuse

1 The application proposals fail to demonstrate that parking for the proposed use and the displacement of existing parking and storage facilities from the building would not harm the character and appearance of the conservation area, the setting of nearby listed buildings and views from the adjacent city walls. As such the proposals would not meet the objectives of Policies HE2, HE3, HE4 and HE11 of the City of York Local Plan ( 2005 ) and policies HE 6.2, HE 7.2, HE 9.4 and 10.2 of Planning Policy Statement 5 " Planning for the Historic Environment, " by undervaluing the significance of the heritage asset as a whole, and by failing to acknowledge the contribution of the proposals to the wider setting and views of some of York's most valued heritage assets.

2 The proposed external alterations to the building including the size and number of rooflights, the introduction of solar panels, the erection of a porch, the vertical emphasis of new windows and doors and the loss of characteristic features such as the stable doors and taking-in hatches would reduce the utilitarian character of the building and harm the appearance of the building adversely affecting the character and appearance of the conservation area and the setting of nearby listed

buildings. As such the proposals would not meet the objectives of policies HE2, HE3 and HE4 of the Development Control Local Plan or of policies contained within Planning Policy Statement 5 "Planning for the Historic Environment".

## **7.0 INFORMATIVES:**

### **Contact details:**

**Author:** Fiona Mackay Development Management Officer (Wed - Fri)

**Tel No:** 01904 552407

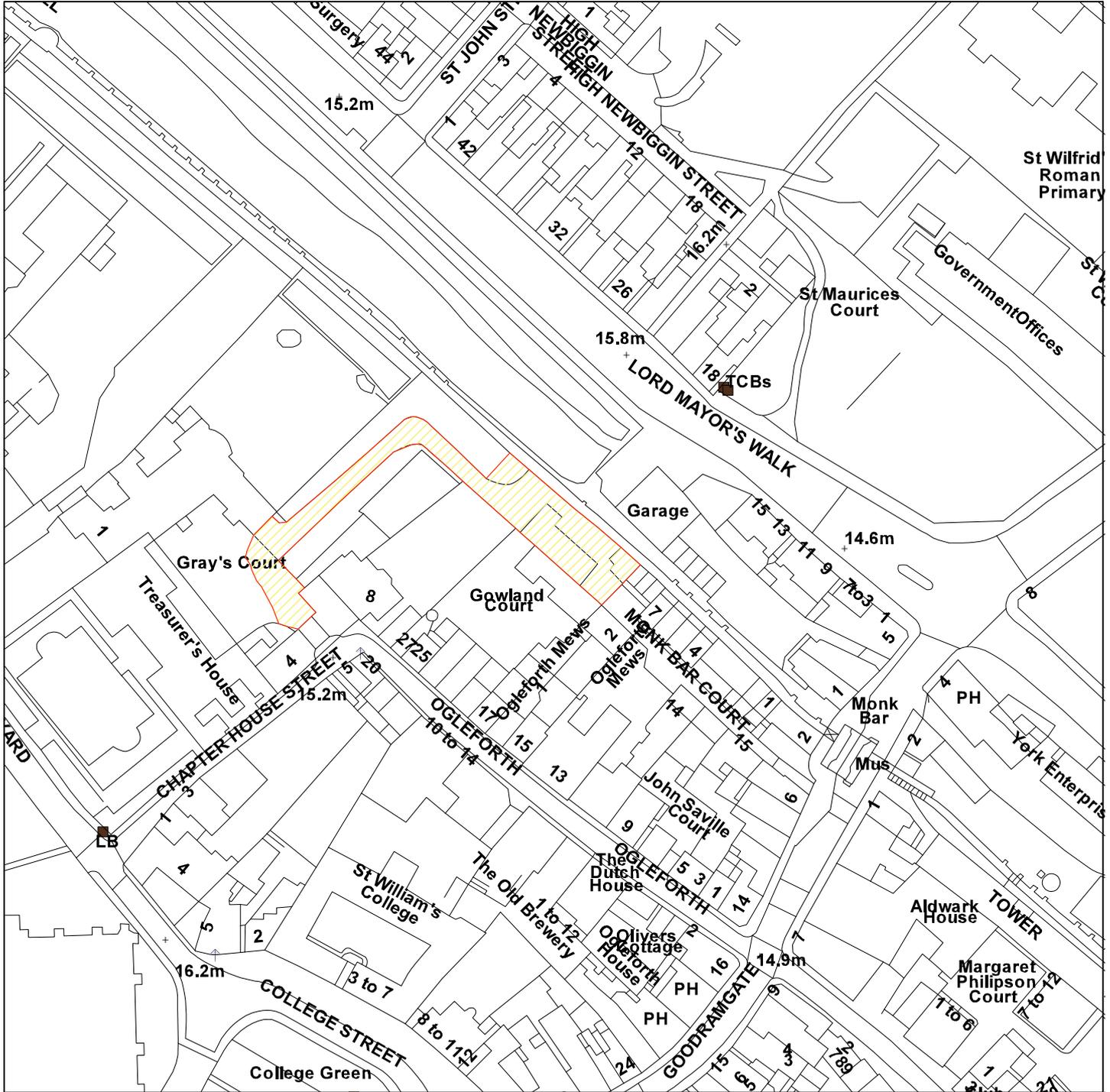
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# Stable Block, Chapter House Street

10/00621/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>	03 September 2010
<b>SLA Number</b>	Not set

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**COMMITTEE REPORT**

**Date:** 16 September 2010      **Ward:** Guildhall  
**Team:** West/Centre Area      **Parish:** Guildhall Planning Panel

**Reference:** 10/00622/LBC  
**Application at:** Stable Block Chapter House Street York  
**For:** Conversion of coach house to provide a single dwellinghouse  
**By:** Mr John Edwards  
**Application Type:** Listed Building Consent  
**Target Date:** 7 June 2010  
**Recommendation:** Refuse

**1.0 PROPOSAL**

1.1 This application seeks listed building consent for the conversion of the former stable block within the grounds of Gray's Court to a single 4 bedroom dwellinghouse. The building and the adjacent garage is currently used as storage for Gray's Court. The Coach House can be accessed from the courtyard of Gray's Court by a garden driveway and from Monk Bar Court through a pair of double doors.

1.2 The Coach House/stable block is located in the north east corner of the "Minster Precinct" at the head of Monk Bar Court on the site of a former foundry built adjacent to the City Walls. The building was introduced in the second half of the C19th to serve Gray's Court, and its construction appears to have allowed the demolition of stabling previously attached to the east wing of the main house. This demolition enabled the new drive to be formed linking Gray's Court itself with the new Coach House. The entrance to the drive is marked by C18th gate piers which were relocated from Treasurer's House in 1902. The Coach House is a curtilage building for the purposes of Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and as such is subject to Listed buildings control. Gray's Court is a Grade 1 Listed Building. The whole site lies within the Central Historic Core Conservation Area. The ground around the Coach House and the adjacent City Walls are classified as a Scheduled Ancient Monument.

**RELEVANT PLANNING HISTORY**

1.3 Related planning application - LPA Ref. No. 10/00621/FUL Conversion of Coach House to provide a single dwellinghouse.

1.4 Pending applications- LPA Ref. Nos. 10/00619/FUL and 10/00620/LBC Conversion of Coach House to provide accommodation ancillary to Gray's Court.

1.5 The application is reported to Sub-Committee at the request of Councillor Brian Watson because of the sensitivity of the site.

## **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

Listed Buildings GMS Constraints: Grade 1; 1 Grays Court Chapter House Street York 0723

Listed Buildings GMS Constraints: Grade 2; 4 Chapter House Street York YO1 2JH 0726

Listed Buildings GMS Constraints: Grade 1; City Walls Bootham Bar To Monk Bar 0577

Listed Buildings GMS Constraints: Grade 2; 6 Chapter House Street York YO1 2JH 0725

Scheduled Ancient Monuments GMS Constraints: SMR 13280 York Minster Precinct Inc. Section Of City Walls

### 2.2 Policies:

CYHE4 Listed Buildings

CYHE11 Trees and landscape

## **3.0 CONSULTATIONS**

### INTERNAL CONSULTATIONS

#### Design, Conservation and Sustainable Development ( Conservation Architect )

3.1 The floor plans appear to fit with the existing layout of the building although the level of detail is insufficient to determine the full impact of the proposals on the character of the interior. Object to the alterations to exterior openings which would reduce the utilitarian character of the building by introducing elements which are domestic in appearance such as the porch and remove characteristic features such as stable doors, taking-in hatches and the glazed and timbered screen at the bottom of the central stair. Object to the detail of the new windows and doors and the loss of the existing larger openings. The number and size of the rooflights should be reduced.

### EXTERNAL CONSULTATIONS/ REPRESENTATIONS

#### Guildhall Planning Panel

3.2 Supports the planning application

### Conservation Area Planning Panel

3.3 The Panel considers there should be no exterior alterations to building. The Panel has concerns about the lack of access and curtilage issues. The Panel also makes the point that should the storage and garaging facilities to the main house be lost that this could have a further impact on the area should more storage be required in the future.

### York Civic Trust

3.4 Supports the proposal to restore and re-use neglected building to dwellinghouse, but would not support the increased use of the driveway through the garden of Gray's Court. The garden has not been used for this purpose; and its role in the settings of Gray's Court, the Minster, and its proximity to the City Walls would be harmed by the use for vehicular traffic. Access should be via Monk Bar Court.

### Publicity

3.5 Two representations have been received from neighbours that raise the following points:

- Support the principle of the development
- Access through the grounds of Gray's Court should be used as Monk Bar Court is congested
- Concern about increased noise from parking
- Long term adverse impact on area
- Bat survey required as evidence of bats
- Proposed porch and solar panels would be incongruous with building and location, and prominent from the City Walls
- Lack of curtilage details does not allow proper assessment of impact of dwelling in sensitive, historic location
- Car parking should be restricted to use of existing garage
- Local Planning Authority should investigate the loss of the planting area adjacent to the City Walls that is being unlawfully used as a parking area
- Additional bat survey and sustainability required to assess the application

## **4.0 APPRAISAL**

### **4.1 KEY ISSUES**

- Impact on the special interests of the listed building

### **RELEVANT PLANNING POLICY**

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 GOYH.

4.3 Policy HE4 of the Local Plan states that consent will only be granted when there is no adverse effect on the character, appearance or setting of listed buildings. Policy HE11 seeks to ensure that trees and landscaping which are part of the setting of any heritage asset will not be harmed by new development.

4.4 Planning Policy Statement 5 " Planning for the Historic Environment " seeks to ensure that the special characteristics of listed buildings are not adversely affected by inappropriate developments. The PPS has a companion Historic Environment Planning Practice Guide (March 2010) that gives further guidance.

## ASSESSMENT

4.5 Gray's Court is situated within a highly sensitive part of the Central Historic Core conservation area which contains heritage assets of the highest architectural, historic and archaeological value. The area forms part of the wider setting of the Minster. The extensive landscape gardens within which Gray's Court and Minster Court sit, provide a beautiful foreground to the City Walls (Grade 1 and Scheduled Ancient Monument) and they also enrich the experience of the City Wall Walk and views from it. Pevsner regarded this stretch of the walls as providing one of the most agreeable walks in York ( Pevsner N & Neave D "Yorkshire: York and the East Riding").

4.6 The Coach House is a two storey structure situated remote from the main house. It is physically associated with the group of smaller scale residential buildings at Monk Bar Court and Gowland Court. The main aspect of the building faces towards the City Walls which are only 4-6m away. Architecturally the building is of its time, having a distinctive roof-form with pronounced gables and decorative barge-boards, though larger openings of a utilitarian nature have been formed in the ground floor external walls. The supporting statement for the proposals refers to the Coach House having housed the first privately owned car in York; so the building has been adapted to house cars although it currently appears to be in use for storage and it is in need of repair.

4.7 The area around the building is of poor quality concrete and tarmac and an adapted outbuilding forms the separate garage. Recently car parking arrangements at Gray's Court have been re-ordered and this has affected the area immediately to the north west of the Coach House where part of the green border/embankment has been grubbed up to provide a standing area for cars adjacent to the City Walls. There are no details of the proposed finish to this area.

4.8 Whilst the spatial configuration of the building would appear to suit the new use, other heritage impacts must be taken into account such as:- the direct effect of physical changes on the nature of the building; the effect of changes on the setting of the building; the contribution of the changed setting to the wider area; and the detachment of the new use from its historic role as a service area for Gray's Court.

PPS 5 and the companion Historic Environment Planning Practice Guide (March 2010) reinforce the importance of understanding these wider impacts.

#### IMPACT ON THE COACH HOUSE BUILDING

4.9 The floor plans appear to fit with the existing layout of the building. However, the level of detail submitted by the applicant is insufficient to determine the full impact of the proposals on the character of the interior so large scale details and schedules would be required by way of conditions if listed building consent is granted.

4.10 Some of the alterations to exterior openings reduce the utilitarian character of the building by introducing elements which are domestic in appearance, such as the addition of a porch. The new windows and doors would be vertical in emphasis and would cause the loss of the more generously proportioned openings. The proposed roof would introduce a number of rooflights that have not been clearly justified by the applicant. The distribution of the rooflights to the rear of the property makes sense practically though two rooflights have not been shown on the drawing of the rear elevation - one over the master bedroom and one over bedroom 3. The number, size and disposition of rooflights together with the proposed solar panels would give a cluttered appearance to the rear roofslope of the building.

4.11 In addition there would be the loss of the stable doors, taking-in hatches, and the glazed and timbered screen at the bottom of the central stair. It is important that these characteristic elements of the original building are retained even if glazing has to be introduced (paras. 185 & 186 of the Practice Guide).

#### IMPACT OF SEPARATE USE ON UNDERSTANDING OF THE LISTED BUILDING

4.12 Since it was constructed the Coach House has provided a service function ancillary to Gray's Court, first housing coaches and stabling and then private vehicles and storage. The building is not related architecturally or physically to the main house but the historical connection is important to our understanding of the use of the site over approximately 150 years. The building has particular connections with Edwin Gray, former Lord Mayor of York, and his pioneering relationship with the motor car. The proposed new use as an independent house would sever these connections and remove the building from the wider estate as a potential service resource. This would lessen our understanding of the heritage asset as a whole.

### **5.0 CONCLUSION**

5.1 The proposed external alterations to the building would harm appearance and special interest of the building. As such the proposal fails to meet the objectives of Policies HE2, HE3, HE4, and HE11 of the Local Plan and policies HE 6.2, HE 7.2, HE 9.4 and 10.2 of Planning Policy Statement 5 " Planning for the Historic Environment ", by altering the character of the building.

## COMMITTEE TO VISIT

### 6.0 RECOMMENDATION: Refuse

1 The proposed external alterations to the building including the size and number of rooflights, the introduction of solar panels, the erection of a porch, the vertical emphasis of new windows and doors and consequential loss of the more generously proportioned openings, and the loss of characteristic features such as the stable doors and taking-in hatches would adversely affect the utilitarian character of the building and harm the appearance of the building. As such the proposals would not meet the objectives of policies HE4 of the Development Control Local Plan or of policies contained within Planning Policy Statement 5 "Planning for the Historic Environment".

### 7.0 INFORMATIVES:

#### Contact details:

**Author:** Fiona Mackay Development Management Officer (Wed - Fri)

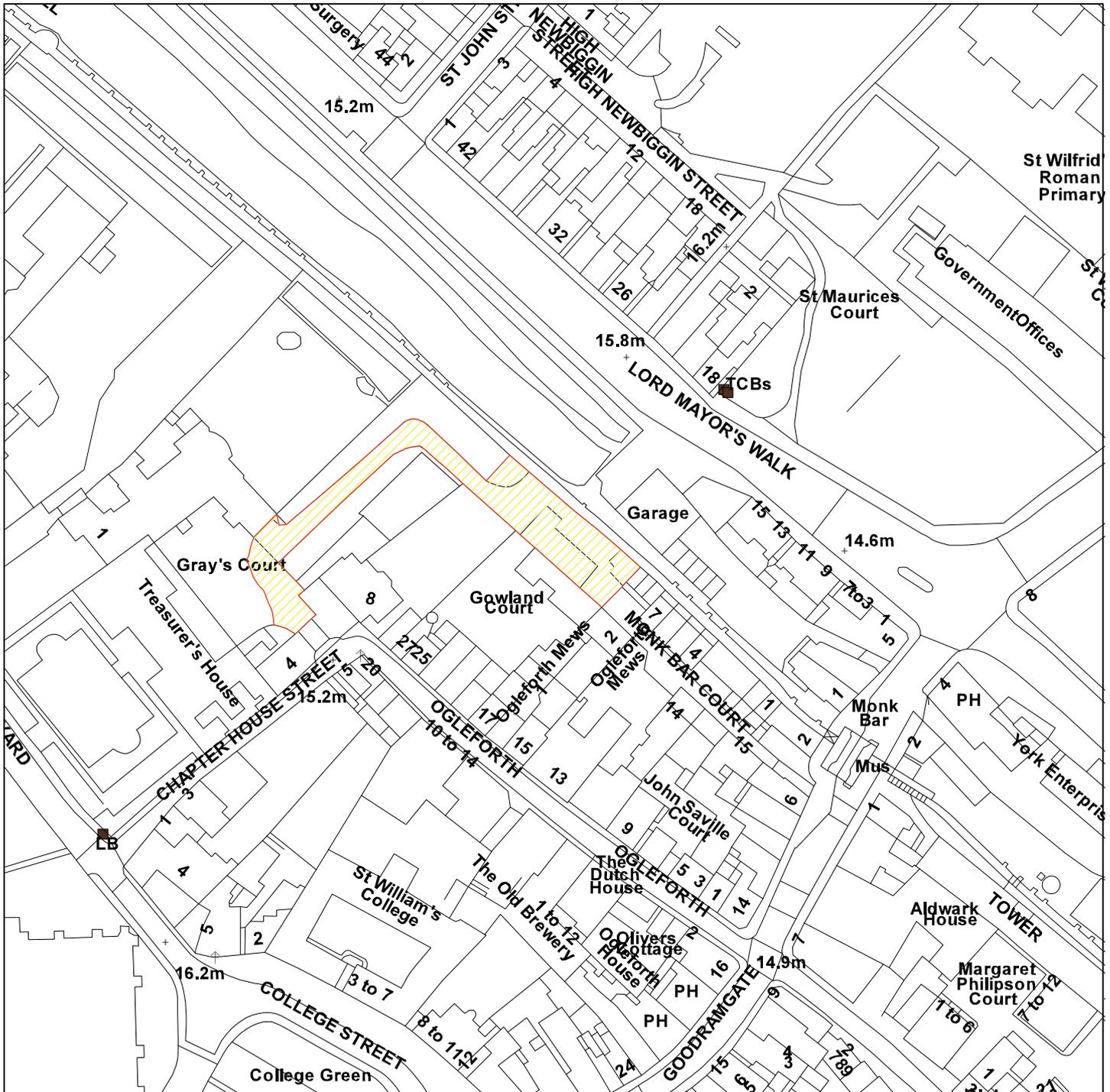
**Tel No:** 01904 552407

# Stable Block, Chapter House Street

10/00622/LBC



GIS by ESRI (UK)



Scale : 1:1250

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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>	03 September 2010
<b>SLA Number</b>	Not set

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**East Area Planning Sub Committee**

12<sup>th</sup> August 2010

**West and City Centre Area Planning Sub Committee**

16<sup>th</sup> September 2010

**Planning Committee**

23<sup>rd</sup> September 2010

## Appeals Performance and Decision Summaries

### Summary

- 1 This report (presented to both Sub Committees and Main Planning Committee) informs Members of the Council's performance in relation to appeals determined by the Planning Inspectorate in the 3-month period up to 30<sup>th</sup> June 2010, and provides a summary of the salient points from appeals determined in that period. A list of outstanding appeals as at 31<sup>st</sup> July 2010 is also included.

### Background

- 2 Appeal statistics are collated by the Planning Inspectorate on a quarterly basis. Whilst the percentage of appeals allowed against the Council's decision is no longer a National Performance Indicator, it has in the past been used to abate the amount of Housing and Planning Delivery Grant (HPDG) received by an Authority performing badly against the average appeals performance. Appeals performance has been close to the national average for a number of years.
- 3 Whilst the Inspectorate breaks down the appeals by type in reporting performance, the table below includes all types of appeals such as those against refusal of planning permission, against conditions of approval, enforcement notices, listed building applications and lawful development certificates. Figure 1 shows appeals decided by the Inspectorate, both by CYC area and decision type for the 3 months and also the combined area (CYC) 12 month performance.

**Fig 1 : Appeals Decided by the Planning Inspectorate  
For 3 months to 30<sup>th</sup> June 2010**

	East 3 months	West & CC 3 months	CYC 3 months	CYC 12 months
Allowed	1	2	3	11
Part Allowed	0	0	0	3
Dismissed	8	4	12	34
Total Decided	9	6	15	48
<b>% Allowed</b>	<b>11.11%</b>	<b>33.33%</b>	<b>20%</b>	<b>22.92 %</b>
% Part Allowed	0%	0%	0%	6.25%
Withdrawn	1	0	0	5

## Analysis

- 4 The table shows that for the 3 months to 30th June 2010, a total of 15 appeals relating to CYC decisions were determined by the Inspectorate. Of those, 3 were allowed. At 20%, the rate of appeals allowed is well below the national average but higher than the 9% reported as allowed in the preceding period.
- 5 For the 12 months up to 30<sup>th</sup> June 2010, CYC performance was 22.92% allowed, a better performance than the previously reported 12 month period of 26.32%.
- 6 The summaries of appeals determined in the 3 months to 30<sup>th</sup> June 2010 are included at Annex A. Details as to whether the application was dealt with under delegated powers or Committee (and in those cases the original officer recommendation) are included with each summary. In the period covered, 2 of the appeals determined related to applications refused by Committee:-
  - 09/00447/FUL:29 Church Street, Dunnington - dismissed. Officer rec. approve
  - 09/01215/FUL:57 York Road, Haxby - dismissed . Officer rec. refuse
- 7 The list of current appeals is attached at Annex B. There are 16 appeals lodged with the Planning Inspectorate, 10 in the East Sub Committee area and 6 in West and City Centre Sub Committee area. 13 are proposed to be dealt with by written representation process (W), two by Public Inquiry (P) and one by Informal Hearing (I).

## Consultation

- 8 This is essentially an information report for Members and therefore no consultation has taken place regarding its content.

## Corporate Objectives

- 9 The report is relevant to the furthering of the Council's objectives of making York a sustainable City, maintaining its special qualities, making it a safer city, and providing an effective organisation with high standards.

## Implications

- 10 Financial – There are no financial implications directly arising from the report
- 11 Human Resources – There are no Human Resources implications directly involved within this report and the recommendations within it other than the need to allocate officer time towards the provision of the information
- 12 Legal – There are no known legal implications associated with this report or the recommendations within it.
- 13 There are no known Equalities, Property, Crime & Disorder or other implications associated with the recommendations within this report.

## Risk Management

- 14 In compliance with the Council's risk management strategy, there are no known risks associated with the recommendations of this report.

## Recommendation

- 15 That Members note the content of this report.

Reason: So that members can continue to be updated on appeal decisions within the CYC area and informed of the planning issues surrounding each case for future reference in determining planning applications.

## Contact Details

### Author:

Jonathan Carr,  
Head of Development  
Management,  
Directorate of City Strategy

01904 551303

**Specialist Implications Officer(s)** None.

**Wards Affected:**

### Chief Officer Responsible for the report:

Mike Slater  
Assistant Director Planning & Sustainable  
Development, Directorate of City Strategy

**Report Approved**  **Date** 31<sup>st</sup> July 2010

**All**  Y

For further information please contact the author of the report

## Annexes

**Annex A – Summaries of Appeals Determined between 1<sup>st</sup> April to 30th June 2010**

**Annex B – Outstanding Appeals to 31<sup>st</sup> July 2010**

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## Appeal Summaries for Cases Determined 01/04/2010 to 30/06/2010

**Application No:** 09/00290/LBC  
**Appeal by:** Gateway Christian Centre  
**Proposal:** Retention of 1No.externally illuminated sign to Green Lane elevation  
**Site:** The Old School□Front Street□York□□  
**Decision Level:** DEL  
**Outcome:** ALLOW

The retrospective application for Listed Building Consent was refused on the grounds that the large static illuminated florescent strip light (measuring 5.2 metres in length) was considered to cause considerable harm to the visual amenity of the listed building and cause the sign to be unduly prominent within the streetscene and the conservation area. The strip light was considered to be out of scale, clumsy and discordant creating an appearance of clutter and excessive visual intrusion when seen in context of the listed building. The scale of illumination was considered in this location further to detract from the visual amenity of the area and the character and appearance of Acomb Conservation Area and listed building.□□The Inspector did not agree, despite the Local Plan policy being explicit in that trough lights would not be allowed in conservation areas and upon listed buildings. The inspector did not mention Policy HE8 in his decision and therefore no reasoning was given for why he did not consider this policy.□

---

**Application No:** 09/00293/ADV  
**Appeal by:** David C Donkin, Gateway Church  
**Proposal:** Retention of 1no. externally illuminated lettering sign to Green Lane elevation (re-submission)  
**Site:** The Old School□Front Street□York□□  
**Decision Level:** DEL  
**Outcome:** ALLOW

The retrospective application was refused on the grounds that the strip light above the lettering measuring 5.2 metres in length would cause visual harm to the listed building and by virtue of the lighting unduly prominent within the streetscene. The sign was sited on an extension of a Grade II listed building within the Acomb Conservation Area. The trough light was considered to create a cluttered appearance and obscure the lettering reducing the simple modern visual impact of the lettering. The lettering together with the permanent illumination was considered to create an alien and discordant element within the overall street scene contrary to the terms of Policy GP21 and HE8.□□The Inspector did not agree, despite the Local Plan policy being explicit in that trough lights would not be allowed in conservation areas and upon listed buildings. The inspector did not mention Policy HE8 in his decision and therefore no reasoning was given for why he did not consider this policy.□

---

**Application No:** 09/00447/FUL  
**Appeal by:** Mr Harry Johnson  
**Proposal:** Detached two storey dwelling and detached single garage (resubmission)  
**Site:** Westholme □ 29 Church Street □ Dunnington □ York □ YO19 5PP □  
**Decision Level:** COMM  
**Outcome:** DISMIS

This application was refused at East Area Planning Sub Committee (against officer recommendation) in October 2009. The application sought consent for a detached two storey house and single garage within the rear garden of 29 Church Street which is within the Dunnington Conservation Area. The application was refused for two reasons: 1) it was considered to be overbearing and over-dominant to the detriment of the outlook, amenity and privacy of occupiers of Stockhill Close; 2) it was considered to represent an incongruous form of development that would be out of scale and character with the semi-rural location and surrounding area. The appeal inspector dismissed the appeal as he felt that the proposal would introduce an uncharacteristic form of development into this important area, which would have a detrimental impact on its historic character and layout. He felt that the site makes a valuable contribution to the openness of the area to the rear of the Church Street frontages. The inspector concluded that the effect of the proposal on the living conditions of adjacent residents on Stockhill Close, in terms of outlook, privacy and light, would be insufficient on its own to render the proposal unacceptable. However it was considered to contribute to the overall conclusion that the appeal should fail.

---

**Application No:** 09/00541/FUL  
**Appeal by:** Michael Hammill  
**Proposal:** Conversion of basement to form self contained flat (retrospective application)  
**Site:** Zero House □ Greycliffe Drive □ York □ YO30 6LL □  
**Decision Level:** DEL  
**Outcome:** APPWDN

The appeal was against the imposition of a condition of approval that restricted occupation to the appellant, his spouse, family and visitors for a maximum period of 3 years. This condition was imposed to allow for personal circumstances of appellant who was occupying the basement flat, but was considered necessary by the Council as the living conditions for occupants of the flat were considered to be unacceptable in terms of daylight and outlook. □ □ The appeal was withdrawn following an indication in writing by the Planning Inspectorate that the Inspector considered the living conditions of the flat also to be unacceptable and that dismissal of the appeal could result in the revocation of the personal planning permission granted by the Council.

---

**Application No:** 09/01083/FUL  
**Appeal by:** Mr And Mrs Warner  
**Proposal:** Erection of 1no. dwelling with dormers to front and rear and associated access off Garth road (resubmission)  
**Site:** 9 Keith Avenue □Huntington □York □YO32 9QH □  
**Decision Level:** DEL  
**Outcome:** DISMIS

The appeal site is a residential plot positioned between Keith Avenue and Garth Road Huntington. Permission was sought to erect a dormer bungalow within the rear garden area of 11 Keith Avenue with access off Garth Road. It was refused on the grounds that the proposal would conflict with the existing form and layout of the surrounding area to the detriment of the character, appearance and visual amenity of the area. Furthermore the proposal, if granted, would set a harmful precedent for similar developments on adjacent plots which would be difficult to resist, and which accumulatively would result in further harm to the character and appearance of the area. The Inspector agreed that the proposal would have a harmful effect on the character and appearance of Garth Road. The introduction of a dwelling with its front elevation just two metres or less from a narrow road with no footpath would be noticeably discordant and incongruous. Furthermore, technical issues such as distance from existing dwellings have only been satisfied at the expense of the quality of that living environment. The inspector also agreed that if the appeal was to be allowed there would be no reasonable basis for the council to resist further similar developments, the result would present too urban a character to this edge-of-city suburban location.

---

**Application No:** 09/01084/FUL  
**Appeal by:** Mr And Mrs Knowles  
**Proposal:** Erection of 1No dwelling with dormers to front and rear and associated access off Garth Road (resubmission)  
**Site:** 11 Keith Avenue □ Huntington □ York □ YO32 9QH □  
**Decision Level:** DEL  
**Outcome:** DISMIS

The appeal site is a residential plot positioned between Keith Avenue and Garth Road Huntington. Permission was sought to erect a dormer bungalow within the rear garden area of 11 Keith Avenue with access off Garth Road. It was refused on the grounds that the proposal would conflict with the existing form and layout of the surrounding area to the detriment of the character, appearance and visual amenity of the area. Furthermore the proposal, if granted, would set a harmful precedent for similar developments on adjacent plots which would be difficult to resist, and which accumulatively would result in further harm to the character and appearance of the area. The Inspector agreed that the proposal would have a harmful effect on the character and appearance of Garth Road. The introduction of a dwelling with its front elevation just two metres or less from a narrow road with no footpath would be noticeably discordant and incongruous. Furthermore, technical issues such as distance from existing dwellings have only been satisfied at the expense of the quality of that living environment. The inspector also agreed that if the appeal was to be allowed there would be no reasonable basis for the council to resist further similar developments, the result would present too urban a character to this edge-of-city suburban location.

---

**Application No:** 09/01215/FUL  
**Appeal by:** Mr And Mrs Jeremy Hansbro  
**Proposal:** Erection of 1no. four-bedroom detached house to rear of 57 York Road  
**Site:** 57 York Road □ Haxby □ York □ YO32 3EE □  
**Decision Level:** CMV  
**Outcome:** DISMIS

Planning permission was refused by Committee (as recommended) for the erection of a house in the rear garden of a detached house due to the impact on the occupiers of the existing house due to noise, disturbance and loss of privacy caused by the shared use of the access and driveway to the side of the existing dwelling. The inspector disagreed but dismissed the appeal anyway due to impact on the character of the area - which was not a concern of the council.

---

**Application No:** 09/01236/OUT  
**Appeal by:** Mr Jim Stoyles  
**Proposal:** Outline application for the erection of a dwelling  
**Site:** Viewlands □ 227 Malton Road □ Huntington □ York □ YO32 9TD □  
**Decision Level:** DEL  
**Outcome:** DISMIS

Permission was refused for this application in the green belt as it was deemed inappropriate development which is, by definition, harmful to the Green Belt. The development would also have harmed the openness of the Green Belt. The Inspector identified 4 issues: (a) whether the development was inappropriate (b) the effect on openness of the green belt (c) off site open space provision (d) whether there are any special circumstances to outweigh a and b. He concluded the development was inappropriate and so by definition harmful, and that although a dwelling sympathetic to its surroundings could be designed, it would still by its presence cause (limited) harm to the openness of the green belt. In terms of (c) the inspector supported Local Plan Policy L1 c seeking a contribution towards open space provision which the appellant argued ought not to be necessary for a single dwelling. For (d), reference by the appellant to the Huntington Action Area north of the and partly in the green belt, to a now lapsed permission for 4 dwellings at a nearby garage site and to the sustainability credentials of the development did not persuade the inspector that there were very special circumstances to outweigh the presumption against this inappropriate development in the Green Belt.

---

**Application No:** 09/01351/FUL  
**Appeal by:** Mr J Barrie  
**Proposal:** Erection of 1no. two storey detached dwelling. Alterations to existing dwelling: change of use of garage to games room (resubmission)  
**Site:** Marina House □ Naburn Lane □ Naburn □ York □ YO19 4RW □  
**Decision Level:** COMM  
**Outcome:** DISMIS

Permission was refused because (i) The development was inappropriate in the Green Belt (ii) No affordable housing was proposed on this rural site over 0.03 ha where more than one house would be expected (iii) the development would have an overbearing and over dominant impact on Marina House close by as well as suffer inadequate privacy because of an overlooking balcony on that property. The Inspector found the development was not infill development and no special circumstances to outweigh the harm to the green belt were brought forward. In terms of affordable housing, the provision of at least 2 houses was considered to potentially further harm openness of the Green Belt such that any development including affordable housing would not be acceptable. The Inspector agreed that the private space of the new dwelling would suffer overlooking from the balcony at Marina House and that the new development would be overdominant from Marina House.

---

**Application No:** 09/01641/FUL  
**Appeal by:** Mr Shaun Binns  
**Proposal:** External alterations and balcony to front  
**Site:** The Lowther □ 8 Cumberland Street □ York □ YO1 9SW □  
**Decision Level:** DEL  
**Outcome:** DISMIS

Proposed 1st floor steel balcony of modern materials and horizontal emphasis. Refused due to visual impact, impact on conservation area and adjacent listed buildings. The attachment would generally not sit well with a building of this age and character. Also it would cut across detailing on the building, the required access, by increasing the size of window openings, would loose the existing symmetry, the structure, associated furniture and presence of patrons would draw further attention to what would be an incongruous feature. Attachment would detract from adjacent listed building, by being obtrusive and competing for attention. Amenity - residential terrace attached and balcony would be adjacent neighbours window. A noise report submitted demonstrated noise levels would not exceed background levels and area would operate to restricted hours. As no evidence that noise levels would materially increase inspector found noise impact was not grounds for refusal.

---

**Application No:** 09/01767/OUT  
**Appeal by:** Mr Ben Baldwin  
**Proposal:** Erection of 1 no. detached dwelling  
**Site:** Manor Farm □ Towthorpe Road □ Haxby □ York □ YO32 9SP □  
**Decision Level:** DEL  
**Outcome:** DISMIS

Planning permission was refused for the erection of a speculative house within a farm holding. Reasons were impact on the green belt and conservation area. Inspector dismissed the appeal on both grounds - and refused the appellant's application for costs.

---

**Application No:** 09/01816/FUL  
**Appeal by:** Mr Steve Boyne  
**Proposal:** Single storey side extension, conservatory to rear and renovation works for swimming pool  
**Site:** 2 Station Cottages □ Naburn Lane □ Naburn □ York □ YO19 4RW □  
**Decision Level:** DEL  
**Outcome:** DISMIS

Application for extensions to dwelling already substantially extended refused under delegated powers on green belt grounds. Inspector concluded that the replacement swimming pool enclosure at rear of house would further increase the extended house and would therefore be disproportionate and due to the taller walls and higher roof ridge would be visually more assertive and evident in vistas from outside the site. As a result, the proposal would constitute inappropriate development that would unacceptably intrude upon the openness of the green belt and character and appearance of the area. No 'very special circumstances' existed to outweigh this harm. The appeal was dismissed.

---

**Application No:** 09/02013/ADV  
**Appeal by:** Mr Nicholas Northam, Realstar Hote  
**Proposal:** Display of 7no. internally illuminated fascia signs, 1no. internally illuminated totem sign, 13no. non illuminated freestanding signs, 4no. non illuminated fascia signs, 4no. floodlights and 1no. flagpole  
**Site:** Holiday Inn□Tadcaster Road□Dringhouses□York□YO24 1HF□  
**Decision Level:** DEL  
**Outcome:** DISMIS

The application site is within the Tadcaster Road Conservation Area. The application was for the replacement of a signage to the Holiday Inn and additional floodlights. The application was part approved/part refused. The elements refused were the floodlighting, and the replacement totem sign to front of the building.□□The inspector dismissed the appeal. He considered that the proposed totem sign would be a bulky and ungainly structure. Whilst the precise position of the sign was unclear it would be sited closer to Tadcaster Road, and was therefore considered to have a greater presence in the street scene than the existing sign. As such it would be a discordant and intrusive feature that would be at odds with the prevailing character of the street scene and the Conservation Area.□□The Inspector also considered the floodlighting to be harmful and dismissed the appeal. He took into account the existing streetlighting, and the illuminated signage on the site permitted by the Council, and floodlighting (no consent). Night time photographs submitted by the council showed lit windows in the side and end elevations of the building. The main hotel building is set back from Tadcaster Road, from where the floodlit façade would be observed at an oblique angle and with intervening foliage.□The Inspector considered that the amount of existing and permitted illumination in, on and around the building, and considered the proposed floodlighting to be excessive, reinforcing the presence of the site during the hours of darkness to an unacceptable degree.□

---

**Application No:** 09/02018/FUL  
**Appeal by:** Roger Lee And Sally Hayes  
**Proposal:** First floor flat roof side extension with balcony to front. Alterations to front boundary including new gates (1.8m high).  
**Site:** 29 Albemarle Road□York□YO23 1EW□  
**Decision Level:** DEL  
**Outcome:** DISMIS

Relates to an early C20 semi-detached red brick house overlooking the knavesmire. Proposed was a 2-storey side extension with a flat roof, clad in grey render. The extension involved the loss of a chimney. □Inspector objected to the materials and roof shape, that would be out of character. The chimney loss was also objected to on the grounds this would lead to a loss of symmetry of the pair of semi-detached houses.□

---

**Application No:** 09/02089/FUL  
**Appeal by:** Mr Andrew Thompson  
**Proposal:** Part first floor part two storey side extension and alteration to roof of existing single storey part. (resubmission)  
**Site:** 81 Lower Priory Street□York□YO1 6HD□  
**Decision Level:** DEL  
**Outcome:** DISMIS

The application was refused as the size, location and subsequent proximity to surrounding houses of the extension would appear overbearing over 22 and 23 Hampden Street and would appear overbearing and cause a loss of light to the kitchen and rear yard of 48 Victor Street. The Inspector agreed that from the pleasant small rear yard of 48 Victor Street the extension would be imposing and overdominant and would reduce sunlight. He also agreed that the gable wall of the extension would be overbearing from the rear of 22 and 23 Hampden Street.

---

**Application No:** 09/02142/FUL  
**Appeal by:** Mr And Mrs Harvey  
**Proposal:** Pitched roof dormer to rear  
**Site:** 3 Main Street□Heslington□York□YO10 5EA  
**Decision Level:** DEL  
**Outcome:** ALLOW

The retrospective application was refused as the dormer was considered disproportionately large in relation to the scale of the building, and appeared as an uncharacteristic feature that was intrusive in the street scene. It was therefore harmful to the character and appearance of the conservation area. The inspector disagreed that it was harmful; concluding that being to the rear it was not prominent and could only be seen from discreet views. He also argued the materials were sympathetic and that there were other dormers to properties within the vicinity.

---

<b>Decision Level:</b>	<b>Outcome:</b>
DEL = Delegated Decision	ALLOW = Appeal Allowed
COMM = Sub-Committee Decision	DISMIS = Appeal Dismissed
COMP = Main Committee Decision	PAD = Appeal part dismissed/part allowed

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## Outstanding appeals

<b>Officer:</b> Billy Wong						<b>Total number of appeals:</b> 1
<b>Received on:</b> 11/05/2010	<b>Ref No:</b> 10/00024/REF	<b>Appeal Ref No:</b> APP/C2741/A/2128424/NW/F	<b>Process:</b> W	<b>Site:</b> Land To The West Of Metcalfe Lane Osbaldwick	<b>Description:</b> Change of use of agricultural land into nature conservation area with public access	
<b>Officer:</b> Erik Matthews						<b>Total number of appeals:</b> 1
<b>Received on:</b> 04/03/2010	<b>Ref No:</b> 10/00015/REF	<b>Appeal Ref No:</b> APP/C2741/A/10/2124163/NW/F	<b>Process:</b> W	<b>Site:</b> Wellgarth House Wetherby Road Rufforth York YO23	<b>Description:</b> Outline application for construction of 4no two-storey dwellings after demolition of existing dwelling	
<b>Officer:</b> Hannah Blackburn						<b>Total number of appeals:</b> 2
<b>Received on:</b> 20/07/2010	<b>Ref No:</b> 10/00032/FUL	<b>Appeal Ref No:</b> APP/C2741/A/10/2131700/NW/F	<b>Process:</b> W	<b>Site:</b> OS Field 0553 Elvington Lane Dunnington York	<b>Description:</b> Erection of stable block (retrospective)	
01/07/2010	10/00030/EN	APP/C2741/C/10/2131736	P	OS Field 0553 Elvington Lane Dunnington York	Appeal against	
<b>Officer:</b> Heather Fairy (Mon - Wed)						<b>Total number of appeals:</b> 1
<b>Received on:</b> 20/04/2010	<b>Ref No:</b> 10/00023/REF	<b>Appeal Ref No:</b> APP/C2741/A/10/2127003/NW/F	<b>Process:</b> W	<b>Site:</b> 9A Green Lane Acomb York YO24 3DA	<b>Description:</b> First floor rear extension	
<b>Officer:</b> Jonathan Kenyon						<b>Total number of appeals:</b> 1
<b>Received on:</b> 20/05/2010	<b>Ref No:</b> 10/00025/REF	<b>Appeal Ref No:</b> APP/C2741/A/10/2129020/NW/F	<b>Process:</b> W	<b>Site:</b> 4 Skeldergate York YO1 6DG	<b>Description:</b> Change of use from hairdresser (use class A1) to hot food takeaway (use class A5)	
<b>Officer:</b> Kevin O'Connell						<b>Total number of appeals:</b> 2
<b>Received on:</b> 08/07/2010	<b>Ref No:</b> 10/00033/REF	<b>Appeal Ref No:</b> APP/C/2741/X/10/2132047	<b>Process:</b> P	<b>Site:</b> 22 Mill Lane Wigginton York YO32 2PX	<b>Description:</b> Lawful Development Certificate for the existing use of an outbuilding to the rear of 22 Mill Lane as a retail shop (Class A1)	
18/03/2010	10/00017/REF	APP/C2741/A/10/2125131/NW/F	W	5 Northfields Strensall York YO32 5XN	Erection of 3no. dwellinghouses to rear of 5 and 6 Northfields (amended scheme) (resubmission)	

<b>Officer: Michael Jones</b>						<b>Total number of appeals: 1</b>
<b>Received on:</b>	<b>Ref No:</b>	<b>Appeal Ref No:</b>	<b>Process:</b>	<b>Site:</b>	<b>Description:</b>	
31/03/2010	10/00020/REF	APP/C2741/A/10/2126146/NWF	I	Bonneycroft 22 Princess Road Strensall York YO32	Outline application for erection of nursing home	
<b>Officer: Matthew Parkinson</b>						<b>Total number of appeals: 2</b>
<b>Received on:</b>	<b>Ref No:</b>	<b>Appeal Ref No:</b>	<b>Process:</b>	<b>Site:</b>	<b>Description:</b>	
30/03/2010	10/00019/REF	APP/C2741/H/10/2125667	W	Inner Space Stations 339 - 341 Hull Road Heslington	Display of 1no externally illuminated fascia sign (retrospective) (resubmission)	
17/06/2010	10/00029/EN	APP/C/2741/C/10/2130522	W	106 Albion Avenue York YO26 5QY	Appeal against	
<b>Officer: Neil Massey</b>						<b>Total number of appeals: 3</b>
<b>Received on:</b>	<b>Ref No:</b>	<b>Appeal Ref No:</b>	<b>Process:</b>	<b>Site:</b>	<b>Description:</b>	
24/05/2010	10/00026/REF	APP/C2741/A/10/2129336/WF	W	52 School Lane Fulford York YO10 4LS	Two storey pitched roof extension to rear	
11/06/2010	10/00028/FUL	APP/C2741/D/10/2130066	W	Victoria Farm House Victoria Farm Estate York	Erection of wall, pillars, gates and railings to east and north boundaries	
13/04/2010	10/00022/REF	APP/C2741/A/10/2126679/WF	W	1 Springfield Cottages Hull Road Dunnington York	Change of use from domestic outbuilding to dwelling with additional storage building to side	
<b>Officer: Victoria Bell</b>						<b>Total number of appeals: 2</b>
<b>Received on:</b>	<b>Ref No:</b>	<b>Appeal Ref No:</b>	<b>Process:</b>	<b>Site:</b>	<b>Description:</b>	
09/04/2010	10/00021/REF	APP/C2741/A/2126475/WF	W	Acomb Chiropractic Clinic 60A York Road Acomb York	Erection of detached bungalow to rear after demolition of existing garage	
07/07/2010	10/00031/REF	APP/C2741/A/10/2131958/NWF	W	38 Leven Road York YO24 2TJ	Change of use from 1no. house to 2no. flats	
<b>Total number of appeals: 16</b>						